DEC -1-76 B 524103C*****40.00

Calvin Jones, Jr.,

Plaintiff

vs

Cleveland Mitchell,
Matie Lee Mitchell and
Violet Lee Harris,

Defendants

In Equity No. 10018

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 Cleveland Mitchell, Matie Lee Mitchell and Violet Lee Harris, to the Bank of Somerset, dated May 24, 1971, in the sum of $2,500.00, recorded on June 2, 1971, in Liber 261 folio 134.

Lionel Bennett
Attorney for Plaintiff
945 Main Street
Crisfield, Maryland
Phone: 968-1166

For Morgage See Liber I.T.P. 261 Folio 134
For Assignment See Liber I.T.P. 297 Folio 286

Calvin Jones, Jr.,

Plaintiff

vs

Cleveland Mitchell,
Matie Lee Mitchell and
Violet Lee Harris,

Defendants

In Equity No. 10018

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 30th day of November, 1976, 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 May 24, 1971, made by Cleveland Mitchell, Matie Lee Mitchell and Violet Lee Harris to Bank of Somerset, is $416.51 with interest from October 25, 1976, at the rate of 8% per annum.

As witness my hand and Notarial Seal.

Lionel Bennett
Lionel Bennett
Attorney and Agent for
Mortgagee

Shirley F. Ennis
Notary Public

SHIRLEY F. ENNIS
NOTARY PUBLIC
SOMERSET COUNTY

Maryland

Chancery 10,018

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2645

That we, Lionel Bennett, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Three thousand and oo/100 ($ 3,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 30th day of November, 1976.

WHEREAS, the above bounden Lionel Bennett

by virtue of the power contained in a mortgage from Bank of Somerset

to Cleveland Mitchell, Matie Lee Mitchell and Violet Lee Harris

bearing date the 24th day of May, 1971 and recorded among

the mortgage records of Somerset County, Maryland

in Liber XXX I.T.P. No. 261 Folio 134

and Lionel Bennett

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Lionel Bennett

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Shirley A. Ennis

Lionel Bennett — Principal

Lionel Bennett

As to Surety

D. Duvall

C. Larson

Principal

WESTERN SURETY COMPANY

By W. Berentschot

W. Berentschot, Asst. Sec'y.

Countersigned by Lionel Bennett Maryland Resident Agent

FILED

Nov 30 2 53 PM '76

RECORDED IN TM
LIBER NO. 10 FOLIO 349
I, THEODORE PHEBUS, CLR. CT. CT.
BY DEPUTY

THE WITHIN BOND APPROVED.

PER: Theodore Phebus, CLERK.

LIBER 46 PAGE 03

LIBER 010 PAGE 349

MORTGAGEE'S SALE OF VALUABLE REAL ESTATE

By virtue of the power and authority contained in a mortgage from Cleveland Mitchell, Matie Lee Mitchell, and Violet Lee Harris, to the Bank of Somerset, a body corporate existing under the laws of the State of Maryland, and assigned to Calvin Jones, Jr., dated May 24, 1971, recorded among the land records of Somerset County, in Liber 261 page 134, 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 Monday, December 20, 1976, at 2:00 p.m.,

Parcel 1. All that lot of land in Asbury Election District, Somerset County, Maryland, on a lane or road which leads from the county road leading from Rayfield Road to Asbury Methodist Church; bounded on the north by the lands now or formerly of William H. Jones; containing one-half acres, more or less; being the same premises conveyed to the above named mortgagors by deed dated May 24, 1971 and recorded among the lands records of Somerset County.

Parcel 2. All that lot of land situate in Asbury Election District, Somerset County, Maryland, being located on the south side of a 21½ foot road known as the "Dow Lawson Private Road", and beginning for the same at a cement post placed on the south side of the aforesaid private road at the extreme northeast corner of the lands now or formerly of Pauline Crockett and the extreme northwest corner of the lands herein described; thence north 83° 20' east by and with the south side of said Dow Lawson Private Road 156' to a cement post placed at the extreme northeast corner of the lot herein described; thence south 10° 47' east, by and with a wire fence and other lands now or formerly of Walter Jones 210' to a

fence and the extreme southeast corner of the land herein described; thence south 83° 20' west by and with other lands now or formerly of Walter Jones 131.12' to a point at the extreme southwest corner of the lands herein described which said corner lies north 17° 28' west 7' from a large pine tree; thence north 17° 28' west by and with the lands of Pauline Crockett 213.23' to the south side of the Dow Lawson Private Road and place of beginning, and containing 30,170 square feet; accurately laid down and described on a plat entitled "Walter Jones Packing House Lot" prepared by W. Ballard Miles, Registered Surveyor, dated December 3, 1957, and recorded with a deed recorded in Liber 184 page 593; being the same premises conveyed to Mattie Mitchell by deed dated June 20, 1961, recorded in Liber 205, page 129.

Together with the buildings and improvements thereupon erected made or being, and all and every the rights, roads, ways, waters, privileges, appurtenances and advantages thereto belonging or in anywise appertaining.

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

Lionel Bennett

December 3, 10, 17

Due and timely service of the above notice is hereby admitted.

Violet Lee Harris

Violet Lee Harris

FILED
DEC 21 3 09 PM '76
RECORDED IN
LIBER NO. ____ FOLIO ____
MILLINGS MICHIGAN, CLERK
BY ____ DEPUTY

LIBER 46 PAGE 06

Calvin Jones, Jr.,

Plaintiff

vs

Cleveland Mitchell,
Matie Lee Mitchell and
Violet Lee Harris,

Defendants

In Equity No. 10018

In the Circuit Court for

Somerset County, Maryland

AFFIDAVIT PURSUANT TO RULE W 74 a 2 (c)

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 20 day of December, 1976, 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 Cleveland Mitchell and Matie Lee Mitchell, mortgagors herein, are deceased; that notice of the time, place and terms of sale was delivered to mortgagor, Violet Lee Harris, affiant not having any known address for said mortgagor as appears by the admission of service on the annexed notice of sale.

As witness my hand and Notarial Seal.

SHIRLEY F. ENNIS NOTARY PUBLIC SOMERSET COUNTY MD.

Shirley F. Ennis
Notary Public

Calvin Jones, Jr.	:	No. 10,018 Chancery
vs	:	In the Circuit Court for
Cleveland Mitchell Mattie Lee Mitchell Violet Lee Harris	:	Somerset County, Maryland

SHOW CAUSE ORDER

Ordered by the Circuit Court for Somerset County, Maryland, this 7th day of January, 1977, that the surplus proceeds derived from the sale of the property mentioned in these proceedings made and reported by Lionel Bennett, Attorney for Calvin Jones, Jr., be remitted to Peninsula Bank, unless cause to the contrary thereof be shown on or before the 2nd dayof February, 1977, provided a copy of this Order be served on Lionel Bennett, Attorney, together with a copy of the Application for Surplus of Proceeds of Sale, on or before the 17th day of January, 1977.

Lloyd L. Smith
Judge

46 07

46 PAGE 08

MARYLAND INSTALMENT SALE AGREEMENT

(Security Agreement)

Date Sept. 18 19 70

Between James Lee Williams (Name(s) of Buyer(s)) Box 211 Westover, Md. (Res. & P. O. Add.) (City or Town) (State) (Zip)

And Norman R. McIntyre Auto Sales (Name of Seller (Dealer)) Princess Anne, Md. (Bus. Res. & P. O. Add.) (City or Town) (State) (Zip)

Buyer (meaning thereby all of undersigned buyers jointly and severally) hereby purchases from Seller and grants Seller a security interest in the following described Motor Vehicle (herein called "car") for the Deferred Payment Price set forth hereinafter at item (10) on the terms and conditions set forth below. Buyer acknowledges delivery, examination and acceptance of said car in its present condition. Buyer warrants that the car is being bought for use primarily for personal, family, agricultural or household purposes unless herein otherwise specified. Other primary use, if any .....

YEAR	FACTORY MAKE	TYPE OF BODY	MODEL	TRUCK-BUS CAP. WGT.	VEHICLE IDENTIFICATION NUMBER	LICENSE NUMBER	NO. OF CYL.	NEW OR USED
66	Pontiac	Cpe.	Sk. T.		E223197		8	U

Equipment: ☐ Radio ☐ Auto. Trans. ☐ Pwr. Steering ☐ Pwr Brakes ☐ Pwr. Windows ☐ Air Cond.

Deferred Payment Price computed as follows: (Disclosures made in compliance with Federal Law)

1. Cash Price (incl. extra equipment and tax on cash sale) $ 1295.00
2. Charges for delivery, installation, repairs or other services upon the car not included in the Cash Price $
3. Sum of the Cash Price (Cash Delivered Price) (Sum of items 1 and 2) $ 1295.00
4. Total Down Payment $ 100.00 (Cash) plus (b) $ (Agreed value of car traded in) Less $ (Balance Owing on Trade-in) $ 100.00

   Description of trade-in: Make ..... Yr. ..... ID No. .....
5. Unpaid Balance of Cash Price (Item (3) minus Item (4)) $ 1195.00
6. Other Charges:

   A. Cost of Car Insurance Premium if obtained through the seller. THE BUYER MAY CHOOSE THE PERSON THROUGH WHOM THE INSURANCE IS TO BE OBTAINED. (Insurance payable to the bank named in this contract for the account of all interests.) $ 130.00

   Concise description of car coverage (Type of Coverage as checked [X] below)

   ☐ Comprehensive including Fire and Theft
   ☐ Fire, Theft and C.A.C.
   ☐ $ ..... Deductible Collision
   ☐ Towing and Labor Costs (not exceeding $25 for any one disablement)

   Actual Cash Value expiring ..... (Date) Payable to the Bank named in this Agreement for the account of all interests.

   Insurance does not include coverage for personal liability and property damage caused to others.

   B. Cost of Credit Life Insurance payable to the Bank named in this contract (if Buyer has not attained age 66.) COVERAGE IS NOT REQUIRED $ 19.52

   I do ☐ do not ☐ desire Credit Life Insurance.

   C. Cost of Accident and Health Insurance for the original term of this Contract, payable to the Bank named in this Contract (if Buyer has not attained age 66.) COVERAGE IS NOT REQUIRED $

   I do ☐ do not ☐ desire Accident and Health Insurance

   Refer to paragraph below, NOTICE OF PROPOSED CREDIT AND/OR ACCIDENT & HEALTH INSURANCE, for term and coverage.

   Buyer's Signature James Lee Williams Date

   D. Official Fees $ 10.00
   E. Taxes Not Included in Cash Price $
   F. License and/or Registration Fees (Itemize) $ 159.52
   G. Total Other Charges (Sum of Items 6A through 6F) $XXXXXX
7. Unpaid Balance—Amount Financed (Sum of Items 5 and 6) $1354.52
8. **FINANCE CHARGE** $ 270.52
9. Total of Payments (Due Seller from Buyer; Sum of Items 7 and 8) $1625.04
10. Deferred Payment Price (Sum of Items 3, 6, and 8) $1725.04
11. **ANNUAL PERCENTAGE RATE** 18.15 %

Buyer agrees to pay Total of Payments (Item 9) at the office of **BANK OF SOMERSET Princess Anne, Maryland**

in 24 successive monthly instalments of 67.71 each and one final instalment of ..... commencing ..... 19..., or, if no date is shown, one month from the date hereof. All payments are due consecutively on the same date of each month.

*Any Balloon Payment (instalment more than twice the amount of the regular scheduled equal instalments) may be refinanced at maturity in accordance with Maryland law.

DELINQUENT AND COLLECTION CHARGES: If any instalment is in arrears for more than ten days after the date upon which it is due and payable, Buyer shall pay, in addition to the full amount of such instalment, a delinquency and collection charge of five (5%) per cent of the amount of each such instalment or the sum of **$5.00**, whichever is the lesser, with respect to each of such delinquent instalments. In addition to such delinquency and collection charge Buyer promises to pay the holder hereof its attorney fees in an amount not exceeding **15%** of the amount due and payable hereunder where this contract is referred for collection to an attorney not a salaried employee of the holder of the contract, plus the court costs.

PREPAYMENT REBATE: Upon full payment of the entire unpaid balance in advance, Buyer is entitled to a rebate of the Finance Charge, computed in accordance with the Rule of 78ths.

Certain items listed in the disclosure above, made in compliance with Federal Truth in Lending Act, are known by different terminology under the Maryland Retail Installment Sales Act, which Act may be inconsistent with Federal Law. Reference to the numbers and terms above is hereby made and the terms referred to under said Acts are hereby made a part of this contract.

Item Number Disclosed Above	*Term Used Under Federal Truth-in-Lending Act*	*Term Used Under Maryland Retail Installment Sales Act*
7.	Unpaid Balance	Principal Balance
9.	Total of Payment	Time Balance

NOTICE OF PROPOSED CREDIT LIFE AND/OR ACCIDENT & HEALTH INSURANCE: Credit life or credit accident and health insurance is provided only if checked above and a premium amount is included on Line 6(B) or Line 6(C) and if so checked the Buyer requests the Seller or assigns to secure such insurance on the Buyer whose signature first appears below from the FEDERAL LIFE AND CASUALTY COMPANY, Battle Creek, Michigan. Life insurance on the Buyer shall be for the term of the indebtedness in an amount necessary at any time to discharge the Buyer's indebtedness, or $10,000, whichever is less. The accident and health insurance provides that in the event the Buyer is totally disabled for more than 30 consecutive days, the Company will pay 1/30 of the monthly benefit for each day of total disability commencing on the thirty-first day thereof. The proceeds of the insurance shall be paid to the Creditor to reduce or discharge the indebtedness to the creditor and the excess, if any, shall be paid to the insured Buyer, if living, otherwise to his estate. The insurance shall become effective concurrently with the inception of such indebtedness to the Creditor. If the Creditor collects a payment from the Buyer for insurance and such insurance does not become effective, the Creditor shall immediately give written notice to the Buyer and shall promptly refund or credit to the Buyer the amount collected from him for such insurance. If coverage is written by other insurer, the insurer is ..... of ..... The terms and
(Name of Company) (City and State)
conditions of this coverage are as provided in a separate policy or certificate furnished herewith.

Buyer and Seller agree that the "Covenants and Conditions" printed on the reverse side hereof are incorporated therein by reference and constitute a part of this contract.

NOTICE TO BUYER: 1. You are entitled to a copy of this agreement at the time you sign it.
2. Under the State Law (Maryland) regulating instalment sales, you have certain rights, among others:
(1) To pay off the full amount due in advance and obtain a partial rebate of the finance charge;
(2) To redeem the property if repossessed for a default;
(3) To require, under certain conditions, a resale of the property if repossessed.

Seller hereby accepts this contract and assigns it to the above named Bank subject to the terms, conditions and warranties appearing on the reverse side hereof under the heading "Dealer's Assignment."

..... (Seal) (Buyer Sign Here) Jarnelle Lee Williams (Seal)
(Seller) (Credit Life and Accident and Health Insurance, if included, covers only the person signing above.)

By Thomas R. McIntyre (Seal) (Buyer Sign Here) X Lolesia Landmith (Seal)
(Signature and Title) (Buyer Sign Here)

Date Signed Jarnelle Lee Williams

Buyer acknowledges receipt of an exact executed copy of this contract at the time of execution hereof.

(Buyer Sign Here)

ORIGINAL FOR BANK 7/69

LIBER 46 FOLIO 10

State of Maryland

CLAIM AGAINST DECEDENT'S ESTATE

The below-named creditor certifies that there is due and owing by Cleveland Mitchell, deceased, in accordance with the statement of account attached hereto as a part hereof the sum of $1049.74, together with interest at the rate of _____ from _____ until paid, and that the aforesaid account is correct as stated and is unpaid.

On behalf of the below-named creditor, I do solemnly declare and affirm under the penalties of perjury that the information and representations made in the aforegoing claim, and the aforesaid account are true and correct according to my knowledge, information and belief.

Peninsula Bank
(Name of Creditor)

Don M. Wigglesworth AVP
(Signature of creditor or person authorized to make verification on behalf of creditor)

RW 7 (1-1-70)
The Foul Co.

True Copy
Peggy M. Atkins
Chief Deputy Register of Wills

Calvin Jones, Jr.	:	No. 10,018 Chancery
vs	:	In the Circuit Court for
Cleveland Mitchell Mattie Lee Mitchell Violet Lee Harris	:	Somerset County, Maryland

APPLICATION FOR SURPLUS OF PROCEEDS OF SALE

To the Honorable, the Judges of said Court:

Peninsula Bank, a body corporate of the State of Maryland, by Jones & Jones, its attorneys, pursuant to Rule W75(a) of the Maryland Rules of Procedure, hereby makes application to have the surplus of the proceeds of the sale reported in this proceeding paid over to the said Peninsula Bank, and in support of said application submits the following:

1. That one of the defendant debtors of this proceeding, namely, Cleveland Mitchell, was also indebted unto Peninsula Bank as guarantor of a conditional sales contract dated September 18, 1970 in the total amount of $1625.04. See photocopy attached hereto.

2. That said debt is delinquent and as of the date of sale of the property in this proceeding said indebtedness was due and outstanding in the amount of $801.00.

3. That saidproperty had been looked to by your petitioner as additional collateral security for the loan which was the subject of said installment contract.

4. That your petitioner did file a statement of claim with the Orphans Court of Somerset County which would have been honored if an estate of Cleveland Mitchell, now deceased, had been opened.

5. That said estate would have been entitled to the proceeds which were surplus as a result of the sale ordered in these proceedings.

6. That your petitioner should stand in the same stead as said estate and is entitled to reimbursement to the extent of the surplus in these proceedings.

7. That your petitioner believes said surplus will not satisfy said indebtedness.

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

8. That your petitioner believes that no other person is entitled to said monies.

9. That your petitioner respectfully represents that it has an interest in the equity of redemption superior to all other persons and that such surplus as remains after payment to the first mortgagee of his claims and expenses should be paid over to the petitioner since the amount of surplus is less than its claim.

WHEREFORE, the petitioner applies for an order of this Court directing that the surplus of the proceeds of sale, after payment to the first mortgagee of his claim and expenses, be paid over to the petitioner.

JONES & JONES

By Tony Bruce
Attorneys for Petitioner

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 5th day of January, 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Tony Bruce, one of the attorneys for the petitioner named in the foregoing Application for Surplus of Proceeds 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.

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

NOTARY PUBLIC SOMERSET COUNTY

Patsy E. Ake
Notary Public

FILED
JAN 5 1 59 PM '77

No. 10018 Chancery Case

In the Circuit Court for
Somerset County, Maryland

Calvin Jones, Jr.

Versus

Cleveland Mitchell
Mattie Lee Mitchell
Violet Lee Harris

APPLICATION FOR SURPLUS OF PROCEEDS
OF SALE, AFFIDAVIT, COPY OF
CLAIM AGAINST DECEDENTS ESTATE,
COPY OF MARYLAND INSTALLMENT SALE
AGREEMENT & SHOW CAUSE ORDER &c

TO BE SERVED UPON:

Lionel Bennett, Attorney
Crisfield, Maryland

Tony Bruce
Jones & Jones
Attorneys for Applicant
Princess Anne, Maryland 21853

FILED
JAN 13 1977
46

Sheriff's Return

Summoned and copy of Application for surplus of proceeds of sale, affidavit, copy of claim against decedents estate, copy of Maryland Installment Sale Agreement and show cause order served upon and left with Lionel Bennett, Attorney, this 10th day of January, 1977.

Edwin L. Stirling
SHERIFF/DEPUTY

Calvin Jones, Jr.,
Plaintiff

vs.

Cleveland Mitchell, etc.
Defendants

In Equity No. 10018

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 Cleveland Mitchell, Matie Lee Mitchell and Violet Lee Harris, to the Bank of Somerset dated May 24, 1971 and recorded among the land records of Somerset County in Liber 261 folio 134, 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 to your Honors, 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 twenty 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 three successive weeks before the day of the sale, he did pursuant to said notice attend the Post Office in Crisfield, Maryland on the 20th day of December, 1976, at 2:00 p.m. and then and there proceeded to sell Parcel 2 of the property described in said mortgage, the proceeds of which are sufficient to satisfy the claim of the mortgagee herein.

Parcel 2. ALL that lot of land situate in Asbury Election District, Somerset County, Maryland, being located on the south side of a 21½ foot road known as the "Dow Lawson Private Road", and beginning for the same at a cement post placed on the south side of the aforesaid private road at the extreme northeast corner of the lands now or formerly of Pauline Crockett and the extreme northwest corner of the lands herein described; thence north 83° 20' east by and with the south side of said Dow Lawson Private Road 156' to a cement post placed at the extreme northeast corner of the lot herein described; thence south 10° 47' east, by and with a wire fence and other lands now or formerly of Walter Jones 210' to a fence and the extreme southeast corner of the land herein described; thence south 83°20' west by and with other lands now or formerly of Walter Jones 131.12' to a point at the extreme southwest corner of the lands herein described which said corner lies north 17°28' west 7' from a large pine tree; thence north 17°28' west by and with the lands of Pauline Crockett 213.23' to the south side of the Dow Lawson Private Road and place of beginning, and containing 30,170 square feet; accurately laid down and described on a plat entitled "Walter Jones Packing House Lot" prepared by W. Ballard Miles, Registered Surveyor, dated December 3, 1957, and recorded with a deed recorded in Liber 184 page 593; being the same premises conveyed to Mattie Mitchell by deed dated June 20, 1961, recorded in Liber 205, page 129.

And sold the same to Mary Lee Lane, Crisfield, Maryland, she being then and there the highest bidder therefor, at and for the sum of $1501.00, and the purchaser has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett

Lionel Bennett, Attorney

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 11th day of January, 1977, 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
Notary Public

Calvin Jones, Jr.,

Plaintiff

vs.

Cleveland Mitchell,
Matie Lee Mitchell and
Violet Lee Harris,

Defendants

In Equity No. 10018

In the Circuit Court for

Somerset County, Maryland

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 11th day of January, 1977, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Mary Lee Lane, who made oath in due form of law as follows:

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

2. That no other person is interested as principal.

3. That she has not directly or indirectly discouraged any one from bidding for the said property.

Witness my hand and Notarial Seal.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Notary Public

LIBER 46 PAGE 18

Calvin Jones, Jr.,	In Equity No. 10018
Plaintiff	
vs	In the Circuit Court for
Cleveland Mitchell, etc.	Somerset County, Maryland
Defendants	

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary be shown on or before the 14th day of February, 1977, provided a copy of this order be printed in some weekly newspaper in Somerset County one in each of three successive weeks before the 7th day of February, 1977.

The report states the amount of sale to be $1,501.00.

Dated: Jan. 12, 1977

Leonard Shockley

FINAL ORDER

Ordered by this Court this 22nd day of Feb., 1977, 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.

Floyd L. Griffin

Lionel Bennett
Attorney At Law
Crisfield, Md.
In Equity No. 10019
In the Circuit Court for Somerset County, Maryland
Calvin Jones, Jr.,
Plaintiff
vs
Cleveland Mitchell, etc.
Defendants

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary be shown on or before the 14th day of February, 1977, provided a copy of this order be printed in some weekly newspaper in Somerset County one in each of three successive weeks before the 7th day of February, 1977.

The report states the amount of sale to be $1,501.00.

Dated: January 12, 1977

True Copy, Test:
I. Theodore Phoebus
Clerk
1-21-3t

CRISFIELD, MD. February 14, 19 77

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 January 21, 19 77 and ending February 4, 19 77

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S. C. Rogers

Calvin Jones, Jr.	*	NO. 10018 CHANCERY CASES
Plaintiff	*	IN THE CIRCUIT COURT FOR
vs.	*	SOMERSET COUNTY
Cleveland Mitchell et al	*	STATE OF MARYLAND
Defendants	*	IN EQUITY

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 for them and the list of expenses furnished him therein, states the following Account:

Amount of Sale		$1,501.00
Expenses, Costs and Fees:		
Clerk of Court	$110.50	
Crisfield Times Advertising & Order Nisi	76.00	
Western Surety Co. Bond Premium	20.00	
Auctioneer	15.00	
Shirley Ennis & Katheryn Webb Notary	3.00	
Carlos Bozman, Treasurer-Taxes	4.26	
Lionel Bennett's Commission Per Rules	150.10	
Lionel Bennett-Fee per Mortgage	50.00	
Logan C. Widdowson Auditor	45.00	
Total Expenses, Costs & Fees		$473.86
Balance of Funds To Be Distributed		$1,027.14

Distribution to:

a) Peninsula Bank in the amount of $801.00 per Petition and Court Order

b) The heirs of Cleveland Mitchell and Matie Lee Mitchell as their interest May appear and to Violet Lee Harris the remainder of $226.14.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

Lionel Bennett, Esq.
Attorney for Mortgagee
945 Main Street
Crisfield, Maryland 21817

Violet Lee Harris
Crisfield, Maryland 21817

Tony Bruce, Esq.
Attorney for Peninsula Bank
S. Somerset Avenue
Princess Anne, Maryland 21853

Date of Filing: March 3, 1977

Logan C. Widdowson
Auditor

jf 2/3/77
77-45

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

LIBER 46 PAGE 22

No. 10,018 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 4th day of March, 19 77, 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 21st day of March, 19 77.

S. Theodore Tilghman
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 _____ day of _____, 19_____, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

_____
CLERK

Calvin Jones, Jr.	:	No. 10,018 Chancery
vs	:	In the Circuit Court for
Cleveland Mitchell Mattie Lee Mitchell Violet Lee Harris	:	Somerset County, Maryland

ORDER OF COURT

ORDERED by the Circuit Court for Somerset County, in Equity, this _____ day of March, 1977, that the sum of $801.00 remaining from the sale of the real estate mentioned in these proceedings be and the same is hereby ORDERED to be disbursed to Peninsula Bank, no cause to the contrary having been shown although due notice appears to have been given as required by the Show Cause Order passed in said cause.

_____
Judge

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

CALVIN JONES, JR.	*	NO. 10018 CHANCERY CASES
PLAINTIFF	*	IN THE CIRCUIT COURT FOR
VS.	*	SOMERSET COUNTY
CLEVELAND MITCHELL ET AL	*	STATE OF MARYLAND
DEFENDANTS	*	IN EQUITY

AMENDED AUDIT REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that on March 3, 1977 he filed an Audit report in the above entitled proceedings and that on error was made in the recommended distribution of the excess funds.

After review of this case the Auditor is of the opinion the funds should be distributed as follows:

Funds to be distributed $1,027.14

Distribution to:

a) Calvin Jones, Assignee from Peninsula Bank, formerly Bank of Somerset, to satisfy Mortgage

Mortgage debt as of 10/23/71	$416.51
Interest at 8% from 10/25/76 to Sale 56 days at .091/day	5.00
	$421.61

b) The balance to be distributed according to the order of the Court. There is not sufficient information in this file to determine the interest of Cleveland Mitchell, heirs, Matie Lee Mitchell, heirs and Violet Lee Harris.

ALL EXCEPTIONS to this Amended Audit Report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

Lionel Bennett, Esq.
Attorney for Mortgagee
945 Main Street
Crisfield, Maryland 21817

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Violet Lee Harris
Crisfield, Maryland 21817

Tony Bruce, Esq.
Attorney for Peninsula Bank
S. Somerset Avenue
Princess Anne, Maryland 21853

Date of Filing: April 25, 1977

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

jf 4/25/77
77-45

No. 10018 Chancery Case

LIBER 46 PAGE 26

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 25th day of April, 19 77, 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 10th day of May, 19 77.

I. 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 11th day of May, 19 77, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

Exd
MAR. 7 1978

APR -1-77 B 526567D*****10.00
APR -1-77 B 526566D*****40.00

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	No. 10096 Chancery
	*	In the Circuit Court
-vs-	*	For Somerset County,
ADOLIDE I. WALLACE and MARLENE D. WALLACE, his wife Rileys Road Dames Quarter, Maryland 21820	*	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 5, 1975, from Adolide I. Wallace and Marlene D. Wallace, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP No. 287, Folio 802; 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

For Original Mortgage See
Liber I.T.P. 287 Folio 802

212 East Main Street
Salisbury, Maryland 21801
Telephone: (301) 749-2211

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
Mar 32 9 31 AM '77
RECORDED IN
LIBER ITP 46 PAGE 27
FOLIO
PROMPTLY AFTER RECORDING, MAIL TO,
BY COURTY

LIBER 46 PAGE 28

LLOYD O. WHITEHEAD and DONALD C. DAVIS Substitute Trustees,	*	NO. 16096 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
Vs.	*	STATE OF MARYLAND.
ADOLIDE I. WALLACE and MARLENE D. WALLACE, his wife Rileys Road Dames Quarter, Mar yland 21820	*	

* * * * * * * * * *

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 29th day of March, 1977, before me, the subscriber, a Notary Public in and for the State of Maryland 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 Adolide I. Wallace and Marlene D. Wallace, his wife dated June 5, 1975, and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP No. 287, folio 802 ; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $7,421.56, is now due and owing, plus interest at rate of $1.64 per day from the date hereof.

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 Rileys Road, Dames Quarter, Maryland 21820.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS , Substitute Trustee
AFFIANTS

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC
Beverly A. Tilghman
My Commission expires: July 1, 1978

BEVERLY A. TILGHMAN NOTARY PUBLIC WICOMICO COUNTY, MD.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

10096

APR -1-77 B 26565 ******7.50

SUBSTITUTION OF TRUSTEES – MARYLAND

THIS DECLARATION, made this 29th day of March, 19 77, by JIM WALTER HOMES, INC.,

a body corporate, Party of the First Part, and J. H. KELLY

and S. L. RUSSELL, Trustees as hereinafter set forth, Parties of the Second Part;

WHEREAS, by Deed of Trust dated June 5, 1975, ~~xxx~~ and recorded among the Land Records of Somerset County ~~County~~ in Liber No. ITP 287, Folio 802,

Adolide I. Wallace and

Marlene D. Wallace, his wife,

conveyed certain parcels of ground unto J. H. Kelly and

S. L. Russell, Trustees, for the uses and purposes therein

particularly set forth securing the promissory note made to Jim Walter Homes, Inc.

as beneficiary, and

WHEREAS, the aforesaid promissory note was endorsed without recourse by said Jim Walter Homes, Inc.

unto Lloyd O. Whitehead and S. L. Russell

WHEREAS, said Deed of Trust provides as follows:

"The holder of the indebtedness secured by this Deed of Trust shall be entitled to remove, substitute, or add a Trustee or Trustees, at its option, with or without cause or notice, by instrument duly executed, acknowledged and recorded among the Land Records of the County in which the aforesaid premises or a part thereof is situated, and said Trustee or Trustees so substituted shall have all powers, rights and duties as Trustees so superseded, and the undersigned for themselves, their heirs or assigns do hereby consent to such removal, substitution or addition, either by the instrument described herein or by the order of any court having jurisdiction."

NOW, THEREFORE THIS DECLARATION WITNESSETH, That Jim Walter Homes, Inc.,

holder of the note in due course, hereby appoints LLOYD O. WHITEHEAD

and DONALD C. DAVIS, as Trustees, in the place and

stead of J. H. KELLY and S. L. RUSSELL

as set forth in said Deed of Trust for the purpose of carrying out each and all of the powers, rights and duties of said Trustees under the aforesaid Deed of Trust.

AS WITNESS the corporate seal of JIM WALTER HOMES, INC. and

the signature of J. H. Kelly, its Asst. Vice President,

ATTEST: JIM WALTER HOMES, INC.

Assistant Secretary

By J. H. Kelly
Assistant Vice President
J. H. KELLY

STATE OF FLORIDA, AT LARGE, COUNTY OF , TO WIT:

I HEREBY CERTIFY, that on this 29th day of March, 19 77, before me, the subscriber, a Notary Public of the State of Florida, in and for the State aforesaid, personally appeared

J. H. KELLY, Assistant Vice President of ~~xxx~~ and Jim Walter Homes, Inc.,

, and acknowledged the aforegoing Declaration to be the act of said body corporate.

AS WITNESS my hand and Notarial Seal

Diana Valido
NOTARY PUBLIC

FILED

RECORDED
LIBER NO. 271 FOL. 81
THEODORE G. ELLIOTT, CLERK
BY

DIANA VALIDO
Notary Public State of Florida at Large
My Commission Expires July 21, 1978.

REVISED 4/76

LIBER 46 PAGE 29

LIBER 288 PAGE 431

MORTGAGEE OR ATTORNEYS' BOND

No. 10096

LIBER 46 PAGE 30

Know all Men by these Presents:

THAT WE Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees

of 212 E. Main Street 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* Eight Thousand Five Hundred ($8,500.00) *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* 25th *day of* April *in the year of our Lord nineteen hundred and* seventy-five

WHEREAS, the above bounden Lloyd O. Whitehead & Donald C. Davis *by virtue of a power contained in* ~~mortgage from~~ Deed of Trust Adeloide I. Wallace & Marlene D. Wallace

to Jim Walter Homes, Inc.

dated June 5, 1975 *and recorded in Liber* ITP 287 *No.* *folio* 802 *etc., one of the Land Record Books of* Somerset County *is authorized and empowered to sell the property described in said* ~~mortgage~~ deed of trust *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 & Donald C. Davis *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

Beverly A. Tilghman

[SEAL]

[SEAL]

AETNA INSURANCE COMPANY

By

Attorney in Fact

ATTEST:

Beverly A. Tilghman

Form 1-630-1593

The within Bond approved.

Per: L. Theodore Phoebus, clerk.

LIBER 010 PAGE 355

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

Robbin W. Gray of Salisbury, 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 22nd day of August 19 75

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 22nd day of August 19 75, 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, 1977

CERTIFICATE

FILED

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.

APR 29 10 01 AM '77

Signed and Seated at Hartford, Connecticut, this 26 day of April 19 77

RECORDED IN LIBER NO. 10 FOLIO 365
L. THEODORE PHOEBUS, CLK. CT. CT.
BY DEPUTY

HARTFORD ÆTNA INSURANCE CO. CONNECTICUT

J. J. Murphy, Secretary

#3733

Form 630-87 Ed. Feb. '73 PRINTED IN U.S.A.

LIBER 46 PAGE 31

LIBER 010 PAGE 356

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	* *	No. 10,096 Chancery In the Circuit Court
-vs-	*	For Somerset County,
ADOLIDE I. WALLACE and MARLENE D. WALLACE Rileys Road Dames Quarter, Maryland 21820	* * *	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 5, 1975, from Adolide I. Wallace and Marlene D. Wallace, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP 287, Folio 802 : 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 April 29, 1977, and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, April 29, 1977 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 Adolide I. Wallace and Marlene D. Wallace said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

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Apr 29 10 32 AM '77

The following described land and premises situate in the County of Somerset, State of Maryland, more particularly described as follows:

ALL that lot or parcel of land situate, lying and being in Dames Quarter Election District, Somerset County, Maryland, and more particularly described as follows: DESCRIBED on the 1974-75 Tax Assessment Maps of Somerset County, Maryland, on Map 20, Block 4 as parcel 88 and thereon described as lying and binding on the southeast side of the county road known as "Riley Roberts Road" which leads in a northeasterly direction to intersect Maryland Route 363 leading from Dames Quarter to Deal Island and being bounded on the north by the land assessed to the said Adolide I. Wallace and Marlene Wigfall Wallace (deed reference I.T.P. 239, folio 96), and being bounded on the east by the land assessed to Omar C. Jones and Velma L. Jones (deed reference B.L.B. 122, folio 379) and bound on the south by the land assessed to Irving I. Roberts (deed reference G.W.L. 79, folio 306); the land herein described and conveyed contains 1/2 acres and is partially laid down and described on a survey by Patrick J. Hannon, registered surveyor, dated May 11, 1967, and recorded among the aforesaid Land Records in Liber I.T.P. 239, folio 95 and is the same and all the land which was conveyed by Omar C. Jones and Velma L. Jones, his wife, by deed dated August 8, 1944, and recorded among the Land Records of Somerset County in Liber G.J.B. 186, folio 326; unto Milbourne Jones and Edith Jones, his wife, as tenants by the entireties; upon the subsequent death of Milbourne Jones, title to said land vested in the said Edith Jones, as surviving spouse and tenant by the entirety, who has subsequently remarried and assumed the name Edith Reed.

For source of Title see Book 281, pg. 664.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
Liber 46 Page 33

AND your Trustees sold the aforedescribed property to MID-STATE HOMES, INC.,

M

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 29th day of April, 1977, 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

My Commission Expires: July 1, 1978.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

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Apr 29 10 52 AM '77
RECORDED IN
LIBER NO. FOLIO
& TRANS. TAX RECEIVED, CLK. CT.
DEPUTY

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 29th day of April, 19 77, 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 Adolide I. Wallace and Marlene D. Wallace, 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 31st day of May, 19 77; 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 23rd day of May, 19 77.

The report states the amount of the sale to be $ 6000.00.

L. Theodore Gherkin
Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 1st day of June, 19 77, 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 $250.00 in lieu of commission.

Lloyd L. Simpkins
JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 46 PAGE 36

PRINCESS ANNE, MD., April 28 1977

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 the terms and requirements contained in said Trustee Sale

Dates Inserted: 4/7, 4/14/4/21, 4/28

J. Bryan Byrd

Business Manager MARYLANDER and HERALD

PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION
212 West Main Street
Salisbury, Maryland 21801

TRUSTEES' SALE

OF

Valuable Home and Lot

LOCATED ON SOUTHEAST SIDE
OF RILEY ROBERTS ROAD
NEAR DAMES QUARTER
SOMERSET COUNTY, MARYLAND

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Adeloide I. Wallace and Marlene D. Wallace, his wife, to Jim Walter Homes, Inc., dated June 5, 1975, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 287, folio 802, the undersigned will sell at public auction at the front door of the Courthouse at Princess Anne, Somerset County, Maryland, on

Friday, April 29, 1977

at or about 10:00 o'clock a.m.

all the following described land and premises situate in Somerset County County, Maryland, more particularly described as follows: ALL that lot or parcel of land situate, lying and being in Dames Quarter Election District, Somerset County, Maryland, and more particularly described as follows: DESCRIBED on the 1974-75 Tax Assessment Maps of Somerset County, Maryland, on Map 20, Block 4 as parcel 88 and thereon described as lying and binding on the southeast side of the county road known as "Riley Roberts Road" which leads in a northeasterly direction to intersect Maryland Route 363 leading from Dames Quarter to Deal Island and being bounded on the north by the land assessed to the said Adolide I. Wallace and Marlene Wigfall Wallace (deed reference I.T.P. 239, folio 96), and being bounded on the east by the land assessed to Omar C. Jones and Velma L. Jones (deed reference B.L.B. 122, folio 379) and bound on the south by the land assessed to Irving I. Roberts (deed reference G.W.L. 79, folio 306); the land herein described and conveyed contains ½ acre and is partially laid down and described on a survey by Patrick J. Hannon, registered surveyor, dated May 11, 1967 and recorded among the aforesaid Land Records in Liber I.T.P. 239, folio 95 and is the same and all the land which was conveyed by Omar C. Jones and Velma L. Jones, his wife, by deed dated August 8, 1944 and recorded among the Land Records of Somerset County in Liber G.J.B. 186, folio 326; unto Milbourne Jones and Edith Jones, his wife, as tenants by the entireties; upon the subsequent death of Milbourne Jones, title to said land vested in the said Edith Jones, as surviving spouse and tenant by the entirety, who has subsequently remarried and assumed the name Edith Reed.

For source of title see Book 231, Pg. 664.

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 Circuity 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 Q. WHITEHEAD AND DONALD C. DAVIS
Substitute Trustees
212 East Main Street
Salisbury, Maryland 21801
Telephone: 742-2211

3t April 7, 14, 21, and 28

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	* *	No. 10,096 Chancery In the Circuit Court
-vs-	*	For Somerset County,
ADOLIDE I. WALLACE and MARLENE D. WALLACE, his wife Rileys Road Dames Quarter, Maryland 21820	*	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, Adolide I. Wallace and Marlene D. Wallace, his wife at the Mortgagors last known address at Riley's Road, Dames Quarter, Maryland 21820 by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on April 15, 1977. 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 29th day of April, 19 77, 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.

Beverly A. Tilghman
NOTARY PUBLIC

My Commission Expires: July 1, 1978

FILED

LIBER 46 PAGE 37

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 46 PAGE 38

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

April 15, 1977

Mr. Adolide I. Wallace and/or
Mrs. MarleneD. Wallace
Rileys Road
Dames Quarter, Maryland 21820

Dear Mr. and/or Mrs. Wallace:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Homes, Inc. of June 5, 1975, and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 287, folio 802, 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 7, 1977. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, April 29, 1977 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 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.: 22523
CERTIFIED MAIL, RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY.

PS Form 3811, Mar. 1976 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
- ☒ RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Mr. Adolide I. Wallane and/or
Mrs. Marlene D. Wallace
Rileys Road
Dames Quarter, Maryland 21820

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	629320	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

Adolide Wallace Sr.

4. DATE OF DELIVERY
4/19/77

POSTMARK
APR 19 1977

5. ADDRESS (Complete only if requested)
Dames Quarter, Md

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

46 - 39

LIBER 46 PAGE 40

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees,	*	NO. 10,096 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
Vs.	*	STATE OF MARYLAND
ADOLIDE I. WALLACE and MARLENE D. WALLACE, his wife Rileys Road Dames Quarter, Maryland 21820	*	

* * * * * * * * * *

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 29th day of April, 1977, 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 as follows:

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.

NOTARY PUBLIC

My Commission expires: July 1, 1978

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
Apr 29 10 53 AM '77

PRINCESS ANNE, MD., May 26 1977

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 Nisi

Dates Inserted: May 5, 12, 19 - 1977

J. Burgess Byrd

Business Manager MARYLANDER and HERALD

PERDUE, OWRUTSKY
& WHITEHEAD
Professional Association
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

ORDER NISI

LLOYD W. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees

-vs-

ADOLIDE I. WALLACE and MARLENE D. WALLACE, his wife, Rileys Road, Dames Quarter, Maryland 21820.

No. 10,096 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 29th day of April, 1977, 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 Adolide I. Wallace and Marlene D. Wallace, 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 31st day of May, 1977; 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 23rd day of May, 1977.

The Report states the amount of the sale to be $6,000.00.

I. THEODORE PHOEBUS
Clerk

True Copy, Test:
I. THEODORE PHOEBUS
Clerk

3tc-5/5, 5/12, & 5/19

FILED
MAY 26 9 00 AM '77

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	:	No. 10,096 Chancery
	:	In the Circuit Court
-vs-	:	For Somerset County,
ADOLIDE I. WALLACE and MARLENE D. WALLACE Rileys Road Dames Quarter, Maryland	:	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 therein, state the following Account:

Amount of Sale			$6,000.00
Expenses, Costs and Fees:			
Clerk of Court		$ 122.50	
Marylander & Herald		175.00	
Advertising	$150.00		
Order Nisi	$ 25.00		
O.T. Brittingham, Auctioneer		50.00	
Gray Insurance Agency - Bond		34.00	
B.A. Tilghman - Notary Fees		4.00	
Perdue, Owrutsky & Whitehead - Postage		5.00	
Logan C. Widdowson - Auditor		45.00	
Lloyd O. Whitehead and Donald C. Davis, Trustees' fee in Lien of Commission		250.00	
Total Expenses, Costs and Fees			685.50
Balance for Distribution			$5,314.50
Amount Due Jim Walter:			
Principal		$7,421.50	
Interest from 3/29/77 to 6/25/77 (87 days @ $1.64 per day)		142.68	
Total Debt			7,564.18
Deficiency			$2,249.68

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.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Lloyd O. Whitehead, Esquire
Donald C. Davis, Esquire
212 E. Main Street
Salisbury, Maryland 21801

Adolide I. Wallace
Rileys Road
Dames Quarter, Maryland 21820

Marlene D. Wallace
Rileys Road
Dames Quarter, Maryland 21820

Date of Filing: June 16, 1977

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

LIBER 46 PAGE 44

No. 10096 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 16th day of June, 1977 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 1st day of July, 1977.

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 6th day of July, 1977 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

Sd.
MAR. 7 1978

APR -1-77 B 526570D*****10.00
APR -1-77 B 526569D*****40.00

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	No. 10097 Chancery
	*	In the Circuit Court
-vs-	*	For Somerset County,
CHARLES HERMAN FLAXCOMB, SR. TRESSIE FLAXCOMB, his wife 238 Patapsco Avenue Dundalk, Maryland 21222	*	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 October 4, 1974, from Charles Herman Flaxcomb, Sr. and Tressie Flaxcomb, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP No. 283, Folio 282; 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 Mortgage See Liber I. T.P.
283 Folio 282

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 46 PAGE 46

LLOYD O. WHITEHEAD and DONALD C. DAVIS Substitute Trustees,	*	NO. 10097 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY,
Vs.	*	STATE OF MARYLAND.
CHARLES HERMAN FLAXCOMB, SR. TRESSIE FLAXCOMB, his wife, 238 Patapsco Avenue Dundalk, Maryland 21222	*	

* * * * * * * * * *

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 29th day of March, 1977, before me, the subscriber, a Notary Public in and for the State of Maryland 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 Charles Herman Flaxcomb, Sr., and Tressie Flaxcomb, dated October 4, 1974, and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP No. 283, folio 282; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $11,451.06 is now due and owing, plus interest at $2.54 per day after the date hereof.

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 238 Patapsco Avenue, Dundalk, Maryland 21222.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee
AFFIANTS

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC
Beverly
My Commission expires: July 1, 1978

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 230 PAGE 432 #10097

SUBSTITUTION OF TRUSTEES – MARYLAND

APR -1-77 B 26568 ******7.50

THIS DECLARATION, made this 29th day of March, 19 77, by JIM WALTER HOMES, INC.,

a body corporate, Party of the First Part, and J. H. KELLY

and J. L. MOORE, Trustees as hereinafter set forth, Parties of the Second Part;

WHEREAS, by Deed of Trust dated October 4, 19 74 and recorded among the Land Records of Somerset County in Liber No. ITP 283, Folio 282, Charles Herman Flaxcomb, Sr. and Tressie Flaxcomb, his wife, conveyed certain parcels of ground unto J. H. KELLY and J. L. MOORE, Trustees, for the uses and purposes therein particularly set forth securing the promissory note made to Jim Walter Homes, Inc. as beneficiary, and

WHEREAS, the aforesaid promissory note was endorsed without recourse by said Jim Walter Homes, Inc. unto Lloyd O. Whitehead and Donald C. Davis

WHEREAS, said Deed of Trust provides as follows:

"The holder of the indebtedness secured by this Deed of Trust shall be entitled to remove, substitute, or add a Trustee or Trustees, at its option, with or without cause or notice, by instrument duly executed, acknowledged and recorded among the Land Records of the County in which the aforesaid premises or a part thereof is situated, and said Trustee or Trustees so substituted shall have all powers, rights and duties as Trustees so superseded, and the undersigned for themselves, their heirs or assigns do hereby consent to such removal, substitution or addition, either by the instrument described herein or by the order of any court having jurisdiction."

NOW, THEREFORE THIS DECLARATION WITNESSETH, That JIM WALTER HOMES, INC., holder of the note in due course, hereby appoints LLOYD O. WHITEHEAD and DONALD C. DAVIS, as Trustees, in the place and stead of J. H. KELLY and J. L. MOORE, as set forth in said Deed of Trust for the purpose of carrying out each and all of the powers, rights and duties of said Trustees under the aforesaid Deed of Trust.

AS WITNESS the corporate seal of JIM WALTER HOMES, INC. and the signature of J. H. Kelly, its Assistant Vice President.

ATTEST: SEAL 1969 JIM WALTER HOMES, INC. TAMPA, FLORIDA

Assistant Secretary

JIM WALTER HOMES, INC.

By J. H. Kelly

Assistant Vice President

J. H. KELLY

STATE OF FLORIDA, AT LARGE, COUNTY OF _____, TO WIT:

I HEREBY CERTIFY, that on this 29th day of March, 19 77, before me, the subscriber, a Notary Public of the State of Florida, in and for the State aforesaid, personally appeared J. H. KELLY, Assistant Vice President of JIM WALTER HOMES, INC.,

and acknowledged the aforegoing Declaration to be the act of said body corporate.

AS WITNESS my hand and Notarial Seal.

Diana Valido

NOTARY PUBLIC

Diana Valido

Notary Public State of Florida at Large

My Commission Expires July 21, 1978.

FILED

RECORDED IN LIBER NO. 46 FOLIO 47

I. THEODORE PIZZA, CLERK OF THE CIRCUIT COURT IN AND FOR SOMERSET COUNTY, STATE OF MARYLAND

BY

REVISED 4/76

LIBER 46 PAGE 47

MORTGAGEE OR ATTORNEYS' BOND LIBER 46 PAGE 48 No. 10097

Know all Men by these Presents:

THAT WE Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees

of 212 E. Main Street, Salisbury, Maryland 21801

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* Thirteen thousand and 00/100----------($13,000.00) *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* 28th *day of* April *in the year of our Lord nineteen hundred and* seventy-seven

WHEREAS, the above bounden Lloyd O. Whitehead & Donald C. Davis *by virtue of a power contained in* ~~mortgage~~ Deed of Trust *from* Charles Herman Flaxcomb, Sr. & Tressie Flaxcomb, His wife

to Jim Walter Homes, Inc.

dated October 4, 1974 *and recorded in Liber* L.T.R. 283 *No.* 283 *folio* 282 *etc., one of the Land Record Books of* Somerset County *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 & Donald C. Davis *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

Beverly A. Tilghman

[SEAL]

[SEAL]

AETNA INSURANCE COMPANY

By ROBBIN W. GRAY *Attorney-in-Fact*

ATTEST:

Beverly A. Tilghman

Form 1-630-1593

THE WITHIN BOND APPROVED.

PER: L. Hudson Phillips, CLERK.

LIBER 46 PAGE 303

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

Robbin W. Gray of Salisbury, 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 22nd day of August 1975

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 22nd day of August 1975, 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, 1977

CERTIFICATE

FILED

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.

APR 29 10 03 AM '77

Signed and Sealed at Hartford, Connecticut, this 26 day of April, 19 77

RECORDED IN LIBER NO. 10 FOLIO 363
L. THEODORE PHOEBUS, CLK. CT. CT.
BY DEPUTY

J. J. Murphy, Secretary

#3733
Form 630-07 Ed. Feb. '73 PRINTED IN U.S.A.

HARTFORD ÆTNA INSURANCE CO. CONNECTICUT

LIBER 010 PAGE 364

LIBER 46 PAGE 49

LIBER 46 PAGE 50

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	No. 10,097 Chancery
	*	In the Circuit Court
-vs-	*	For Somerset County
CHARLES HERMAN FLAXCOMB, SR. TRESSIE FLAXCOMB, his wife 238 Patapsco Avenue Dundalk, Maryland 21222	*	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, Charles Herman Flaxcomb, Sr. and Tressie Flaxcomb, his wife at the Mortgagors last known address at 238 Patapsco Avenue, Dundalk, Maryland 21222

by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on April 15, 1977. Attached hereto is the envelope returned by the Post Office marked "Moved, not forwardable/over 1 yr."

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 29th day of April, 1977 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

My Commission Expires: July 1, 1978

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
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

April 15, 1977

Mr. Charles Herman Flaxcomb, Sr. and/or
Mrs. Tressie Flaxcomb
238 Patapsco Avenue
Dundalk, Maryland 21222

Dear Mr. and/or Mrs. Flaxcomb:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Homes, Inc. of October 4, 1974, and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P No. 283, folio 282, 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 7, 1977, . Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, April 29, 1977 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 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.: 22522
CERTIFIED MAIL, RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY.

1.65 + postage

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
SALISBURY, MARYLAND 21801

☐ Moved, left no address
☐ No such number
☒ Moved, not forwardable /over 1 yr
☐ Addressee unknown

SALISBURY MD. APR 18 '77
U.S. POSTAGE 1.78
P.O. METER 1271216

RETURNED TO SENDER
REASON CHECKED
Refused
Unknown
No such address
No such number
Do not in state
Insufficient address
this envelope

Mr. Charles Herman Flaxcomb, Sr., and/or
Mrs. Tressie Flaxcomb
238 Patapsco Avenue
Dundalk, Maryland 21222

RECEIVED APR 21 1977

CERTIFIED
No. 629317
MAIL

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY.

RESTRICTED DELIVERY

Return Receipt Requested,
Showing Address
Where Delivered

NAME
1st Notice 4-20
2nd Notice 4-25
Return 5-5

FILED
DEC 16 1977
WCSO

Liber 46 page 52

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees,	* * *	NO. 10,097 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY,
Vs.	*	STATE OF MARYLAND
CHARLES HERMAN FLAXCOMB, SR. TRESSIE FLAXCOMB, his wife 238 Patapsco Avenue Dundalk, Maryland 21222	* * * *	

* * * * * * * * *

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 29th day of April, 1977, 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 as follows:

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.

NOTARY PUBLIC

My Commission expires: July 1, 1978

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
APR 29 10 35 AM '77
LIBER 46 PAGE 53

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	No. 10,097 Chancery
	*	In the Circuit Court
-vs-	*	For Somerset County
CHARLES HERMAN FLAXCOMB, SR. TRESSIE FLAXCOMB, his wife 238 Patapsco Avenue Dundalk, Maryland 21222	*	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 October 4, 1974, from Charles Herman Flaxcomb, Sr. and Tressie Flaxcomb, his wf, and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP 283, Folio 282 : 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, Somerset County, Maryland, prior to Friday, April 29, 1977, and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, April 29, 1977, 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 Charles Herman Flaxcomb, Sr. and Tressie Flaxcomb, his wife, said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

The following described land and premises situate in the County of Somerset, State of Maryland, more particularly described as follows:

ALL that lot or parcel of land situate, lying and being in Fairmount Election District, Somerset County, Maryland, described on the 1972 Tax Assessment Maps of Somerset County, Maryland, on Map 47, Block 5, as Parcel 22, lying and binding on the north side of State Route 361 leading through Fairmount, and bounded on the west, on the north and on the east by the land assessed to Irving and Agnes Catlin (deed reference B.L.B. No. 139, folio 24, and B.L.B. No. 160, folio 210); said land is further described as fronting 147' on the north side of said State Route 361, and extending back therefrom in a northerly direction in a uniform width of 147' to a depth of 350' and being part only of the land of which Bessie F. Hoffman died, intestate, seized and possessed, and which descended unto the grantors herein, her children and only heirs at law.

For Source of title see Book 266, page 390.

LAW OFFICES, FERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
LIBER 46 PAGE 55

LIBER 46 PAGE 56

AND your Trustees sold the aforedescribed property to MID-STATE HOMES, INC., a body corporate of Florida,

at and for the sum of $ 8000.00 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 29th day of April, 1977, 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.

Beverly A. Tilghman
NOTARY PUBLIC

My Commission Expires: July 1, 1978.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ORDER NISI

ORDERED by the Circuit Court of Somerset County, Maryland, in Equity on this 29th day of April, 19 77, 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 Charles Herman Flaxcomb, Sr. and Tressie Flaxcomb, 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 31st day of May, 19 77; 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 23rd day of May, 19 77.

The report states the amount of the sale to be $ 8000.00.

I Theodore Thawley
Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 1st day of June, 19 77, 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 $250.00 in lieu of commission.

Lloyd L. Griffin
JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

PRINCESS ANNE, MD., April 29 19

This is to certify that the annexed Trustee Sale

has been published in the *MARYLANDER and HERALD*, a wee

newspaper published in Somerset County, Maryland, according

the terms and requirements contained in said Trustee Sa

Dates Inserted: April 7/14/21/28

J. Bryan Byrd

Business Manager MARYLANDER and HER.

PERDUE, VRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION
212 East Main Street
Salisbury, Maryland 21801

TRUSTEES' SALE

OF

Valuable Home and Lot

LOCATED IN FAIRMOUNT
ELECTION DISTRICT
SOMERSET COUNTY, MARYLAND
BINDING ON NORTH SIDE
OF STATE ROUTE 361

By virtue of the Power of Sale and authority contained in a Deed of Trust executed by Charles Herman Flaxcomb, Sr. and Tressie Flaxcomb, his wife, to Jim Walter Homes, Inc., dated October 4, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 283, folio 282, the undersigned will sell at public auction at the front door of the Courthouse at Princess Anne, Somerset County, Maryland, on

Friday, April 29, 1977

at or about the hour of
10:00 o'clock a.m.

all the following described real estate, situate in the County of Somerset, State of Maryland, more particularly described as follows:

ALL that lot or parcel of land situate, lying and being in Fairmount Election District, Somerset County, State of Maryland, described on the 1972 Tax Assessment Maps of Somerset County, Maryland, on Map 47, Block 5, as Parcel 22, lying and binding on the North and on the east by the land assessed to Irving and Agnes Catlin (deed reference B.L.B. No. 139, folio 24, and B.L.B. No. 160, folio 210); said land is further described as fronting 147' on the north side of said State Route 361 and extending back therefrom in a northerly direction in a uniform width of 147' to a depth of 350', and being part only of the land of which Bessie F. Hoffman died, interstate, seized and possessed, and which descended unto the grantors herein, her children an only heirs at law. For Source of Title See Book 266, pg. 390.

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 adjucted 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 Steet
Salisbury, Maryland 21801
Telephone: 749-2211

4t April 7, 14, 21 and 28

PRINCESS ANNE, MD., May 21 1977

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 Nisi

Dates Inserted: May 5, 12, 19 - 1977

Business Manager MARYLANDER and HERALD

PERDUE, OWRUTSKY & WHITEHEAD
Professional Assocation
Attorneys-at-Law
212 East Main Street
Salisbury, Maryland 21801

Order Nisi

LLOYD W. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees

-vs-

CHARLES HERMAN FLAXCOMB, SR. and TRESSIE FLAXCOMB, his wife, 238 Patapsco Avenue, Dundalk, Maryland 21222
No. 10,097 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 29th day of April, 1977, that the sale of the property mentioned in these proceedings made and reported by Lloyd W. Whitehead and Donald C. Davis, Substitute Trustees, under the power of sale contained in the Deed of Trust from Charles Herman Flaxcomb, Sr. and Tressie Flaxcomb, 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 31st day of May, 1977; 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 23rd day of May, 1977.

The Report states the amount of the sale to be $8,000.00.

I. THEODORE PHOEBUS
Clerk

Ture Copy, Test:
I. THEODORE PHOEBUS
Clerk

3tc-5/5, 5/12, & 5/19

46 59

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	NO. 10097 CHANCERY CASES
	*	IN THE CIRCUIT COURT FOR
vs.	*	SOMERSET COUNTY
CHARLES HERMAN FLAXCOMB, SR. TRESSIE FLAXCOMB, his wife 238 Patapsco Avenue Dundalk, Maryland 21222	*	STATE OF MARYLAND
	*	IN EQUITY

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 therein, state the following Account:

Amount of Sale			$8,000.00
Expenses, Costs and Fees:			
I. T. Phoebus, Clerk of Court		$129.50	
Marylander & Herald		156.25	
Advertising	$131.25		
Order Nisi	25.00		
Auctioneer, O. J. Brittingham		50.00	
Carlos Bozman, Treasurer State & County Taxes		130.05	
Gray Insurance Agency, Bond Premium		52.00	
B. A. Tilghman, Notary Fees		4.00	
Lloyd O. Whitehead & Donald Davis Trustees' fee in lieu of Commissions		250.00	
Perdue, Owrutsky & Whitehead, Postage		5.00	
Logan C. Widdowson, Auditor's Fee		45.00	
Total Costs, Expenses & Fees			$821.80
Balance for Distribution			$7,178.20
Amount due Jim Walter Homes, Inc.		$11,451.06	
Interest from 3/29/77 to 6/25/77 87 days at $2.54/day		220.98	
TOTAL		$11,672.04	
Deficiency Total			$4,493.84

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Lloyd O. Whitehead, Esquire
Donald G. Davis
212 E. Main Street
Salisbury, Maryland 21801

Charles Herman Flaxcomb
238 Patapsco Avenue
Dundalk, Maryland 21222

Tressie Flaxcomb
238 Patapsco Avenue
Dundalk, Maryland 21222

Date of Filing: June 16, 1977

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LCW/jd
5/16/77
#50

LIBER 46 FOLIO 62

No. 10097 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 16th day of June, 19 77 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 1st day of July, 19 77.

L. Theodore Thorbrue
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 6th day of July, 19 77 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Thorbrue
CLERK

Exd.
MAR. 7 1978

MAR 14-77 B 926096D*****40.00

John William Long and John B. Long, II Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife	*	No. 10081 Chancery In the Circuit Court For Somerset County State of Maryland
Ex Parte	*	

****

ORDER TO FILE MORTGAGE FOR FORECLOSURE

MR. CLERK:

Please docket a suit as above, and file for foreclosure Mortgage and Mortgage Note from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife, dated December 8, 1975, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 291, Folio 21.

JOHN WILLIAM LONG

JOHN B. LONG, II

Attorneys and Agents for foreclosure and collection

ADDRESSES:

Kenneth E. Ballard: Princess Anne, Maryland 21853
Wilbur Ballard: Princess Anne, Maryland 21853
James Ballard: Princess Anne, Maryland 21853
Lawrence E. Hancock: Robin Avenue, Salisbury, Maryland 21801
Naomi P. Hancock: Robin Avenue, Salisbury, Maryland 21801
John William Long: 124 East Main St., Salisbury, Maryland 21801
John B. Long, II: 124 East Main St., Salisbury, Maryland 21801

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

FILED
MAR 9 1977
LIBER 46 FOLIO 63

LIBER 46 PAGE 64

John William Long and John B. Long, II Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife Ex Parte	* * * * * * * *	No. Chancery In the Circuit Court For Somerset County State of Maryland

****

STATEMENT OF MORTGAGE DEBT
AND MILITARY AFFIDAVIT

STATE OF MARYLAND,

COUNTY OF Wicomico :

On this the 11th day of March, 1977, before me, the undersigned officer, personally appeared Lawrence E. Hancock, one of the Mortgagees in the above entitled cause, and made oath in due form of law that there is due and owing on said mortgage the principal sum of $28,797.66, plus interest at the rate of 57% per annum from September 30, 1976, plus $140.00 insurance premium paid by the Mortgagee, and the said Lawrence E. Hancock did further make oath in due form of law that he has personal knowledge that the Mortgagors in the above entitled cause are not in military service of the United States of America and that they have not been in military service of the United States of America during the 30-day period immediately preceeding the making of this affidavit.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:
July 1, 1978

Eleanor Sue Johnson
Notary Public

ELEANOR SUE JOHNSON
NOTARY
PUBLIC
WICOMICO COUNTY, MD.

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

$ 35,000.00 Salisbury, Maryland

Six months after date hereof, for value received we

promise to pay to the order of Lawrence E. Hancock and Naomi P. Hancock, his wife, as tenants by the entireties the sum of THIRTY-FIVE THOUSAND----------Dollars ($35,000.00) with interest thereon from the date hereof, ~~at the rate of xxxxx per cent per annum payable~~ in the amount of TEN THOUSAND DOLLARS ($10,000.00)---------- for said six months period

the same being for money this day borrowed from the said Lawrence E. Hancock and Naomi P. Hancock, his wife

to secure the payment of which said sum with interest as aforesaid, we

have this day executed unto the said Lawrence E. Hancock and Naomi P. Hancock, his wife

a mortgage of even date herewith on certain real estate situated in West Princess Anne Election District of Somerset County, State of Maryland, and it is further agreed that if any default be made in the payment of the principal or interest at the time limited for the payment thereof, or in any condition or covenant of the said mortgage, then this entire debt, and all interest thereon, shall become immediately due and demandable, ~~and we hereby authorize and empower any attorney of any court of record in the State of Maryland or elsewhere, to appear in any of said courts at any time thereafter, in any suit hereon, in the name of the said Lawrence E. Hancock and Naomi P. Hancock, his wife, their assigns and the personal representatives of us and in the name and behalf of ourselves to confess judgment during term or recess of court for the amount remaining due hereon, on account of said principal and interest~~ together with the costs of suit and collection charges of ten per centum to the attorney making collection hereof, and we hereby expressly waive all right to ~~summons and~~ to exemptions of every kind as to the debt evidenced by this obligation, and to all stay of execution upon any judgment rendered hereon.

AS WITNESS our hands and seals this 8th day of December, 1975.

Test: AS TO ALL

KENNETH E. BALLARD (SEAL)

WILBUR BALLARD (SEAL)

JAMES BALLARD (SEAL)

(SEAL)

For Original Morgage See
Liber I.T.P. 291 Folio 21

LIBER 46 PAGE 65

Maryland

LIBER 46 PAGE 66

No. 10081 Chancery Case

WESTERN SURETY COMPANY

One of America's Leading Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: FORM No. 19-TM- 3231

That we, John William Long and John B. Long, II, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of FORTY THOUSAND----------($ 40,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 11th day of March, 19 77.

WHEREAS, the above bounden John William Long and John B. Long, II

by virtue of the power contained in a mortgage from Kenneth E. Ballard, Wilbur Ballard, and James Ballard
to Lawrence E. Hancock and Naomi P. Hancock, his wife

bearing date the 8th day of December, 1975 and recorded among the mortgage records of Somerset County, Maryland

in Liber I.T.P. No. 291 Folio 21

and John William Long and John B. Long, II are
~~is~~ about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden John William Long and John B. Long, II

do and shall well and truly and faithfully perform the trust reposed in them under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Eleanor Sue Johnson — JOHN WILLIAM LONG — Principal

Eleanor Sue Johnson — JOHN B. LONG, II — Principal

As to Surety

Eleanor Sue Johnson — WESTERN SURETY COMPANY

By K. Schafer, Ass't Sec.

Countersigned by _____ Maryland Resident Agent

THE WITHIN BOND APPROVED.

PER: S. Theodore Phoebus, CLERK.

FILED

MAR 14 9 47 AM '77

RECORDED IN LIBER 010 PAGE 361
LIBER NO.____ FOLIO____
S. THEODORE PHOEBUS, CLK. CT. CT.
BY _____ DEPUTY

1268—3-75

POWER OF ATTORNEY

(Irrevocable)

№ 1665466 R

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That the Western Surety Company, a corporation, does hereby make, constitute and appoint John R. Lerch

in the City of Salisbury, State of Maryland, with limited authority, its true and lawful Agent, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds.

An ORIGINAL bond required by Statute, Decree of Court or Ordinance for:	MAXIMUM PENALTY
(A) ADMINISTRATOR CONSERVATOR CURATOR EXECUTOR GUARDIAN TRUSTEE – (Testamentary Only) SALE OF REAL OR PERSONAL PROPERTY –When this company has qualifying bond or when it is a separate bond for accounting of proceeds of sale only COMMISSIONER TO SELL REAL ESTATE REFEREE IN PARTITION TRUSTEE OR RECEIVER – (In Bankruptcy Only)	$1,000,000.00
(B) NOTARY PUBLIC PUBLIC OFFICIAL AND DEPUTIES RECEIVER – (In State Court Only)	$ 50,000.00
(C) PLAINTIFF'S COURT BOND, except bonds prohibited by (G): FOR CORPORATION ..... FOR ALL OTHERS	$ 10,000.00 $ 5,000.00
(D) COST ON APPEAL) EXCLUDING OPEN PENALTY, REMOVAL OF CAUSE) STAY, SUPERSEDEAS OR GUARANTEE OF A JUDGMENT	$ 500.00
(E) LICENSE PERMIT QUIET TITLE License and Permit limited to bonds where a county, city, town, village or township is the Obligee. Bonds to the state are not authorized, except special fuel users	$ 10,000.00 $ 1,000.00
(F) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Secretary, Treasurer or Assistant Secretary of the Western Surety Company specifically authorizing its execution.	
(G) SUPERSEDEAS, OR OPEN PENALTY OR STAY BONDS ON APPEAL OR GUARANTEE OF JUDGMENT, OR BAIL BONDS OR CONSTRUCTION BID OR CONTRACT BONDS, OR A BOND FOR A DEFENDANT are not authorized by this Power of Attorney, except as provided in Section (F).	

The WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

Dated this 1st day of April, 1973.

ATTEST _____ WESTERN SURETY COMPANY

Assistant Secretary

By Joe Kirby

President

STATE OF SOUTH DAKOTA
County of Minnehaha } ss

On this 1st day of April, 1973, before me, a Notary Public, personally appeared JOE KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires

N. Miller Notary Public, 19 ____

My Commission Expires 9-15-80

N. Miller

Notary Public, South Dakota

BOOK 010 PAGE 362

FILED

I, the undersigned officer of the Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

In testimony whereof, I have hereunto set my hand and the seal of the Western Surety Company this *11th day of March, 19 77

WESTERN SURETY COMPANY

Joe Kirby

President

*IMPORTANT: This date must be filled in before it is attached to the bond and it must be the same date as the bond.

99—6-73

JOHN WILLIAM LONG and JOHN B. LONG, II Attorneys and Agents for the purpose of foreclosure and collection of mortgage from KENNETH E. BALLARD, WILLARD BALLARD and JAMES BALLARD to LAWRENCE E. HANCOCK and NAOMI P. HANCOCK, his wife	* IN THE CIRCUIT COURT * FOR SOMERSET COUNTY * STATE OF MARYLAND
Ex Parte	No. 10081 Chancery
	*

*****

PETITION TO ENJOIN FORECLOSURE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Kenneth E. Ballard, Wilbur Ballard and James Ballard, by their solicitor, Joseph H. Thomas, petition this Honorable Court to enjoin the mortgage foreclosure in the above entitled matter and for reasons says:

1. That the property foreclosed heretofore indentified as described in document entitled Mortgage, as recorded in Liber 291 page 21 of the Circuit Court of Somerset County and as made a part of the initial pleading was to secure a bill obligatory.

2. That the aforementioned mortgage was executed the 8th day of December, 1975.

3. That Article 49, Section 7 was repealed by Acts 1975, Chapter 49, Section 1, effective July 1, 1975.

4. That Commercial Law Section 12-103 is controlling.

5. That Commercial Law Section 12-103 E 2 permits a lender to charge interest at any rate if the loan is a Commercial Loan in excess of Five Thousand ($5,000.00) Dollars.

6. That the property described in the aforementioned mortgage is zoned residential three (3).

7. That Commercial Law Section 12-103 B covers loans secured by residential property imposing thereon a 10 percent maximum of said mortgage or Deed of Trust if executed prior May 31, 1974 and before June 2, 1976.

WHEREFORE, Petitioners prays:

a. That this Honorable Court temporarily and permanently enjoin foreclosure.

b. That Petitioners may have such other and further relief as the nature of their case may require.

AND, AS IN DUTY BOUND, ETC.

JOSEPH H. THOMAS, JR.
1101 St. Paul Street
Suite 404
Baltimore, Maryland 21202
547-1275

Attorney for Petitioners

I HEREBY CERTIFY, that on this 12th day of April, 1977, a copy of the aforegoing was hand delivered to John W. Long, Esquire and John B. Long, Esquire, 124 E. Main Street, Salisbury, Maryland.

JOSEPH H. THOMAS

Denied 6/15/77 L. L. Arthur

FILED
Apr 12 4 03PM '77
RECORDED IN
LIBER NO. ____ FOLIO ____
THOMAS PROCESS, CIR. CT.
BY ____ DEPUTY

JOHN WILLIAM LONG and JOHN B. LONG, II Attorneys and Agents for the purpose of foreclosure and collection of mortgage from KENNETH E. BALLARD, WILLARD BALLARD and JAMES BALLARD to LAWRENCE E. HANCOCK and NAOMI P. HANCOCK, his wife	* IN THE CIRCUIT COURT * FOR SOMERSET COUNTY STATE OF MARYLAND * No. 10081 Chancery
Ex Parte	*

****

ORDER

Upon the foregoing Petition, it is this day of , 19 , by the Circuit Court for Somerset County, ORDERED, that foreclosure is continued to the day of , 19 , provided a copy of the Petition to Enjoin Foreclosure and Order are served on the Complainants by the day of , 19 .

JUDGE

FILED
MAR 12 4 03 PM '77
RECORDED IN
LIBER NO. FOLIO
J. TRUSCOTT MASSEY, CLK. CIR. CT.
BY DEPUTY

John William Long and John B. Long, II, Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife	*	No. 10081 Chancery
	*	In the Circuit Court
	*	For Somerset County
	*	State of Maryland
Ex Parte		

****

AFFIDAVIT OF NOTICE TO MORTGAGORS
PURSUANT TO RULE W74. a. 2. (c)

We, John William Long and John B. Long, II, Attorneys and Agents for the purpose of foreclosure and collection of the mortgage filed for foreclosure in the above proceeding, make oath in due form of law that the following facts are true and correct to the best of our knowledge, information and belief.

We mailed by certified mail a notice of the time, place and terms of sale to each of the mortgagors on March 28, 1977, at Princess Anne, Maryland, which is the last address that we know for them. A receipt from the post office for each of said notices sent by certified mail is attached hereto. We received a notice from the Post Office signed by James Ballard acknowledging receipt of his letter and we received a notice from the Post Office signed by Kenneth Ballard acknowledging receipt of his letter. The other letter to Wilbur Ballard was returned by the Post Office marked "Unclaimed". We have no doubt, however, that his brothers notified him of the contents of their letters, so that he had knowledge of the sale.

John William Long

John B. Long, II

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

FILED
MAY 22 3 30 PM '77
IN CHANCERY
CLERK OF CIRCUIT COURT
SOMERSET COUNTY, MD.

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 629754

SENT TO
Mr. Kenneth E. Ballard
STREET AND NO.
Princess Anne, Md. 21853
P.O., STATE AND ZIP CODE

POSTMARK OR DATE
MAR 23 1977

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 Apr. 1971 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)
★ GPO : 1974 O - 551-454

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 629755

SENT TO
Mr. James Ballard
STREET AND NO.
Princess Anne, Md. 21853
P.O., STATE AND ZIP CODE

POSTMARK OR DATE
MAR 23 1977

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 Apr. 1971 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)
★ GPO : 1974 O - 551-454

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 629756

SENT TO
Mr. William Ballard
STREET AND NO.
Princess Anne, Md. 21853
P.O., STATE AND ZIP CODE

POSTMARK OR DATE
MAR 23 1977

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 Apr. 1971 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)
★ GPO : 1974 O - 551-454

46 FILE 72

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

STATE OF MARYLAND,

COUNTY OF WICOMICO:

On this the 20th day of April, 1977, before me, the undersigned officer, personally appeared John William Long and John B. Long, II, Attorneys and Agents for the purpose of foreclosure, and made oath in due form of law that the matters and facts hereinabove set forth are true to the best of their knowledge, information and belief.

AS WITNESS my hand and Notarial Seal the day and year first above written.

My Commission Expires:

July 1, 1978

Eleanor Sue Johnson
Notary Public

ELEANOR SUE JOHNSON
NOTARY
PUBLIC
WICOMICO COUNTY, MD.

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

LIBER 46 PAGE 74

PRINCESS ANNE, MD., Apr 9 1977

This is to certify that the annexed Attorney 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 Attorney Sale

Dates Inserted: Mar 17-24-31 Apr 7

Business Manager MARYLANDER and HERALD

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

FILED

ONG, LAWS, HUGHES & BAHEN
ATTORNEYS AT LAW

ATTORNEYS' SALE

OF

VALUABLE GARAGE
LOCATED ON WEST SIDE
OLD U.S. ROUTE 13
PRINCESS ANNE, MARYLAND

Under and by virtue of the power of sale contained in a mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard, dated December 8, 1975, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 291, Folio 21, default having been made in the terms, covenants and conditions thereof, the undersigned as Attorneys and Agents named therein 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, APRIL 12, 1977

at or about the hour of
two o'clock P.M.

TUESDAY, APRIL 12, 1977

at or about the hour of
two o'clock P.M.

all that lot of land and improvements thereon situate in West Princess Anne Election District, Somerset County, Maryland, on the West side of the Old U.S. Rt. 13, now Maryland Rt. #675, about one-half mile North of the Town of Princess Anne, and on the North side of a thirty-five feet private road that separates the subject property from the property formerly owned by Archie Taylor, and more fully described as follows: Beginning at an iron pipe set up at the N.E. Corner of the aforesaid private road, where the same joins Maryland Rt. #675; thence in a Northerly direction by and with the West side of the State Highway a distance of 160 feet to an iron marker and the property of Joseph Pietroski; thence in a Westerly direction parallel with the said thirty-five feet private road, a distance of 160 feet to the property of Raymond Taylor, et ux., thence Southerly by and with the Taylor land a distance of 160 ft. to the aforesaid private road and an iron marker; thence Easterly, by and with the North side of the private road a distance of 160 feet to an iron marker and the place of beginning, together with a perpetual right-of-way over the thirty-five feet private road heretofore mentioned, South of the property being conveyed; and being the same property which was conveyed unto the said Kenneth Ballard, Wilbur Ballard and James Ballard by deed from Gordon Realty Company, a body corporate of the State of Delaware, dated February 4, 1969 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 249, Folio 316; special reference to said deed being hereby made for a more particular description of the property hereby described.

This is a valuable commercial property improved by a large garage.

TERMS OF SALE: 10% 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 Attorneys and Agents and to bear interest at the rate of eight per cent per annum, or all cash, at the option of the purchaser. Title papers, State Stamps, an Transfer Taxes at the expense of the purchaser. Taxes will be pro-rated as of the date of final ratification of the sale.

JOHN WILLIAM LONG
JOHN B. LONG, II
Attorneys and Agents

Long, Laws, Hughes & Bahen
P.O. Box 259
124 East Main Street
Salisbury, Maryland 21801

Phone: (301) 749-2356

March 17, 24, 31, April 7

LONG, LAWS, HUGHES & BAHEN
ATTORNEYS AT LAW

ATTORNEYS' SALE

OF VALUABLE GARAGE

LOCATED ON WEST SIDE OLD U.S. Route 13 PRINCESS ANNE, MARYLAND

Under and by virtue of the power of sale contained in a mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard, dated December 8, 1975, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 291, Folio 21, default having been made in the terms, convenants and conditions thereof, the undersigned as Attorneys and Agents named therein 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, APRIL 12, 1977
at or about the hour of
two o'clock P.M.

all that lot of land and improvements thereon situate in West Princess Anne Election District, Somerset County, Maryland, on the West Side of the Old U.S. Rt. 13, now Maryland Rt. No. 675, about one-half mile North of the Town of Princess Anne, and on the North side of a thirty-five feet private road that separates the subject property from the property formerly owned by Archie Taylor, and more fully described as follows: Beginning at an iron pipe set up at the N.E. Corner of the aforesaid private road, where the same joins Maryland Rt. No. 676; thence in a Northerly direction by and with the West side of the State Highway a distance of 160 feet to an iron marker and the property of Joseph Pietroski; thence in a Westerly direction parallel with the said thirty-five feet private road; a distance of 160 feet to the property of Raymond Taylor, et ux., thence Southerly by and with the Taylor land a distance of 160 feet to the aforesaid private road and an iron marker; thence Easterly, by and with the North side of the private road a distance of 160 feet to an iron marker and the place of beginning, together with a perpetual right-of-way over the thirty-five feet private road heretofore mentioned, South of the property being conveyed; and being the same property which was conveyed unto the said Kenneth Ballard, Wilbur Ballard and James Ballard by deed from Gordon Realty Company, a body corporate of the State of Delaware, dated February 4, 1959 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 249, Folio 316; special reference to said deed being hereby made for a more particular description of the property hereby described.

This is a valuable commercial property improved by a large garage.

TERMS OF SALE: 10% 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 Attorneys and Agents and to bear interest at the rate of eight 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.

JOHN WILLIAM LONG
JOHN B. LONG, II
Attorneys and Agents
Long, Laws, Hughes & Bahen
P.O. Box 259
124 East Main Street
Salisbury, Maryland 21801
Phone: (301) 749-2358

3-18, 3-25, 4-1, 4-8.

LIBER 46 FOLIO 75

CERTIFICATION OF PUBLICATION

Salisbury, Md. . . April 8 . . . . . 19 77

We hereby certify that the annexed Attorneys' Sale . . . . . was published in . . . . . THE DAILY TIMES on . . . . . 3/18, 25//4/1, 8/77 . . . . . .

Thomson Newspapers, Inc.
Publishers of The Daily Times

John William Long and
John B. Long, II,
Attorneys and Agents for
the purpose of foreclosure
and collection of mortgage
from Kenneth E. Ballard,
Wilbur Ballard and James Ballard
to Lawrence E. Hancock and
Naomi P. Hancock, his wife

Ex Parte

* No. 10081 Chancery

* In the Circuit Court

* For Somerset County

* State of Maryland

****

REPORT OF SALE

The report of John William Long and John B. Long, II, Attorneys and Agents for the purpose of foreclosure and collection, under Power of Sale contained in a mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife, dated December 8, 1975 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 291, Folio 21, 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 three successive weeks, the first publication being more than fifteen days prior to sale, in The Daily Times, a newspaper published in Wicomico County, Maryland, and in the Marylander and Herald, a newspaper published in Somerset County, Maryland, and after having given bond with surety approved by the Clerk of this Court, the Attorneys and Agents did, on Tuesday, April 12, 1977, at or about the hour of two o'clock P.M., attend at the front door of the Court House in Princess Anne, Somerset County, Maryland, it being the time and place mentioned in said advertisements as will more fully appear by reference to the attached copies thereof with a certificate of each publication, and did then and there offer for sale by public auction all the right, title and interest of the said Kenneth E. Ballard, Wilbur Ballard, and James Ballard, and all the right, title and interest of all those claiming by, from or under them, in and to, All that lot of

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

land and improvements thereon situate in West Princess Anne Election District, Somerset County, Maryland, on the West side of the Old U.S. Rt. 13, now Maryland Rt. #675, about one-half mile North of the Town of Princess Anne, and on the North side of a thirty-five feet private road that separates the subject property from the property formerly owned by Archie Taylor, and more fully described as follows: Beginning at an iron pipe set up at the N.E. corner of the aforesaid private road, where the same joins Maryland Rt. #675; thence in a Northerly direction by and with the West side of the State Highway a distance of 160 feet to an iron marker and the property of Joseph Pietroski; thence in a Westerly direction parallel with the said thirty-five feet private road, a distance of 160 feet to the property of Raymond Taylor, et ux., thence Southerly by and with the Taylor land a distance of 160 feet to the aforesaid private road and an iron marker; thence Easterly, by and with the North side of the private road a distance of 160 feet to an iron marker and the place of beginning, together with a perpetual right-of-way over the thirty-five feet private road heretofore mentioned, South of the property being conveyed; and being the same property which was conveyed unto the said Kenneth E. Ballard, Wilbur Ballard and James Ballard by deed from Gordon Realty Company, a body corporate of the State of Delaware, dated February 4, 1969 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 249, Folio 316; and being in all respects the same land described in said mortgage, and sold the same unto Lawrence E. Hancock and Naomi P. Hancock, his wife, as tenants by the entireties, at and for the sum of TWENTY-FIVE THOUSAND DOLLARS ($25,000.00), they being the highest and best bidders therefor, and the said purchasers complied with the terms of sale by paying TWO THOUSAND FIVE HUNDRED DOLLARS ($2,500.00) thereon and gave their Note for the balance of TWENTY-TWO THOUSAND FIVE HUNDRED DOLLARS ($22,500.00).

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

Respectfully submitted,

JOHN WILLIAM LONG

JOHN B. LONG, II

Attorneys and Agents for the purpose of foreclosure and collection

STATE OF MARYLAND,

COUNTY OF WICOMICO:

On this the 20th day of April, 1977, before me, the undersigned officer, personally appeared John William Long and John B. Long, II, Attorneys and Agents, and made oath in due form of law that the matters and things stated by them in the aforegoing Report of Sale are true and correct to the best of their knowledge, information, and belief, and the sale therein reported was fairly made.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

My Commission Expires:
July 1, 1978

Eleanor Sue Johnson
Notary Public

ELEANOR SUE JOHNSON
NOTARY
PUBLIC
WICOMICO COUNTY, MD.

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

FILED
Apr 22 9 30 AM '77

John William Long and John B. Long, II Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife	*	No. 10081 Chancery
	*	In the Circuit Court
	*	For Somerset County
	*	State of Maryland
Ex Parte		

****

ORDER NISI

ORDERED, this 22nd day of April, 1977, 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 John William Long and John B. Long, II, Attorneys and Agents, under power of sale contained in a mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 23rd day of May, 1977; provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three successive weeks before the 16th day of May, 1977.

The report states the amount of sale to be $25,000.00.

S. Theodore Phoebus
Clerk

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

FILED

LIBER 46 PAGE 80

John William Long and John B. Long, II Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife	:	No. Chancery
	:	In the Circuit Court
	:	For Somerset County
	:	State of Maryland
Ex Parte	:	

- - - - - - -

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND,

COUNTY OF WICOMICO:

On this the 15th day of April, 1977, before me, the undersigned officer, personally appeared Lawrence E. Hancock and Naomi P. Hancock, his wife and made oath in due form of law that they were the purchasers at the sale of the property described in this cause, and that:

(a) That they were 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.

Lawrence E. Hancock
LAWRENCE E. HANCOCK

Naomi P. Hancock
NAOMI P. HANCOCK

SUBSCRIBED and SWORN to before me this 15th day of April, 1977.

Eleanor Sue Johnson
Notary Public

My commission expires:
July 1, 1978

ELEANOR SUE JOHNSON NOTARY PUBLIC WICOMICO COUNTY, MD.

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

John William Long and John B. Long, II, Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife	*	No. 10081 Chancery
	*	In the Circuit Court
	*	For Somerset County
	*	State of Maryland
Ex Parte		

****

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, Maryland, in Equity, this 15th day of June, 1977, that the sale of the property mentioned in these proceedings, 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.

Lloyd L. Griffin
JUDGE

LAW OFFICES
LONG, LAWS,
HUGHES & BAHEN
124 EAST MAIN STREET
SALISBURY, MARYLAND 21801

OFFICE OF

Clerk of the Circuit Court

LIBER 46 PAGE 82

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. May 17, 1977

TO: John William Long, Esquire
John B. Long, II, Esquire
Salisbury, Md. 21801

Joseph H. Thomas, Jr., Esquire
1101 St. Paul St.
Baltimore, Md. 21202

RE: No. 10081 Chancery Case - John William Long and John William Long, II Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, et al, etc.

The above case has been *scheduled* as follows:
Hearing, on Wednesday, June 15, 1977, at 1:30 P.M.

The *Court* has directed me to inform *Counsel* that unless application for postponement of the *Trial* or *Hearing* is made within *five (5)* days after receipt of this notice or an emergency has occurred thereafter, the aforementioned *trial* or *hearing* will be held as scheduled.

Requests for postponements and suggested new date *must* be in writing with copies to all attorneys.

Attention is called to the fact that lack of *notice* is no *excuse* for postponing a *trial or hearing*. It is the duty of the individual attorneys to keep check on their cases.

Counsel will file with the *Clerk* orders for *summonses* of *witnesses* at least *seven* days prior to the date of *trial*.

Please confirm this date by *filling* in the form below and returning it to this office.

Very truly yours,

(Mrs.) Alice C. Webster
Assignment Clerk

RE: No. 10081 Chy - Ballard foreclosure

Wed., June 15, 1977
at 1:30 P.M.

Receipt of *trial* date is hereby acknowledged for the date of _____

DATE 5-18-77 ATTORNEY J. Long

PRINCESS ANNE, MD., May 11 1977

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 Nisi

Dates Inserted: April 28 - May 5 + 12

J. Bryan Byrd

Business Manager MARYLANDER and HERALD

ORDER NISI

No. 10081 Chancery

In the Circuit Court
For Somerset County
State of Maryland

John William Long and John B. Long, II Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard to Lawrence E. Hancock and Naomi P. Hancock, his wife Ex Parte

****

ORDER NISI

ORDERED this 22nd day of April, 1977, 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 John William Long and John B. Long, II, Attorneys and Agents, under power of sale contained in a mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard, be retrified and confirmed unless cause to the contrary thereof be shown on or before the 23rd day of May, 1977; provided a copy of this Order be inserted in some newspaper published in Somerset County, Maryland, once in each of three successive weeks before the 16th day of May, 1977.

The report states the amount of sale to be $25,000.00.

I. THEODORE PHOEBUS
Clerk

True Copy, Test:
I. THEODORE PHOEBUS
Clerk

3tc-4/28, 5/5 & 5/12

FORM 4490
(OCT. 1968)

DEPARTMENT OF THE TREASURY – INTERNAL REVENUE SERVICE

PROOF OF CLAIM FOR INTERNAL REVENUE TAXES

IN THE CIRCUIT COURT LIBER 46 FOLIO 84

FOR THE SOMERSET COUNTY

IN THE MATTER OF:
John William Long and John B. Long, Attorneys
vs.
Wilbur F. Ballard et al
Rt. 2, Box 281
Princess Anne, Md. 21853

CHANCERY DOCKET NO. 10081

TYPE OF PROCEEDING MTGE. FORECLOSURE

CLAIM OF THE UNITED STATES
FOR INTERNAL REVENUE TAXES

TAXPAYER'S IDENTIFYING NUMBER:
Social Security No. 215-38-2402
Employer Identification No.

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. Wilbur F. Ballard is justly and truly indebted to the United States in the sum of $2,439.51 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 LIEN FILED	DATE TAX LIEN AROSE
Income	7012	$1,906.96	7-13-76	5-31-75
Accrued Int. to 5/27/77		108.56		
Income	7212	370.85	7-13-76	12-15-75
Accrued Int. to 5/27/77		36.41		
Late Pymt. Penalty		16.73		
		$2,439.51 Total		

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).

SUBSCRIBED AND SWORN TO BEFORE ME THIS 27th day of

LYON C. LEWIS NOTARY PUBLIC WICOMICO COUNTY, MARYLAND

NOTARY PUBLIC

SIGNATURE

INTERNAL REVENUE SERVICE TITLE
CHIEF, SPECIAL PROCEDURES STAFF

ADDRESS
P.O. BOX 1076
BALTIMORE, MARYLAND 21203

FORM 4490 (10-68)

PART 1 For Court (or Fiduciary, if required by local procedures)

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

IN THE MATTER OF:

CHANCERY ~~DOCKET~~ NO. 10081

John William Long and John B. Long, Attorneys
vs.
James G. Ballard et al
Rt. 2 Box 281
Princess Anne, Md. 21853

TYPE OF PROCEEDING MTGE. FORECLOSURE

CLAIM OF THE UNITED STATES
FOR INTERNAL REVENUE TAXES

TAXPAYER'S IDENTIFYING NUMBER:
Social Security No. 214-36-5744
Employer Identification No.

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. James G. Ballard is ~~XXXXXXX~~ justly and truly indebted to the United States in the sum of $2,500.13 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 LIEN FILED ~~XXXXXXXX~~	DATE TAX LIEN AROSE
Income	7012	$1,588.45	03-12-76	11-03-75
Accrued Int. to 5/27/77		155.78		
Income	7212	644.42	03-12-76	11-03-75
Accrued Int. to 5/27/77		70.26		
Late Pymt. Penalty		41.22		
		$2,500.13 Total		

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).

SUBSCRIBED AND SWORN TO BEFORE ME THIS

27th day of June, 1977

NOTARY PUBLIC

SIGNATURE

INTERNAL REVENUE SERVICE TITLE

CHIEF, SPECIAL PROCEDURES STAFF

ADDRESS

P.O. BOX 1076
BALTIMORE, MARYLAND 21203

FORM 4490 (10-68)

PART 1 For Court (or Fiduciary, if required by local procedures)

LIBER 46 FOLIO 85

FORM 4490
(OCT. 1968)

DEPARTMENT OF THE TREASURY – INTERNAL REVENUE SERVICE

PROOF OF CLAIM FOR INTERNAL REVENUE TAXES

LIBER 46 PAGE 88

IN THE CIRCUIT COURT

FOR THE SOMERSET COUNTY

IN THE MATTER OF: CHANCERY NO. 10081

John William Long and John B. Long, Attorneys
vs.
Kenneth Ballard et al
P.O. BOX 355
Princess Anne, Maryland 21853

TYPE OF PROCEEDING MTGE. FORECLOSURE

CLAIM OF THE UNITED STATES
FOR INTERNAL REVENUE TAXES

TAXPAYER'S IDENTIFYING NUMBER:
Social Security No. 214-34-5644
Employer Identification No.

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. Kenneth Ballard is justly and truly indebted to the United States in the sum of $940.82 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 LIEN FILED	DATE TAX LIEN AROSE
Income	7012	$ 424.78	10-27-76	11-10-75
Accrued Int. to 5/27/77		34.93		
Income	7212	413.38	10-27-76	11-03-75
Accrued Int. to 5/27/77		42.28		
Late Pymt. Penalty		25.45		
		$ 940.82 Total		

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).

SUBSCRIBED AND SWORN TO BEFORE ME THIS 27th day of June 1977

LYNN C. LEWIS NOTARY PUBLIC

SIGNATURE

INTERNAL REVENUE SERVICE TITLE
CHIEF, SPECIAL PROCEDURES STAFF

ADDRESS
P.O. BOX 1076
BALTIMORE, MARYLAND 21203

FILED

FORM 4490 (10-68)

PART 1 For Court (or Fiduciary, if required by local procedures)

John William Long and John B. Long, II, Attorneys and Agents for the purpose of foreclosure and collection of mortgage from Kenneth E. Ballard, Wilbur Ballard and James Ballard. to Lawrence E. Hancock and Naomi P. Hancock, his wife	* * * * * * *	No. 10081 Chancery In the Circuit Court For Somerset County State of Maryland
Ex Parte	*	

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 therein, state the following Account:

Amount of Sale			$25,000.00
Expenses, Costs, and Fees			
I. T. Phoebus, Clerk of Court		$134.00	
Marylander & Herald		187.50	
Notice of Sale	$162.50		
Order Nisi	25.00		
Daily Times		152.52	
Notice of Sale			
Auctioneer, Oscar L. Taylor		100.00	
Notary Fees, E. Sue Johnson		3.00	
Bond Premium - Harris Riggin Agency		120.00	
State & County Real Estate Taxes		307.94	
Somerset County Sanitary District		291.50	
John William Long & John B. Long II		1500.00	
Attorney's fee per mortgage - $100			
Trustee's Commission per Rules - $1400			
3000 at 10%	$300		
22,000 at 5%	$1100		
Auditor's Fee		45.00	
Total Expenses, Costs & Fees			$2,841.46
Amount for distribution			$22,158.54
Statement of Mortgage Debt			$40,565.66
Principal Debt per Affidavit	$28,797.66		
Interest 9-30-76 to 6-15-77	$11,628.00		
Prepaid Insurance Premium	$140.00		
Deficiency			$18,407.12

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.

YOUR AUDITORS hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3300

LIBER 48 PAGE 87

John William Long, Esq.
John B. Long II, Esq.
Long, Laws, Hughes & Bahen
124 E. Main Street
Salisbury, Maryland 21801

Joseph H. Thomas, Jr., Esq.
Suite 404
1101 St. Paul Street
Baltimore, Maryland 21202

Gerald G. Portray
Internal Revenue Service
31 Hopkins Plaza
Baltimore, Maryland 21201

(RE C:SP:HRH)

Date of Filing: August 5, 1977

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#51
8/5/77 jd

MARYLANDER AND HERALD

INCORPORATED

Established In 1826

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

Long, Laws, Hughes & Bahen
P.O. Box 259
Salisbury, Md. 21801

4/1/77

BALLARD"S GARAGE

TERMS — DUE ON RECEIPT — PAST DUE 30 DAYS — SERVICE CHARGE OVER 60 DAYS

March 17, 24, 31 April 7

26" Attorney's Sale 4 insertions $162.50

PAID
JUN 1975
MARYLANDER & HERALD, INC.
Per

No *FINANCE CHARGE* on accounts paid within 60 days. A *FINANCE CHARGE* of 1½% will be added to accounts past due 60 days. This is an *ANNUAL PERCENTAGE RATE* of 18%

SERVICE CHARGE
TOTAL

JAMES E. BYRD, JR., *Editor* J. BRYAN BYRD, *Business Manager* JAMES E. BYRD, 3RD., *Sales Manager*

MARYLANDER AND HERALD

INCORPORATED

Established In 1826

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

Long, Laws, Hughes & Bahen
P.O. Box 259
Salisbury, Md. 21801

Kennbh, Wilbur, James Ballard

TERMS — DUE ON RECEIPT — PAST DUE 30 DAYS — SERVICE CHARGE OVER 60 DAYS

April 28, May 5 - 12

Order Nisi 3 insertions $25.00

PAID
JUN 1975
MARYLANDER & HERALD, INC.
Per

LIBER 46 PAGE 89

No *FINANCE CHARGE* on accounts paid within 60 days. A *FINANCE CHARGE* of 1½% will be added to accounts past due 60 days. This is an *ANNUAL PERCENTAGE RATE* of 18%

SERVICE CHARGE
TOTAL

JAMES E. BYRD, JR., *Editor* J. BRYAN BYRD, *Business Manager* JAMES E. BYRD, 3RD., *Sales Manager*

SOMERSET COUNTY SANITARY DISTRICT
[illegible] SOUTH SO[illegible]
[illegible] 328
PRINCESS ANNE, MARYLAND 21853

RECEIVED
JUN 2 7 [illegible]

STATEMENT - METERED SERVICE WATER & SEWER
FOR QUARTER ENDED: 03/31/77

QUARTER ENDED
03/31/77

RECEIPT

PRESENT READING	559,600
PREVIOUS READING	559,100
GALLONS USED	500
AMOUNT	2.40
READY TO SERVE CHARGE	1.00
SEWER SERVICE CHARGE	2.40
OTHER CHARGES	5.80
TOTAL NOW DUE	11.60

BALLARD BROS
P O BOX 355
PRINCESS ANNE MD 21853

Somerset County Sanitary District, Inc.

ACCOUNT NO. 416

PROPERTY ADDRESS OR OWNER IF DIFFERENT FROM ABOVE
SUNOCO FILLING STATION

AMOUNT DUE 11.60

BILLS FOR WATER AND SEWER SERVICE ARE DUE QUARTERLY. IF NOT PAID WITHIN 30 DAYS, SERVICE IS SUBJECT TO SUSPENSION.
RATES AVAILABLE UPON REQUEST

RETURN THIS STUB WITH PAYMENT
IF RECEIPT IS DESIRED, SEND SELF ADDRESSED STAMPED ENVELOPE.

LIBER 46 FOLIO 90

DATE
3/25/77
100 16370

Harris J. Riggin Insurance Agency, Inc.

Insurance Exclusively - Since 1927

N. DIVISION & CHURCH STS. - PHONE 749-3155
P.O. Box 42 - Salisbury, Maryland 21801

YOUR Independent Insurance AGENT SERVES YOU FIRST

Long,Laws, Hughes & Bahen
124 E. Main Street
Salisbury, Maryland 21801

PLEASE RETURN THIS PORTION TO INSURE PROPER CREDIT. THANK YOU!

$ 120.00
Payment Enclosed

AGENT | MORTGAGEE:

Co. No.	BILLING PERIOD	C & T	POLICY NO. & DESCRIPTION	PREMIUM CHARGE	PREMIUM CREDIT	BALANCE
15	3/11/77-78	701	6141048- Foreclosure Bond John W. Long & John B Long Kenneth Ballard	120.00		

PAID
6/24/77

THANK YOU
We appreciate your business and hope YOU are pleased

Premiums Due and Payable on Effective Dates of Policy

Harris J. Riggin Insurance Agency, Inc., N. Division & Church Sts., P.O. Box 42, Salisbury, Maryland 21801

THE DAILY AND SUNDAY TIMES
DELMARVA'S LARGEST DAILY NEWSPAPER
P. O. Box 1937
Salisbury, Maryland 21801

Sold To
Long, Laws, Hughes & Bahen
124 East Main Street
Salisbury, Maryland 21801

3/18, 25//4/1, 8/77 Attorneys' Sale $152.52

Ballard Property

REC'D PAYMENT
THE SALISBURY TIMES
BY Brenda Wilson
THANK YOU

PLEASE REMIT TO:

CARLOS BOZMAN, TREASURER

PRINCESS ANNE, MARYLAND 21853

01 000772

C 15-5-166

RECEIPT

SOMERSET COUNTY

TAX BILL FOR 1976-77

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.

	BUILDING	TOTAL ASSESSMENT	COUNTY RATE	STATE RATE		
14,230	1977	14,230	1.90	.23		
			270.37	32.73		$303.10

CARLOS BOZMAN
TREASURER

6/77	16.23
	1.96
	32.29

269/816 BALLARD, KENNETH E., WILBUR, AND JAMES
PRINCESS ANNE, MD. 21853

LOT 160X160-CONR/IMPTS
ROUTE 13
N/PRINCESS ANNE

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 GAME MAY BE COLLECTED BY SALE OF PROPERTY AS PRESCRIBED BY LAW.

IF CERTIFICATE OF CORPORATION, INTEREST WILL BE CHARGED ON OR AFTER OCTOBER 1ST OR 30 DAYS FROM DATE OF STATEMENT, WHICHEVER IS LATER.

NOTE:
FAILURE TO RECEIVE A TAX BILL IS NO EXCUSE FOR NOT PAYING TAXES, INTEREST OR PENALTY.

LIBER 46 PAGE 91

SOMERSET COUNTY SANITARY DISTRICT, INC.
33 SOUTH SOMERSET AVE.
BOX 326
PRINCESS ANNE, MARYLAND 21853

DATE 01/01/77 1977 ASSESSMENT

OWNER OR IDENTIFICATION OF PROPERTY IF OTHER THAN ADDRESS TO WHICH BILL IS SENT. SERVICE CENTER

RECEIVED
RECEIPT
JUN 27 1977

BALLARD KENNETH
P O BOX 355
PRINCESS ANNE MD 21853

Somerset County Sanitary District, Inc.

ACCOUNT NO. 416

Int. + 3.50
131.20
134.70

TEAR ALONG THIS LINE AND RETURN THIS PORTION WITH PAYMENT

ANNUAL FRONT FOOT ASSESSMENT ON PROPERTY SERVED OR READY TO BE SERVED BY WATER AND/OR SEWER IN PRINCESS ANNE SUB-DISTRICT. DUE UPON RECEIPT OF THIS BILL.

CLASSIFICATION		WATER			SEWER			TOTAL
	FRONT FEET*	RATES MAINS	RATES TANK	AMOUNT	RATES MAINS	RATES TANK	AMOUNT	AMOUNT
RESIDENTIAL/SUBDIVISION								
SMALL ACREAGE								
BUSINESS	160.00	.24	.06	48.00	.41	.11	83.20	131.20
AGRICULTURAL								

ACCOUNT NO. 416
PAST DUE DATE 02/28/77

PLEASE PAY THIS AMOUNT -> 131.20

* THIS MAY BE AN ADJUSTED FIGURE IN THE CASE OF CORNER OR IRREGULAR SHAPED LOTS.
INTEREST CHARGED AFTER PAST DUE DATE AT EFFECTIVE RATE OF SIMPLE INTEREST OF 8%
PAST DUE AMOUNTS, EXCLUDING INTEREST, ARE SHOWN BELOW BY YEAR
PAST DUE 1976 131.20 + 14.00 = 145.20

Combined Total 279.90

PLEASE CONTACT OFFICE PROMPTLY ABOUT PAYING THIS ACCOUNT.
OTHERWISE WE WILL BE COMPELLED TO START LEGAL PROCEEDINGS TO COLLECT IT AND YOU WILL BE CHARGED FOR THE EXPENSES INCURRED.

No. 10081 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 8th day of August, 19 77 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 August, 19 77.

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 31st day of August, 19 77 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

MAR. 7 1978

LIBER 46 PAGE 94

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

Elway Holden and
Madalen Holden, their heirs and assigns,
Princess Anne, Somerset County, Maryland

No. 10041 Chancery
in the Circuit Court for
Somerset County, Maryland

JAN 20-77 B 925133D*****10.00
JAN 20-77 B 925132D*****40.00

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~~ two-thirds of one per cent per month from March 31 of each year (Date) .....$ 400.18

TOTAL $ 400.18

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.....East.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

All that lot or parcel of land, situate as aforesaid, on the south side of but not adjacent to Hampden Avenue, lying at the northeast intersection of two unnamed intersecting 30 foot streets, accurately laid down and described as Lot No. 7 on a plat prepared by W. Ballard Miles, (File D-170), Registered Surveyor, dated July 15, 1946, entitled "Miles & Hargis Subdivision", and recorded among the Land Records of Somerset County in Plat Book Liber B.L.B. No. 1, folio 41, and shown thereon as being 60 feet by 133.25 feet, and being the same and all the land which was conveyed unto the said Elway Holden and Madalen Holden by Milford W. Twilley and Buela W. Twilley by deed dated January 23, 1967 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 237, folio 219.

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 G. 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 20th day of January, in the year nineteen hundred and seventy-seven before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert 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 Enforce Lien(s) the sum of $ 400.18, 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 statutory first 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.

Karen J. Nelson
Notary Public

NOTARY PUBLIC SOMERSET COUNTY, MD.

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

No. 10041 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Elway Holden and
Madalen Holden, their heirs and assigns,
Princess Anne, Somerset County, 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 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 Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 20th day of January, 1977.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 22nd day of February, 1977. 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
Name

Princess Anne, Maryland 21853
Address

L. Theodore Shoebus
Clerk

Copy left with Elway & Madalen Holden
1/22/76
Charles E. Sellers

LIBER 46 FOLIO 98

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. 10041 Chancery In the Circuit Court for Somerset County, Maryland
vs.	:	
Elway Holden Madalen Holden	:	

It is ORDERED by the Circuit Court for Somerset County, State of Maryland, this 11th day of March, 1977, that judgment be entered in favor of the Petitioner and against the Defendants, Elway Holden and Madalen Holden, and against the real estate and improvements described in the aforegoing Bill, for the sum of $400.18 with interest from date and costs of suit.

Floyd L. Simpkins
Judge

2030

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

Elway Holden
Madalen Holden, their heirs and assigns,
And the Real Estate and Improvements
Hereinbefore Described

No. 10041 Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 19th day of May, in the year nineteen hundred and seventy-seven, by 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 $4060.00, 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.

Lloyd L. Simpkins
Judge

LIBER 46 PAGE 100

KNOW ALL MEN BY THESE PRESENTS, That we, Alexander G. Jones of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of four thousand sixty dollars ($4060.00) current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 23rd day of May, in the year nineteen hundred and seventy-seven.

Whereas, the above bounden, Alexander G. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in the proceedings in the case of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate, vs. Elway Holden and Madalen Holden, No. 10041 Chancery, now pending in said Court.

Now the condition of the above obligation is such that if the above bounden, Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void otherwise to be and remain in full force and virtue in law.

(SEAL)
Alexander G. Jones

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Karen G. Jones

By
Attorney in Fact

THE WITHIN BOND APPROVED:

PER: Theodore Phoebus, CLERK.

LIBER 010

FILED

AUG 23 9 55 AM '77

RECORDED IN ITP
LIBER NO. 10 FOLIO 373
I, THEODORE PHOEBUS, CLK.CT.CT.
BY aew DEPUTY

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

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. 10041 Chancery Case
	:	In the Circuit Court for
VS	:	Somerset County, Maryland
Elway Holden and Madalen Holden, his wife	:	

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 19th day of May, in the year nineteen hundred and seventy-seven, 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 & 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 23rd day of August, 1977, at the hour of 2:00 o'clock P.M., and then and there proceed to sell said property, to wit:

All that lot or parcel of land in East Princess Anne Election District, Somerset County, Maryland, on the south side of but not adjacent to Hampden Avenue, lying at the northeast intersection to two unnamed intersecting 30 foot streets, accurately laid down and described as Lot No. 7 on a plat prepared by W. Ballard Miles, (File D-170), Registered Surveyor, dated July 15, 1946, entitled "Miles & Hargis Subdivision", and recorded among the Land Records of Somerset County in Plat Book Liber B.L.B. No. 1, folio 41, and shown thereon as being 60 feet by 133.25 feet, and being the same and all the land which was conveyed unto the said Elway Holden and Madalen Holden by Milford W. Twilley and Beula W. Twilley by deed dated January 23, 1967 and recorded among the aforesaid Land Records in Liber I.T.P. No. 237, folio 219, and sold the same to Robert Murphy at and for the sum of nine hundred seventy dollars ($970.00), he then and there being the highest bidder there-

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

fore, and the purchaser has complied with the terms of sale to the satisfaction of your trustee.

Respectfully submitted,

Alexander G. Jones, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, Trustee named inthe 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.

Cheryl L. Tyler
Notary Public

CHERYL L. TYLER NOTARY PUBLIC SOMERSET CO. MD

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. 10041 Chancery Case
	:	In the Circuit Court for
	:	Somerset County, Maryland
vs		
Elway Holden and Madalen Holden, his wife	:	

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert Murphey, the purchaser of the real estate in the above entitled proceeding and made oath in due form of law:

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.

CHERYL L. TYLER NOTARY PUBLIC SOMERSET COUNTY

Cheryl L. Tyler
Notary Public

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. 10041 Chancery Case
	:	In the Circuit Court for
	:	Somerset County, Maryland
vs	:	
Elway Holden and Madalen Holden, his wife		

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, in the year nineteen hundred and seventy-seven, 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 3rd day of October, 1977, 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 19th day of September, 1977.

The report states the amount of sale to be $970.00.

L. Theodore Phelps
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 5th day of October, 1977, 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.

Richard M. Collins
Judge

JONES & JONES
Attorneys At Law
Princess Anne, Md.

ORDER NISI

The Somerset County Sanitaay Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland

vs

Elway Holden and Madalen Holden, his wife

No. 10041 Chancery Case
In the Circuit Court for Somerset County, Maryland

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, in the year nineteen hundred and seventy-seven, 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 3rd day of October, 1977, 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 19th day of September, 1977.

The report states the amount of sale to be $970.00.

I. Thoedore Phoebus
Clerk of the Circuit Court
for Somerset County, Md.

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
3tc—9/1, 9/8 & 9/15

PRINCESS ANNE, MD., 9/27 1977

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 Nisi

Dates Inserted: 9/1-8-15 1977

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

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. 10041 CHANCERY CASES
	*	IN THE CIRCUIT COURT FOR
	*	SOMERSET COUNTY,
	*	STATE OF MARYLAND
vs.	*	IN EQUITY
Elway Holden Madalen Holden Princess Anne, 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 therein, states the following Account:

Amount of Sale		$970.00
Expenses, Costs and Fees:		
Clerk of Court	$112.00	
Marylander & Herald Advertising Order Nisi	 41.66 25.00	
Fidelity & Deposit Bond Premium	20.00	
Auctioneer	25.00	
Notary Public	4.50	
Somerset County Sanitary District, Inc.		
1973 Front Foot Assessment	98.57	
1974 Front Foot Assessment	92.83	
1975 Front Foot Assessment	87.09	
1976 Front Foot Assessment	72.55	
1977 Front Foot Assessment	67.43	
1970 State and County Taxes	62.31	
1971 State and County Taxes	61.55	
1973 Princess Anne Town Taxes	15.79	
1974 Princess Anne Town Taxes	13.78	
1975 Princess Anne Town Taxes	13.99	
1976 Princess Anne Town Taxes	14.34	
1977 Princess Anne Town Taxes (two months)	2.55	

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Trustees Commission Per Rules	97.00	
Logan C. Widdowson Auditor	45.00	
Total Expenses		972.94
Deficiency		2.94

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Alexander G. Jones, Esquire
Attorney for Somerset County Sanitary District, Inc.
S. Somerset Avenue
Princess Anne, Maryland 21853

Elway Holden and Madalen Holden
Princess Anne, Maryland 21853

Date of Filing: October 11, 1977

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#56
knt

LIBER 46 PAGE 108

No. 10041 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 13th day of Oct, 19 77, 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 28th day of Oct, 19 77.

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 1st day of Nov., 19 77, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

Ex 2

MAR. 7 1978

JAN 25-77 B 925208D******5.00
JAN 25-77 B 925207D*****40.00

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

Mary Nock, her heirs and assigns,
Princess Anne, Somerset County, Maryland

No. 10,046..... Chancery
in the Circuit Court for
Somerset County, Maryland

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~~ two-thirds of one per cent per month from March 31 of each year (Date) $206.28

TOTAL $206.28

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..East.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

All that lot or parcel of land, situate as aforesaid, lying back from the south side of Hampden Avenue Extended, and binding on the south side of a lane running in an easterly direction from a lane or road leading south from said Hampden Avenue by the Baptist Church; and adjoining the lands of Emma McClee on the west, and Adolphus Benson on the east; the land herein described is the same and all the land which was conveyed unto Mary Nock by Earvine Hargis and Ina Hargis, his wife, by deed dated April 30, 1943 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 160, folio 56.

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 G. 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 25th day of January, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert 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 Enforce Lien(s) the sum of $206.28, 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 statutory first 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.

Karen J. Nelson
Notary Public

NOTARY PUBLIC SOMERSET COUNTY, MD.

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

LIBER 46 PAGE 112

No. 10046 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Mary Nock, her heirs and assigns,
Princess Anne, Somerset County, 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

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 Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 25th day of January, 1977.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the....22nd....day of...February....., 19..77.. . 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
Name

Princess Anne, Maryland 21853
Address

J. Theodore Phelps
Clerk

Dow. est 2/10/77
Sherry L. Jones

No. 10046 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Mary Nock, her heirs and assigns,
Princess Anne, Somerset County, Maryland
Pt 2 Box 210
Green house on left before

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 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 ~~Ero McMaster Bunk~~ Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 16th day of February, 19 77.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 22nd day of March, 19 77. 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
Name

Princess Anne, Maryland 21853
Address

I. Theodore Shockley
Clerk

Nov. Est. 3/3/77
Suzy L. Jones

FILED

LIBER 46 PAGE 113

LIBER 46 PAGE 114

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

Mary Nock, her heirs and assigns,

And the Real Estate and Improvements Hereinbefore Described

No. 10,046 Chancery
In the Circuit Court for
Somerset County, Maryland

Petition to Proceed Against Defendant(s) As Nonresident(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 Defendant(s) Mary Nock were believed by the Petitioner to be residents of this jurisdiction.

2. That two successive subpoenas issued for said Defendant(s) have been returned "non est" as set forth in the docket entries in this proceeding.

3. That reasonable efforts have been made to issue service of process upon said Defendant(s) as set forth in the affidavit of Suzanne L. Jones, Deputy Sheriff of Somerset County, attached hereto.

Wherefore, the Petitioner prays an order of this Court that the Defendant(s) named herein be proceeded against as nonresident(s) as provided by the Maryland Rules of Procedure in such cases provided ~~by~~ pursuant to Rules 180~~(b)(2)~~ and 105 giving notice of the pendency of the above entitled action by publication.

Attorney for Petitioner

Affidavit

I, Suzanne L. Jones, Deputy Sheriff of Somerset County, do hereby make affidavit that I have made reasonable and bona fide efforts to effect service of process upon the Defendant(s) named in the aforegoing petition in the above entitled case, that I have twice personally visited the property of the said Defendant(s) but was unable to to find said Defendant(s) and that as a result of my inquiries and investigations I believe the Defendant(s) cannot be served by personal service of process within this jurisdiction.

Suzanne L. Jones
Deputy Sheriff of Somerset County

Subscribed and sworn to before me
this 4th day of April, 1977.

Notary Public

Order

Upon the aforegoing petition and affidavit, it is this 12th day of April, 1977, ORDERED by the Circuit Court for Somerset County that the Defendant(s) Mary Nock be proceeded against as nonresident(s) by giving notice by publication at least once a week in each of ~~four~~ three successive weeks in a newspaper published in Somerset County, Maryland, before the 2nd day of May, 1977, stating the substance and object of the original Bill and warning the said Defendant(s) to file an initial pleading to said Bill on or before the 2nd day of June, 1977.

Lloyd L. Griffith
Judge

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. 10046 Chancery
	:	In the Circuit Court for
	:	Somerset County, Maryland
vs.		
	:	
Mary Nock, her heirs and assigns Princess Anne, Somerset County, Maryland	:	

ORDER OF PUBLICATION

This is to give notice that on the 25th day of January, 1977 a bill to enforce liens was filed in the Circuit Court of Somerset County by the Plaintiff against the Defendant whose last known address was Princess Anne, Maryland 21853. The Bill alleges that $206.28 front foot assessment is past due on Defendant's land in East Princess Anne Election District lying back from the south side of Hampden Avenue Extended the same being the land which was conveyed unto Mary Nock by Earvine Hargis and Ina Hargis, his wife, by deed dated April 30, 1943 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 160, folio 56.

The relief prayed in the bill is substantially as follows:

(1) that the property be sold to satisfy the lien

(2) that a judgment be entered against defendant for any deficiency

(3) that the Court grant other relief as may be proper.

Whereupon it is ordered by the Circuit Court for Somerset County in Equity the 12th day of April, 1977, that the Plaintiff cause a copy of this order to be inserted in a newspaper published in Somerset County once a week for three successive weeks before the 2nd day of May, 1977 giving notice to the said nonresident Defendant of the object and substance of the Bill and warning him to show cause, if any there may be, on or before the 2nd day of June, 1977, why a decree should not be passed as prayed.

L. Theodore Phoebus
Clerk of Circuit Court
Somerset County, Maryland

FILED

ALEXANDER G. JONES
Attorney

ORDER OF PUBLICATION

No. 10046 Chancery

In the Circuit Court for
Somerset County, Maryland

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.

Mary Nock, her heirs and assigns Princess Anne, Somerset County, Maryland

ORDER OF
PUBLICATION

This is to give notice that on the 25th day of January, 1977, a bill to enforce liens was filed in the Circuit Court of Somerset County by the Plaintiff against the Defendant whose last known address was Princess Anne, Maryland 21853. The bill alleges that $206.28 front foot assessment is past due on Defendant's land in East Princess Anne Election District lying back from the south side of Hampden Avenue Extended the same being the land which was conveyed unto Mary Nock by Earvine Hargis and Ina Hargis, his wife, by deed dated April 30, 1943 and recorded among the Land Records of Somerset County in Liver B.L.B. No. 160, folio 56.

The relief prayed in the bill is substantially as follows:

(1) that the property be sold to satisfy the lien

(2) that a judgment be entered against defendant for any deficiency

(3) that the Court grant other relief as may be proper.

Whereupon, it is ordered by the Circuit Court for Somerset County in Equity the 12th day of April, 1977, that the Plaintiff cause a copy of this order to be inserted in a newspaper published in Somerset County once a week for three successive weeks before the 2nd day of May, 1977, giving notice to the said nonresident Defendant of the object and substance of the Bill and warning him to show cause, if any there may be, on or before the 2nd day of June, 1977, why a decree should not be passed as prayed.

I. THEODORE PHOEBUS
Clerk of Circuit Court
Somerset County, Maryland

True Test: I. THEODORE PHOEBUS, Clerk.

3t—4/14, 4/21, 4/28

PRINCESS ANNE, MD., 4/28 1977

This is to certify that the annexed Order of Pub

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 of Pub

Dates Inserted: 4/14-21-28 1977

J. Bryan Pyle
Business Manager MARYLANDER and HERALD

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

Mary Nock, her heirs and assigns
And the Real Estate and Improvements
Hereinbefore Described

No. 10046 Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 22 day of July, in the year nineteen hundred and seventy-seven, by 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 $1620.00, 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.

Lloyd L. Simpkins
Judge

LIBER 46 PAGE 118 LIBER 010 PAGE 374

KNOW ALL MEN BY THESE PRESENTS, That we, Alexander G. Jones of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of sixteen hundred twenty dollars ($1620.00) current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 25th day of July, in the year nineteen hundred and seventy-seven.

Whereas, the above bounden, Alexander G. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in the proceedings in the case of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate, vs. Mary Nock, No. 10046 Chancery, now pending in said Court.

Now the condition of the above obligation is such that if the above bounded, Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void otherwise to be and remain in full force and virtue in law.

_____ (SEAL)
Alexander G. Jones

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Tony Bruce By _____
Attorney in Fact

THE WITHIN BOND APPROVED.

PER: I. Theodore Phoebus, CLERK.

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

FILED

AUG 23 9 55 AM '77

RECORDED IN ITP
LIBER NO. 10 FOLIO 374
I. THEODORE PHOEBUS, CLK. CT. CT.
BY ___ DEPUTY

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. 10046 Chancery Case

: In the Circuit Court for

: Somerset County, Maryland

vs

:

Mary Nock

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 22nd day of July, in the year nineteen hundred and seventy-seven, 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 & Herald", a weekly newspaper published in Somerset County, for four successive weeks before the day of sale and be 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 23rd day of August, 1977, at the hour of 2:00 o'clock P.M., and then and there proceed to sell said property, to wit:

All that lot or parcel of land in East Princess Anne Election District, Somerset County, Maryland, lying back from the south side of Hampden Avenue Extended, and binding on the south side of a lane running in an easterly direction from a lane or road leading south from said Hampden Avenue by the Baptist Chruch; and adjoining the lands of Emma McClee on the west, and Adolphus Benson on the east; the land herein described is the same and all the land which was conveyed unto Mary Nock by Earvine Hargis and Ina Hargis, his wife, by deed dated April 30, 1943 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 160, folio 56, and sold the same to Robert Murphey at and for the sum of six hundred forty-five dollars ($645.00), he then and there being the highest bidder therefore, and the purchaser has complied with the terms of sale to the satisfaction of your trustee.

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

Repectfully submitted,

46 - 119

Alexander G. Jones, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and 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.

CHERYL L. TYLER NOTARY PUBLIC SOMERSET CO. MD

Cheryl L. Tyler
Notary Public

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. 10046 Chancery Case
	:	In the Circuit Court for
	:	Somerset County, Maryland
vs	:	
Mary Nock		

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert Murphey, the purchaser of the real estate in the above entitled proceeding and made oath in due form of law:

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.

CHERYL L. TYLER NOTARY PUBLIC SOMERSET CO. MD.

Cheryl L. Tyler
Notary Public

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. 10046 Chancery Case
	:	In the Circuit Court for
	:	Somerset County, Maryland
vs	:	
Mary Nock		

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, in the year nineteen hundred and seventy-seven, 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 3rd day of October, 1977, 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 19th day of September, 1977.

The report states the amount of sale to be $645.00.

Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 5th day of October, 1977, 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

JONES & JONES
Attorneys At Law
Princess Anne, Md.

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

Mary Nock

No. 10046 Chancery Case in the Circuit Court for Somerset County, Maryland

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, in the year nineteen hundred and seventy-seven, 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 3rd day of October, 1977, 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 19th day of September, 1977.

The report states the amount of sale to be $645.00.

I. Thoedore Phoebus
Clerk of the Circuit zCourt
for Somerset County, Md.

TRUE COPY, TEST:
I. Thoedore Phoebus, Clerk
3tc—9/1, 9/8 & 9/15

PRINCESS ANNE, MD., Sept 27 1977

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 Nisi

Dates Inserted: Sept 1, 8, 15 1977

Bryan Byrd
Business Manager MARYLANDER and HERALD

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. 10,046 CHANCERY CASES * IN THE CIRCUIT COURT FOR * SOMERSET COUNTY * STATE OF MARYLAND
VS.	* IN EQUITY
MARY NOCK, Her Heirs and Assigns Princess Anne, 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 it and the list of expenses furnished him therein, states the following account:

Amount of Sale		$645.00
Expenses, Costs and Fees:		
Clerk of Court	$116.00	
Marylander and Herald		
Order of Publication	85.00	
Advertising	41.67	
Order Nisi	25.00	
Fidelity & Deposit Bond Premium	20.00	
Auctioneer	25.00	
Notary Fees	4.50	
State & County Taxes (2 months)	2.89	
Somerset County Sanitary District, Inc.		
1973 Front Foot Assessment	50.81	
1974 " " "	47.85	
1975 " " "	44.89	
1976 " " "	37.39	
1977 " " "	34.75	
Trustee's Commission Per Rules	64.50	
Logan C. Widdowson, Auditor	45.00	
Total Expenses, Costs & Fees		$645.25
Deficiency		$ .25

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3300

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit, notice of this report to the following parties by regular U. S. mail, postage prepaid:

Alexander G. Jones, Esq.
Attorney for Somerset County Sanitary District, Inc.
South Somerset Avenue
Princess Anne, Maryland 21853

Mary Nock
Princess Anne
Maryland 21853

Date of Filing: October 12, 1977

Logan C. Widdowson
Auditor

#55
dmd

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

No. 10046 Chancery Case

LIBER 46 PAGE 126

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 13th day of October, 19 77, 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 28th day of October, 1977.

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 1st day of November, 19 77, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L Theodore Phoebus
CLERK

Zad

MAR. 7 1978

FEB -7-77 B 925475D******5.00
FEB -7-77 B 925474D*****40.00

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. ....10,055..... Chancery in the Circuit Court for Somerset County, Maryland

vs

Betty Garrett, her heirs and assigns,
Princess Anne, Somerset County, Maryland

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~~ two-thirds of one per cent per month from March 31 of each year (Date) $148.51

TOTAL $148.51

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...East.....Princess Anne Election District, Somerset County, Maryland, more particularly described as:

All that lot or parcel of land, situate as aforesaid, described in 1957 as "adjoining the lands of The Cohn & Bock Company, Theodore Corbin, Charles Walston and Dick Jones", being the same and all the land which was conveyed unto Betty Garrett by Janie Doane, Sharon Fields West and James West by deed dated May 17, 1968 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 245, folio 102.

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 G. 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 7th day of February, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert 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 Enforce Lien(s) the sum of $148.51, 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 statutory first 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.

Karen I. Nelson
Notary Public

NOTARY PUBLIC SOMERSET COUNTY, MD.

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

LIBER 46 PAGE 130

No. 10055 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Betty Garrett, her heirs and assigns,
Princess Anne, Somerset County, 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 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~~ Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 7th day of February, 19 77.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 22nd day of March, 1977. 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
Name

Princess Anne, Maryland
Address

I. Theodore Phoebus
Clerk

SHERIFF'S RETURN

Summoned and copy of Bill to Enforce Lien, Petitioner's Motion for Summary Judgment, Affidavit in Support of Petitioner's for Summary Judgment and Notice left with Betty Garrett this 8 day of February, 1977

Thomas H. Forwell Jr.
Sheriff.

FILED

FEB 10 11 26 AM '77

RECORDED IN
LIBER NO. ____ FOLIO ____
I. THEODORE PHOEBUS, CLK. CT. CT.
BY ____ DEPUTY

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. 10,055 Chancery
	:	In the Circuit Court
vs.	:	for Somerset County,
	:	Maryland
Betty Garrett, her heirs and assigns, Princess Anne, Somerset County, Maryland	:	

It is ORDERED by the Circuit Court for Somerset County, State of Maryland, this 24th day of March, 1977, that judgment be entered in favor of the Petitioner and against the Defendant, Betty Garrett, and against the real estate and improvements described in the aforegoing Bill, for the sum of $148.51 with interest from date and costs of suit.

Richard M. Pollitt
Judge

FILED
MAR 24 10 15 AM '77
JOSEPH ... CLERK
PLAT BOOK 46 PAGE 131

LIBER 46 PAGE 132

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

Betty Garrett, her heirs and assigns
And the Real Estate and Improvements
Hereinbefore Described

No. 10055 Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 22 day of July, in the year nineteen hundred and seventy-seven, by 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 $800.00, 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.

Lloyd L. Griffin
Judge

LIBER 010 PAGE 320 LIBER [redacted] PAGE [redacted]

KNOW ALL MEN BY THESE PRESENTS, That we, Alexander G. Jones of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of eight hundred dollars ($800.00) current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 25th day of July, in the year nineteen hundred and seventy-seven.

Whereas, the above bounded, Alexander G. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in the proceedings in the case of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate, vs. Betty Garrett, No. 10055 Chancery, now pending in said Court.

Now the condition of the above obligation is such that if the above bounden, Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void otherwise to be and remain in full force and virtue in law.

_____ (SEAL)
Alexander G. Jones

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Tony Bruce By _____
Attorney in Fact

THE WITHIN BOND APPROVED.

PER: J. Theodore Phoebus, CLERK.

FIDELITY AND DEPOSIT CO. OF MARYLAND 1890

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

FILED

AUG 23 1 07 PM '77

RECORDED IN ITP
LIBER NO. 10 FOLIO 370
J. THEODORE PHOEBUS, CLK. CT. CT.
BY acu DEPUTY

LIBER 46 PAGE 133

LIBER 46 PAGE 134

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. 10,055 Chancery In the Circuit Court for Somerset County, Maryland
vs	
Betty Garrett	

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 22nd day of July, in the year nineteen hundred and seventy-seven, 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 & 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 the said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 23rd day of August, 1977, 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 East Princess Anne Election District, Somerset County, Maryland, described in 1957 as "adjoining the lands of The Cohn & Bock Company, Theodore Corbin, Charles Walston and Dick Jones", being the same and all the land which was conveyed unto Betty Garrett by Janie Doane, Sharon Fields West and James West by deed dated May 17, 1968 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 245, folio 102, and sold the same to Douglas C. Bounds and Constance Bounds, his wife, at and for the sum of four hundred eighty dollars ($480.00), 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.

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

Respectfully submitted,

Alexander G. Jones, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, 1977, before me, the subscriber, a Notary Public of the State and 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. Aike
Notary Public

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. 10,055 Chancery In the Circuit Court for Somerset County, Maryland
vs	
Betty Garrett	

PURCHASERS' AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Douglas C. Bounds and Constance Bounds, his wife, the purchasers of the real estate in the above entitled proceeding and made oath in due form of law:

1. That in making said purchase they were not acting as agent 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 said property.

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

FILED

Order Nisi

The SomersetCounty Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland	:	No. 10,055 Chancery In the Circuit Court for Somerset County, Maryland
vs	:	
Betty Garrett	:	

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, 1977, that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones, Trustee appinted 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 3rd day of October, 1977, provided a copy of this order be inserted in some weekly newspaper in Somerset County once in each of three successive weeks on or before the 19th day of September, 1977.

The report states the amount of sale to be $480.00.

L. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 5th day of October, 1977, 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.

Richard M. Pelletier
Judge

FILED
OCT 30 1977
CLERK OF CIRCUIT COURT

LIBER 46 PAGE 138

PRINCESS ANNE, MD., 9/27 1977

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 Nisi

Dates Inserted: Sept. 1, 8 & 15 1977

J. Bryan Ryde

Business Manager MARYLANDER and HERALD

JONES & JONES
Attorneys at Law
Princess Anne, Md.

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

Betty Garrett

No. 10,655 Chancery
In the Circuit Court for Somerset County, Maryland

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, 1977, that the sale of the property mentioned in these proceedings, made and reported by Alexander S. 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 3rd day of October, 1977, provided a copy of this order be inserted in some weekly newspaper in Somerset County once in each of three successive weeks on or before the 15th day of September, 1977.

The report states the amount of sale to be $480.00.

I. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Md.

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
3tc—9/1, 9/8 & 9/15

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. 10055 CHANCERY CASES
	*	IN THE CIRCUIT COURT FOR
	*	SOMERSET COUNTY,
	*	STATE OF MARYLAND
vs.	*	IN EQUITY
Betty Garrett Princess Anne, 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 therein, states the following Account:

Amount of Sale		$480.00
Expenses, Costs and Fees:		
Clerk of Court	$107.00	
Marylander & Herald Advertising	41.67	
Order Nisi	25.00	
Fidelity & Deposit Bond Premium	20.00	
Auctioneer	25.00	
Notary Public	4.50	
Somerset County Sanitary District, Inc.		
1973 Front Foot Assessment	36.58	
1974 Front Foot Assessment	34.45	
1975 Front Foot Assessment	32.32	
1976 Front Foot Assessment	26.92	
1977 Front Foot Assessment	25.02	
1973 Princess Anne Town Taxes	1.86	
1974 Princess Anne Town Taxes	2.23	
1975 Princess Anne Town Taxes	2.28	
1976 Princess Anne Town Taxes	2.34	
1977 Princess Anne Town Taxes (two months)	.44	
Trustee's Commission Per Rules	48.00	

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Logan C. Widdowson Auditor	45.00	
Total Expenses		480.61
Deficiency		.61

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Alexander G. Jones, Esquire
Attorney for Somerset County Sanitary District, Inc.
S. Somerset Avenue
Princess Anne, Maryland 21853

Betty Garrett
Princess Anne, Maryland 21853

Date of Filing: October 11, 1977

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#54
knt

No. 10055 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 13th day of October, 19 77, 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 28th day of October, 19 77.

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 1st day of November, 19 77, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Shockley
CLERK

Rec'd
MAR. 7 1978

LIBER 46 PAGE 141

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

Eleanor Humphreys (alias Eleanor Bell),
her heirs and assigns,
Princess Anne, Somerset County, Maryland

No. 10060 Chancery

in the Circuit Court for

Somerset County, Maryland

FEB 10-77 B 325547 ******5.00
FEB 10-77 B 325546 *****40.00

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~~ two-thirds of one per cent per month from March 31 of each year (Date) $193.41

TOTAL $193.41

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, on the south side of Peters Avenue near the intersection of said Peters Avenue with "C" Street and fronting on said Peters Avenue 140.25 feet, more or less, being bounded on the south by the lands now or formerly of Pete and Elinora Smith (deed reference B.L.B. No. 182, folio 180) and on the north by the lands now or formerly of Leon and Helen Ballard (Deed reference I.T.P. No. 237, folio 326, No. 1) and being accurately laid down and described as Lot No. 12 on a plat by T. Williams dated October 20, 1886 and recorded among the Land Records of Somerset County in Liber H.F.L. No. 5, folio 110 and shown thereon as containing one acre of land, more or less; and being the same and all the land which was conveyed unto Eleanor Humphreys, alias Eleanor Bell, by Steven and Susan King by deed dated August 18, 1896 and recorded among the Land Records of Somerset County in Liber O.T.B. No. 20, folio 23.

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 G. 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 10th day of February, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert 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 Enforce Lien(s) the sum of $193.41, 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 statutory first 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.

NOTARY PUBLIC SOMERSET COUNTY, MD.

Karen M. Nelson
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

LIBER 46 PAGE 145 No. 10060 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Eleanor Humphreys (alias Eleanor Bell),
her heirs and assigns,
Princess Anne, Somerset County, 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 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 Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 10th day of February, 19 77.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 22nd day of March, 19 77. 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
Name

Princess Anne, Maryland
Address

S. Theodore Phoebus
Clerk

Non. Est. 3/1/77
Suzy L. Jones

No. 10060 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland, Somerset County, to wit:

TO Eleanor Humphreys (alias Eleanor Bell),
her heirs and assigns,
Princess Anne, Somerset County, 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

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 ~~Ex-McMaster Dixx~~ DANIEL T. PRETTYMAN, Chief Judge of the First Judicial Circuit of Maryland.

Issued the....7th....day of.....March....., 19....77..

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.....April....., 19....77 . 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
Name

.....Princess Anne, Maryland 21853.....
Address

Theodore Sheahan
Clerk

3/7/77
Non Est
Charles E Gilbert

LIBER 46 PAGE 146

The Somerset County Sanitary Commission,
Acting for and on Behalf of
Somerset County Sanitary District, Inc.,
a body corporate of the State of Maryland

LIBER 46 PAGE 147 No. 10,060 Chancery
In the Circuit Court for
Somerset County, Maryland

vs

Eleanor Humphreys (alias Eleanor Bell),
her heirs and assigns,
And the Real Estate and Improvements Hereinbefore Described

Petition to Proceed Against Defendant(s) As Nonresident(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 Defendant(s) Eleanor Humphreys (alias Eleanor Bell) were believed by the Petitioner to be residents of this jurisdiction.

2. That two successive subpoenas issued for said Defendant(s) have been returned "non est" as set forth in the docket entries in this proceeding.

3. That reasonable efforts have been made to issue service of process upon said Defendant(s) as set forth in the affidavit of Suzanne L. Jones, Deputy Sheriff of Somerset County, attached hereto.

Wherefore, the Petitioner prays an order of this Court that the Defendant(s) named herein be proceeded against as nonresident(s) as provided by the Maryland Rules of Procedure pursuant to Rules 180(b)(2) and 105 in such cases provided by giving notice of the pendency of the above entitled action by publication.

Attorney for Petitioner

Affidavit

I, Suzanne L. Jones, Deputy Sheriff of Somerset County, do hereby make affidavit that I have made reasonable and bona fide efforts to effect service of process upon the Defendant(s) named in the aforegoing petition in the above entitled case, that I have twice personally visited the property of the said Defendant(s) but was unable to to find said Defendant(s) and that as a result of my inquiries and investigations I believe the Defendant(s) cannot be served by personal service of process within this jurisdiction.

Suzanne L. Jones
Deputy Sheriff of Somerset County

Subscribed and sworn to before me
this 4th day of April, 1977.

Kathryn Nelson
Notary Public

Order

Upon the aforegoing petition and affidavit, it is this 12th day of April, 1977, ORDERED by the Circuit Court for Somerset County that the Defendant(s) Eleanor Humphreys (alias Eleanor Bell) be proceeded against as nonresident(s) by giving notice by publication at least once a week in each of ~~four~~ three successive weeks in a newspaper published in Somerset County, Maryland, before the 2d day of May, 1977, stating the substance and object of the original Bill and warning the said Defendant(s) to file an initial pleading to said Bill on or before the 2d day of June, 1977.

Lloyd L. Simpkins
Judge

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. 10060 Chancery
	:	In the Circuit Court for
	:	Somerset County, Maryland
vs.	:	
Eleanor Humphreys (alias Eleanor Bell), Princess Anne, Somerset County, Maryland	:	

ORDER OF PUBLICATION

This is to give notice that on the 10th day of February, 1977, a bill to enforce liens was filed in the Circuit Court of Somerset County by the Plaintiff against the Defendant whose last known address was Princess Anne, Maryland 21853. The bill alleges that $193.42 front foot assessment is past due on Defendant's land in West Princess Anne Election District on the south side of Peters Avenue near the intersection of said Peters Avenue with "C" Street the same being all the land which was conveyed unto Eleanor Humphreys, alias Eleanor Bell, by Steven King and Susan King by deed dated August 18, 1896 and recorded among the Land Records of Somerset County in Liber O.T.B. No. 20, folio 23.

The relief prayed in the bill is substantially as follows:

(1) that the property be sold to satisfy the lien

(2) that a judgment be entered against defendant for any deficiency

(3) that the Court grant other relief as may be proper.

Whereupon it is ordered by the Circuit Court for Somerset County in Equity the 12th day of April, 1977, that the Plaintiff cause a copy of this order to be inserted in a newspaper published in Somerset County once a week for three successful weeks before the 2nd day of May, 1977 giving notice to the said nonresident Defendant of the object and substance of the Bill and warning her to show cause, if any there may be, on or before the 2nd day of June, 1977, why a decree should not be passed as prayed.

S. Theodore Phelps
Clerk of Circuit Court
Somerset County, Maryland

FILED

46 148

PRINCESS ANNE, MD., 4/28 1977

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 of Pub

Dates Inserted: 4/14-21-28, 1977

Business Manager MARYLANDER and HERALD

LEXANDER G. JONES
Attorney

ORDER OF PUBLICATION

No. 10060 Chancery

In the Circuit Court for
Somerset County, Maryland

The Somerset County Sanitary Commsiion, acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland

vs.

Eleanor Humphreys (alias Eleanor Bell), Princess Anne, Somerset County, Maryland

ORDER OF PUBLICATION

This is to give notice that on the 10th day of February, 1977, a bill to enforce liens was filed in the Circuit Court of Somerset County by the Plaintiff against the Defendant whose last known address was Princess Anne, Maryland 21853. The bill alleges that $193.42 front foot assessment is past due on Defendant's land in West Princess Anne Election District on the south side of Peters Avenue near the interesection of said Peters Avenue with "C" Street the same being all the land which was conveyed unto Eleanor Humphreys, alias Eleanor Bell, by Steven King and Susan King by deed dated August 18, 1896, and recorded among the Land Records of Somerset County in Liber O.T.B. No. 20, folio 23.

The relief prayed in the bill is substantially as follows:

(1) that the property be sold to satisfy the lien

(2) that a judgment be entered against defendant for any deficiency

(3) that the Court grant other relief as may be proper.

Whereupon it is ordered by the Circuit Court for Somerset County in Equity the 12th day of AMpril, 1977, that the Plaintiff cause a copy of this order to be inserted in a newspaper published in Somerset County once a week for three successful weeks before the 2nd day of May, 1977 giving notice to the said nonresident Defendant of the object and substance of the Bill and warning her to show cause, if any there may be, on or before the 2nd day of June, 1977, why a decree should not be passed as prayed.

I. THEODORE PHOEBUS
Clerk of Circuit Court
Somerset County, Maryland

True Copy.
Test: I. THEODORE PHOEBUS, Clerk.

3t—4/14, 4/21, & 4/28

LIBER 46 PAGE 150

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

Eleanor Humphreys (alias Eleanor Bell)
And the Real Estate and Improvements
Hereinbefore Described

No. 10060 Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 22 day of July, in the year nineteen hundred and seventy-seven, by 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 $1360.00, 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.

Lloyd L. Simpson
Judge

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. 10,060 Chancery
	In the Circuit Court for
vs	Somerset County, Maryland
Eleanor Humphreys (alias Eleanor Bell),	

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 22nd day of July, in the year nineteen hundred and seventy-seven, 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 & 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 the said notice, attend in front of the Court House, in Princess Anne, Maryland, on the 23rd day of August, 1977, 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, Somerset County, Maryland, on the south side of Peters Avenue near the intersection of said Peters Avenue with "C" Street and fronting on said Peters Avenue 140.25 feet, more or less, being bounded on the south by the lands now or formerly of Pete and Elinora Smith (deed reference B.L.B. No. 182, folio 180) and on the north by the lands now or formerly of Leon and Helen Ballard (Deed reference I.T.P. No. 237, folio 326, No. 1) and being accurately laid down and described as Lot No. 12 on a plat by T. Williams dated October 20, 1886 and recorded among the Land Records of Somerset County in Liber H.F.L. No. 5, folio 110 and shown thereon as containing one acre of land, more or less; and being the same and all the land which was conveyed unto Eleanor Humphreys, alias Eleanor Bell, by Steven and Susan King by deed dated

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

August 18, 1896 and recorded among the Land Records of Somerset County in Liber O.T.B. No. 20, folio 23; and sold the same to Leon Johnson and Janie T. Johnson, his wife, at and for the sum of One thousand five dollars ($1005.00) 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,

Respectfully submitted,

Alexander G. Jones, Trustee

Stateof Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and 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 statdd 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 SOMERSET COUNTY

Patsy E. Ake
Notary Public

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. 10,060 Chancery
	In the Circuit Court for
	Somerset County, Maryland
vs	
Eleanor Humphreys (alias Eleanor Bell)	

PURCHASERS" AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Leon Johnson and Janie T. Johnson, his wife, the purchasers of the real estate in the above entitled proceeding and made oath in due form of law:

1. That in making said purchase they were not acting as agent 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 said property.

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

Patsy E. Ake
Notary Public

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

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. 10,060 Chancery In the Circuit Court for Somerset County, Maryland
vs	
Eleanor Humphreys (alias Eleanor Bell)	

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, 1977, 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 3rd day of October, 1977, 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 19th day of September, 1977.

The report states the amount of sale to be $1005.00.

L. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 5th day of October, 1977, 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.

Richard M. Pollitt
Judge

KNOW ALL MEN BY THESE PRESENTS, That we, Alexander G. Jones of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of thirteen hundred sixty dollars ($1360.00) current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 25th day of July, in the year nineteen hundred and seventy-seven.

Whereas, the above bounden, Alexander G. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in the proceedings in the case of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate, vs. Eleanor Humphreys (alias Eleanor Bell), No. 10060 Chancery, now pending in said Court.

Now the condition of the above obligation is such that if the above bounden, Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void otherwise to be and remain in full force and virtue in law.

_____ (SEAL)
Alexander G. Jones

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Tony Bruce By _____
Attorney in Fact

THE WITHIN BOND APPROVED.

PER: L. Theodore Phoebus, CLERK.

LIBER 010 PAGE 375

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RECORDED IN I TP
LIBER NO. 10 FOLIO 375
T. THEODORE PHOEBUS, CLK. CT. CT.
BY acw DEPUTY

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

LIBER 46 PAGE 155

JONES & JONES
Attorneys At Law
Princess Anne, Md.

ORDER NISI

The Somerset County Santiary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland

vs

Eleanor Humphreys (alias Eleanor Bell)

No. 10,060 Chancery
In the Circuit Court for Somerset County, Maryland

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, 1977, that the sale of the property mentioned in these proceedings, made and reported by Alexander G. Jones, Trustee appointed by this Court to make said sale, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of October, 1977, 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 19th day of September, 1977.

The report states the amount of sale to be $10[illegible].00.

I, Theodore Phebus
Clerk of the Circuit Court
for Somerset County, Md.

TRUE COPY, TEST:
I. Theodore Phebus, Clerk
3tc—9/1, 9/8 & 9/15

PRINCESS ANNE, MD., 9/22 1977

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 Nisi

Dates Inserted: Sept 1, 8, 15 1977

Business Manager MARYLANDER and HERALD

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. 10060 CHANCERY CASES
	*	IN THE CIRCUIT COURT FOR
	*	SOMERSET COUNTY,
	*	STATE OF MARYLAND
vs.	*	IN EQUITY
Eleanor Humphreys, her heirs and assigns, Princess Anne, 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 therein, states the following Account:

Amount of Sale		$1005.00
Expenses, Costs and Fees:		
Clerk of Court	$116.00	
Marylander & Herald		
Order of Publication	85.00	
Advertising	41.66	
Order Nisi	25.00	
Fidelity & Deposit Bond Premium	20.00	
Auctioneer	25.00	
Notary Public	4.50	
Somerset County Sanitary District, Inc.		
1976 Front Foot Assessment	104.71	
1977 Front Foot Assessment	97.32	
State and County Real Estate Taxes		
1976	15.74	
1977	2.43	
Trustee's Commission Per Rules	100.50	
Logan C. Widdowson Auditor	45.00	
Total Expenses		682.86
Balance of Funds to be Distributed		322.14

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

#53
knt

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Oct 13 10 30 AM '77
46 PAGE 957

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Alexander G. Jones, Esquire
Attorney for Somerset County Sanitary District, Inc.
S. Somerset Avenue
Princess Anne, Maryland 21853

Eleanor Humphreys
Alias, Eleanor Bell
Princess Anne, Maryland 21853

Date of Filing: October 11, 1977

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

No. 10060 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 19th day of October, 19 77, 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 28th day of October, 19 77.

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 1st day of Nov, 19 77, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

LIBER 46 PAGE 160

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. 10,060 Chancery
	In the Circuit Court for Somerset County, Maryland
vs	
Eleanor Humphreys, her heirs and assigns	

SURRENDER OF SURPLUS FUNDS TO
CLERK OF CIRCUIT COURT BY ALEXANDER G. JONES, TRUSTEE

Pursuant to the Audit filed in this proceeding I hereby tender unto the Clerk of the Circuit Court for Somerset County, Maryland, Jones & Jones, Trustees check No. 5453, dated November 1, 1977 in the amount of $322.14 to be deposited to the credit of said Clerk and to be distributed by him unto such claimants as the Court may determine are entitled thereto.

Alexander G. Jones, Trustee

Dated: November 1, 1977

Exd.
MAR. 7 1978

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

B. 0. 8

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

Alice Elzey, her heirs and assigns,
Princess Anne, Somerset County, Maryland

No. 10039 Chancery
in the Circuit Court for
Somerset County, Maryland

JAN 20-77 B 925129D******5.00
JAN 20-77 B 925128D*****40.00

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~~ two-thirds of one per cent per month from March 31 of each year (Date) $342.42

TOTAL $342.42

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, near the southwestern limits of the Town of Princess Anne, described on a plat by Earl B. Polk, Registered Surveyor, dated September 17, 1925 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 92, folio 258, as Lot No. 3 as follows: Beginning at a point west of the old county road, which point bears North 74° 10' West 1.4 perches from an iron bounder at the corner of the land of Fraternal Workers, and runs thence North 26° 15' East 5.03 perches to the old county road, to the end of the third line of Lot No. 2, thence reversing the said line North 74° 10' West 16.28 perches to the 24 foot street, thence with the same South 17° 20' West 4.9 perches thence South 74° 10' East 14.75 perches to the beginning; containing one-half acre; and being the same and all the land which was conveyed unto the said Alice Elzey by George W. Brown and Anna M. Brown by deed dated October 10, 1925 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 92, folio 255.

5 That according to the applicable provisions of Article 48 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 G. 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...20th..day of.....January....., in the year nineteen hundred and..seventy-seven..before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared .....Robert C. Street....., Secretary-Treasurer ...of Somerset County Sanitary Commission, and made
(name) (title)
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 Enforce Lien(s) the sum of $.342.42.....,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 statutory first 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.

.....Karen S. Nelson.....
Notary Public

NOTARY PUBLIC SOMERSET COUNTY, MD

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

LIBER 46 PAGE 154

No. 10039 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Alice Elzey, her heirs and assigns,
Princess Anne, Somerset County, 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 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 Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 20th day of January, 19 77.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 22nd day of February, 19 77. 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

Name Princess Anne, Maryland

Address

S. Theodore Phoebus
Clerk

Now. Est 2/10/77
Sarah Jones

No. 10039 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Alice Elzey, her heirs and assigns,
Princess Anne, Somerset County, Maryland
Wampler

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 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/~~Ecc McMaster Dixon~~ Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 16th day of February, 19 77.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 22nd day of March, 19 77. 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
Name

Princess Anne, Maryland
Address

I. Theodore Phoebus
Clerk

Nov. Est. 3/24/77
Sarah Jones

LIBER 46 PAGE 165

FILED

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

Alice Elzey, her heirs and assigns,

And the Real Estate and Improvements Hereinbefore Described

No. 10,039 Chancery
In the Circuit Court for
Somerset County, Maryland

Petition to Proceed Against Defendant(s) As Nonresident(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 Defendant(s) Alice Elzey were believed by the Petitioner to be residents of this jurisdiction.

2. That two successive subpoenas issued for said Defendant(s) have been returned "non est" as set forth in the docket entries in this proceeding.

3. That reasonable efforts have been made to issue service of process upon said Defendant(s) as set forth in the affidavit of Suzanne L. Jones, Deputy Sheriff of Somerset County, attached hereto.

Wherefore, the Petitioner prays an order of this Court that the Defendant(s) named herein be proceeded ~~against~~ pursuant to Rules 180(b)(2) and 105 as non-resident(s) as provided by the Maryland Rules of Procedure in such cases provided by giving notice of the pendency of the above entitled action by publication.

Attorney for Petitioner

Affidavit

I, Suzanne L. Jones, Deputy Sheriff of Somerset County, do hereby make affidavit that I have made reasonable and bona fide efforts to effect service of process upon the Defendant(s) named in the aforegoing petition in the above entitled case, that I have twice personally visited the property of the said Defendant(s) but was unable to to find said Defendant(s) and that as a result of my inquiries and investigations I believe the Defendant(s) cannot be served by personal service of process within this jurisdiction.

Suzanne L. Jones
Deputy Sheriff of Somerset County

Subscribed and sworn to before me
this 4th day of April, 1977

Dorothy J. Nelson
Notary Public

DOROTHY J. NELSON NOTARY PUBLIC SOMERSET COUNTY

Order

Upon the aforegoing petition and affidavit, it is this 12th day of April, 1977, ORDERED by the Circuit Court for Somerset County that the Defendant(s) Alice Elzey be proceeded against as nonresident(s) by giving notice by publication at least once a week in each of ~~four~~ three successive weeks in a newspaper published in Somerset County, Maryland, before the 2nd day of May, 1977, stating the substance and object of the original Bill and warning the said Defendant(s) to file an initial pleading to said Bill on or before the 2nd day of June, 1977.

Lloyd L. Simpkins
Judge

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. 10039 Chancery
	:	In the Circuit Court for
vs.	:	Somerset County, Maryland
	:	
Alice Elzey, her heirs and assigns Princess Anne, Somerset County, Maryland	:	

ORDER OF PUBLICATION

This is to give notice that on the 20th day of January, 1977 a bill to enforce liens was filed in the Circuit Court of Somerset County by the Plaintiff against the Defendant whose last known address was Princess Anne, Maryland 21853. The bill alleges that $342.42 front foot assessment is past due on Defendant's land in West Princess Anne Election District near the southwestern limits of the Town of Princess Anne the same being all the land which was conveyed unto the said Alice Elzey by George W. Brown and Anna M. Brown by deed dated October 10, 1925 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 92, folio 255.

The relief prayed in the bill is substantially as follows:

(1) that the property be sold to satisfy the lien

(2) that a judgment be entered against defendant for any deficiency

(3) that the Court grant other relief as may be proper.

Whereupon it is ordered by the Circuit Court for Somerset County in Equity the 12th day of April, 1977, that the Plaintiff cause a copy of this order to be inserted in a newspaper published in Somerset County once a week for three successive weeks before the 2nd day of May, 1977 giving notice to the said nonresident Defendant of the object and substance of the Bill and warning her to show cause, if any there may be, on or before the 2nd day of June, 1977, why a decree should not be passed as prayed.

L. Theodore Tschiesl
Clerk of Circuit Court
Somerset County, Maryland

FILED
JAN 12 8 30 AM '77

PRINCESS ANNE, MD., 4/28 1977

This is to certify that the annexed Order of Pub 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 of Pub

Dates Inserted: 4/14-21-28 1977

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

[illegible] JONES
Attorney

ORDER OF PUBLICATION

No. 10039 Chancery

In the Circuit Court for
Somerset County, Maryland

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.

Alice Elzey, her heirs and assigns Princess Anne, Somerset County, Maryland

ORDER OF PUBLICATION

This is to give notice that on the 20th day of January, 1977 a bill to enforce lien was filed in the Circuit Court of Somerset County by the Plaintiff against the Defendant, whose last known address was Princess Anne, Maryland 21853. The bill alleges that $[illegible] front foot assessment is past due on Defendant's land in West Princess Anne Election District within the corporate limits of the Town of Princess Anne, the same being all the land which was conveyed unto the said Alice Elzey by George W. Brown and Anna M. Brown by deed dated October 10, 1925 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 92, folio 265.

The relief prayed in the bill is substantially as follows:

1. that the property be sold to satisfy the lien
2. that a judgment be entered against defendant for any deficiency
3. that the Court grant other relief as may be proper.

Whereupon it is ordered by the Circuit Court for Somerset County in Equity this 11th day of April, 1977, that the Plaintiff cause a copy of this order to be inserted in a newspaper published in Somerset County once a week for three successive weeks before the 2nd day of May, 1977 giving notice to the said nonresident Defendant of the object and substance of the Bill and warning her to show cause, if any there may be, on or before the 2nd day of June, 1977, why a decree should not be passed as prayed.

I. THEODORE PHOEBUS,
Clerk of Circuit Court
Somerset County, Maryland

True Copy.
Test: I. THEODORE PHOEBUS, Clerk

3t—4/14, 4/21, & 4/28

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

Alice Elzey, her heirs and assigns
And the Real Estate and Improvements
Hereinbefore Described

No. 10039 Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 2nd day of July, in the year nineteen hundred and seventy-seven, by 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.

For Bond See ITP 010 Folio 371

Lloyd L. Griffin
Judge

LIBER 46 PAGE 170

KNOW ALL MEN BY THESE PRESENTS, That we, Alexander G. Jones of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of twelve hundred dollars ($1200.00) current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns jointly and severally, firmly by these presents, sealed with our seals and dated this 25th day of July, in the year nineteen hundred and seventy-seven.

Whereas, the above bounden, Alexander G. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in the proceedings in the case of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate, vs. Alice Elzey, No. 10039 Chancery, now pending in said Court.

Now the condition of the above obligation is such that if the above bounden, Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void otherwise to be and remain in full force and virtue in law.

_____ (SEAL)
Alexander G. Jones

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Tony Bruce By _____
Attorney in Fact

THE WITHIN BOND APPROVED.
PER: I. Theodore Phoebus, CLERK.

FIDELITY AND DEPOSIT COMPANY OF MARYLAND INCORPORATED 1890

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

FILED
AUG 23 9 55 AM '77
RECORDED IN ITP
LIBER NO. 10 FOLIO 371
I. THEODORE PHOEBUS, CLK.CT.CT.
BY ACW DEPUTY

LIBER 010 PAGE 371

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. 10039 Chancery
	:	In the Circuit Court for
	::	Somerset County, Maryland
vs	:	
Alice Elzey		

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 22nd day of July, in the year nineteen hundred and seventy-seven, 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 & Herald", a weekly newspaper published in Somerset County for four successive weeks before the day of sale and by dodgers plcaed 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 23rd day of August, 1977, at the hour of 2:00 o'clock P.M., and then and there proceed to sell said property, to wit:

All that lot or parcel of land, situate in West Princess Anne Election District, Somerset County, Maryland, near the southwestern limits of the Town of Princess Anne, described on a plat by Earl B. Polk, Registered Surveyor, dated September 17, 1925 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 92, folio 258, as Lot No. 3 as follows: Beginning at a point west of the old county road, which point bears North 74° 10' West 1.4 perches from an iron bounder at the corner of the land of Fraternal Workers, and runs thence North 26° 15' East 5.03 perches to the old county road, to the end of the third line of Lot No. 2, thence reversing the said line North 74° 10' West 16.28 perches to the 24 foot street, thence with the same South 17° 20' West 4.9 perches, thence South 74° 10' East 14.75 perches to the beginning; containing one-half acre; and being the same and all the land which was conveyed unto the said Alice Elzey by George W.

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

Brown and Anna M. Brown by deed dated October 10, 1925 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 92, folio 255, and sold the same to Robert Murphey at and for the sum of eight hundred forty-four dollars ($844.00), herthen and there being the highest bidder therefore, and the purchaser has complied with the terms of sale to the satisfaction of your trustee.

Respectfully submitted,

Alexander G. Jones, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy- seven, before me, the subscriber, a Notary Public of the State and 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.

CHERYL L. TYLER NOTARY PUBLIC SOMERSET CO. MD.

Cheryl L. Tyler
Notary Public

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. 10039 Chancery Case In the Circuit Court for Somerset County, Maryland
vs	
Alice Elzey	

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert Murphey, the purchaser of the real estate in the above entitled proceeding and made oath in due form of law:

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.

CHERYL L. TYLER NOTARY PUBLIC SOMERSET CO. MD.

Cheryl L. Tyler
Notary Public

FILED

LIBER 46 FOLIO 173

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. 10039 Chancery Case In the Circuit Court for Somerset County, Maryland
vs	
Alice Elzey	

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, in the year nineteen hundred and seventy-seven, that the sale of the proeprty 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 3rd day of October, 1977, 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 19th day of September, 1977.

The report state the amount of sale to be $844.00.

L. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 5th day of October, 1977, 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.

Richard M. Vallett
Judge

PRINCESS ANNE, MD., Sept 27 19 77

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 Nisi

Dates Inserted: Sept 1, 8, 15 1977

Bryan Byrd

Business Manager MARYLANDER and HERALD

JONES & JONES
Attorneys At Law
Princess Anne, Md.

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

Alice Elzey

No. 10039 Chancery Case
In the Circuit Court
for Somerset County,
Maryland

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, in the year nineteen hunded and seventy-seven, 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 3rd day of October, 1977, 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 19th day of September, 1977.

The report states the amount of sale to be $844.00.

I. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Md.

TRUE COPY,
TEST:

I. Thoedore Phoebus
3tc—9/1, 9/8 & 9/15,

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.

Alice Elzey
Her Heirs and Assigns
Princess Anne, Somerset County, Maryland

NO. 10,039 CHANCERY CASES

IN THE CIRCUIT COURT FOR

SOMERSET COUNTY

STATE OF MARYLAND

IN EQUITY

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 it and the list of expenses furnished him therein, states the following account:

Amount of Sale		$844.00
Expenses, Costs & Fees:		
Clerk of Court	$116.00	
Marylander and Herald		
Order of Publication	85.00	
Advertising	41.67	
Order Nisi	25.00	
Fidelity & Deposit		
Bond Premium	20.00	
Auctioneer	25.00	
Notary Fees	4.50	
Somerset County Sanitary District, Inc.		
1973 Front Foot Assessment	84.34	
1974 " " "	79.43	
1975 " " "	74.52	
1976 " " "	62.08	
1977 " " "	57.70	
1974 State & County Taxes	13.78	
1975 " " " "	12.89	
1976 " " " "	13.89	
1977 " " " " (2 Months)	2.15	
Trustee's Commission Per Rules	84.40	
Logan C. Widdowson, Auditor	45.00	
Total Expenses, Costs & Fees		$847.35
Balance of Funds to be Distributed - None		
Deficiency		$ 3.35

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit, notice of this report to the following parties by regular U. S. mail, postage prepaid:

Alexander G. Jones, Esq.
Attorney for Somerset County Sanitary District, Inc.
South Somerset Avenue
Princess Anne, Maryland 21853

Alice Elzey
Princess Anne
Maryland 21853

Date of Filing: October 12, 1977

Logan C. Widdowson
Auditor

#57
dmd

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3603

No. 10039 Chancery Case

178

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 13th day of Oct, 19 77, 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 28th day of Oct, 19 77.

I. 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 1st day of Nov., 19 77, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

Exd.
MAR. 7 1978

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

George Mosley, his heirs and assigns,
Princess Anne, Somerset County, Maryland

No. 10040 Chancery

in the Circuit Court for
Somerset County, Maryland

JAN 20-77 B 925131D******5.00
JAN 20-77 B 925130D*****40.00

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~~ two-thirds of one per cent per month from March 31 of each year (Date) $495.08

TOTAL $495.08

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, on the east side of the old county road leading through Greenwood and on the west side of the state road through Greenwood and fronting 100 feet on said county road, and bounded on the north by the land owned or formerly owned by Albert White and on the south by the land owned or formerly owned by George Ballard, and being the same and all the land conveyed unto George Moseley by Sidney Smith, widower, et al, by deed dated February 16, 1963 and recorded among the Land Records of Somerset County in Liber G.J.B. No. 215, folio 153.

5 That according to the applicable provisions of Article 48 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 G. 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 20th day of January, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert 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 Enforce Lien(s), the sum of $495.08, 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 statutory first 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.

Karen S. Nelson
Notary Public

NOTARY PUBLIC SOMERSET COUNTY, MD.

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

LIBER 46 PAGE 182

No. 10040 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO George Mosley, his heirs and assigns,
Princess Anne, Somerset County, 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 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 Daniel T. Prettyman ~~Ex-Master Dorsey~~, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 20th day of January, 19 77.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 22nd day of February, 19 77. 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
Name

Princess Anne, Maryland 21853
Address

S. Theodore Thorbus
Clerk

Nov. Est. 11/28/77
Evelyn Jones, Deputy

No. 10040 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO George Mosley, his heirs and assigns,
Princess Anne, Somerset County, 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 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 Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 2nd day of February, 1977.

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 22nd day of March, 1977. 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
Name

Princess Anne, Maryland 21853
Address

S. Theodore Phoebus
Clerk

Now. Est. 2/7/77
Sarah Jones
Subject lives in Delaware

LIBER 46 PAGE 184

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. 10040 Chancery
	:	In the Circuit Court for
	:	Somerset County, Maryland
vs.	:	
George Mosley, his heirs and assigns, c/o Alberta Pleasant Star Hill No. 2 Dover, Delaware 19901	:	

Mr. Clerk:

Please reissue supeona pursuant to Rule 107a2 of the Maryland Rules of Procedure.

JONES & JONES

By Tony Bruce

~~Attorney for~~ Petitioner
Princess Anne, Maryland
Telephone: 651-2747

(Md. Rule 107 - Service of process outside the State)

No. 10040 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to George Mosley, his heirs and assigns,
c/o Alberta Pleasant
Star Hill No. 2
Dover, Delaware 19901

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 sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond 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. Mc Master Dunn~~ Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 9th day of February, 1977

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, 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)

Name Jones & Jones
Alexander G. Jones
Tony Bruce

Address Princess Anne, Maryland

S. Theodore Phoebus
Clerk

LIBER 46 PAGE 185

16 - 188

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. 10040 Chancery In the Circuit Court for Somerset County and State of Maryland
vs.	:	
George Mosley, his heirs and assigns And the Real Estate and Improvements Hereinbefore Described	:	

AFFIDAVIT

I, Alexander G. Jones, Attorney for complainant, do hereby make affidavit that I mailed a copy of the Bill of Complaint together with Notice to the Defendant to Answer Same as prescribed by the Circuit Court for Somerset County. and the Maryland Rules of Procedure; said Bill of Complaint and Notice having been mailed certified, postage paid to the defendant, George Mosley, as evidenced by the certified mail receipts attached hereto, on February 11, 1977.

Alexander G. Jones

Subscribed and sworn to before me this 26th day of April, 1977.

Karen F. Nelson
Notary Public

KAREN F. NELSON NOTARY PUBLIC SOMERSET COUNTY, MD.

No. 049977

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO: George Mosley
STREET AND NO.: c/o Alberta Pleasant-Star Hill #2
P.O., STATE AND ZIP CODE: Dover, Delaware 19901

POSTMARK OR DATE: PRINCESS ANNE, MD. FEB 11 1977 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 3800 Apr. 1971 — NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL — (See other side)

* GPO : 1974 O - 551-454

FEB 11 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED

Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- [x] Show to whom and date delivered..... 15¢
- [ ] Show to whom, date, & address of delivery.. 35¢
- [ ] RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
- [ ] RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
George Mosley
c/o Alberta Pleasant
Star Hill No. 2
Dover, Delaware 19901

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	049977	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE [ ] Addressee [ ] Authorized agent

4. DATE OF DELIVERY: 2-18-77

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

☆ GOP : 1976—O-203-456

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. 10040 Chancery In the Circuit Court for Somerset County, Maryland
vs.	:	
George Mosley, his heirs and assigns, c/o Alberta Pleasant Star Hill No. 2 Dover, Delaware 19901	:	

It is ORDERED by the Circuit Court for Somerset County, State of Maryland, this 27th day of April, 1977, that judgment be entered in favor of the Petitioner and against the Defendant, George Mosley, and against the real estate and improvements described in the aforegoing Bill, for the sum of $495.08 with interest from date and costs of suit.

Lloyd L. Simpkins
Judge

2020

LIBER 46 PAGE 188

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

George Mosley, his heirs and assigns,
And the Real Estate and Improvements
Hereinbefore Described

No. 10040 Chancery
In the Circuit Court for
Somerset County, Maryland

The above cause standing ready for hearing, the proceedings therein were by the Court read and considred:

It is thereupon, this 19th day of May, in the year nineteen hundred and seventy-seven, by 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 $4040.00, 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.

Lloyd L. Simpkins
Judge

LIBER 010 PAGE 372

KNOW ALL MEN BY THESE PRESENTS, That we, Alexander G. Jones of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of four thousand forty dollars ($4040.00) current money to be paid to the said State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 23rd day of May, in the year nineteen hundred and seventy-seven.

Whereas, the above bounden, Alexander G. Jones, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in the proceedings in the case of The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate, vs. George Mosley, No. 10040 Chancery, now pending in said Court.

Now the condition of the above obligation is such that if the above bounden, Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said decree or order in the premises, then the above obligation shall be void otherwise to be and remain in full force and virtue in law.

_____ (SEAL)
Alexander G. Jones

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Karen A. Jones

By _____
Attorney in Fact

THE WITHIN BOND APPROVED.

PER: L. Theodore Phoebus, CLERK

FIDELITY AND DEPOSIT COMPANY OF MARYLAND INCORPORATED 1890

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

FILED
AUG 23 9 55 AM '77
RECORDED IN ITP
LIBER NO 10 FOLIO 372
L. THEODORE PHOEBUS, CLK. CT. CT.
BY acw DEPUTY

LIBER 46 PAGE 180

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. 10,040 Chancery In the Circuit Court for Somerset County, Maryland
vs	
George Mosley	

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 19th day of May, in the year nineteen hundred and seventy-seven, 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 & 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 the said notice, attend in front of the Court House, In Princess Anne, Maryland, on the 23rd day of August, 1977, 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, Somerset County, Maryland, on the east side of the old county road leading through Greenwood and on the west side of the state road through Greenwood and fronting 100 feet on said county road, and bounded on the north by the land owned or formerly owned by Albert White and on the south by the land owned or formerly owned by George Ballard, and being the same and all the land conveyed unto George Moseley by Sidney Smith, widower, et al, by deed dated February 16, 1963 and recorded among the Land Records of Somerset County in Liber G.J.B. No. 215, folio 153; and sold the same to Willie J. Baker and Georgia F. Baker, his wife, at and for the sum of sixteen hundred fifty dollars ($1650.00), 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.

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

Respectfully submitted,

Alexander G. Jones, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and 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. Oke

Notary Public

COURT
FILED AND RECORDED
LIBER 46 FOLIO 191

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. 10,040 Chancery In the Circuit Court for Somerset County, Maryland
vs	:	
George Mosley	:	

PURCHASERS' AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 23rd day of August, in the year nineteen hundred and seventy-seven, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Willie J. Baker and Georgia F. Baker, his wife, the purchasers of the real estate in the above entitled proceeding and made oath in due form of law:

1. That in making said purchase they were not acting as agent 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 said property.

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

Patsy E. Oakes
Notary Public

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

FILED
AUG 30 10 23 AM '77

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. 10,040 Chancery
	:	In the Circuit Court for
vs	:	Somerset County, Maryland
George Mosley	:	

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, 1977, 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 3rd day of October, 1977, 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 19th day of September, 1977.

The report states the amount of sale to be $1650.00.

I. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Maryland

Final Order

Ordered by the Circuit Court for Somerset County, this 5th day of October, 1977, 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.

Richard M. Collins
Judge

JONES & JONES
Attorneys At Law
Princess Anne, Md.

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

George Mosley

No. 10,040 Chancery
In the Circuit Court for Somerset County, Maryland

Ordered by the Circuit Court for Somerset County, Maryland, this 30th day of August, 1977, 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 3rd day of October, 1977, provided a copy of this order be published in some weekly newspaper published in Somerset County once in each of three successive weeks on or before the 15th day of September, 1977.

The report states the amount of sale to be $1650.00.

I. Theodore Phoebus
Clerk of the Circuit Court
for Somerset County, Md.

TRUE COPY, TEST:
I. Theodore Phoebus
3tc—9/1, 9/8 & 9/15

PRINCESS ANNE, MD., 9/27 1977

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 Nisi

Dates Inserted: Sept 1, 8, 15 1977

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

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. 10040 CHANCERY CASES
	*	IN THE CIRCUIT COURT FOR
	*	SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
George Mosley, his heirs and assigns, Princess Anne, Somerset County, Maryland	*	IN EQUITY

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 therein, states the following Account:

Amount of Sale		$1,650.00
Expenses, Costs and Fees:		
Clerk of Court	$119.00	
Marylander & Herald		
Advertising Notice	41.67	
Order Nisi	25.00	
Fidelity & Deposit Bond Premium	20.00	
Auctioneer	25.00	
Notary	4.50	
Somerset County Sanitary District, Inc.		
1973 Front Foot Assessment	121.95	
1974 Front Foot Assessment	114.84	
1975 Front Foot Assessment	107.74	
1976 Front Foot Assessment	89.75	
1977 Front Foot Assessment	83.42	
1975 State & County Taxes	42.93	
1976 State & County Taxes	46.76	
1977 State & County Taxes (2 months)	7.22	
Trustee's Commission Per Rules	165.00	
Logan C. Widdowson Auditor	45.00	
Total Expenses, Costs & Fees	$1,059.78	
Balance of Funds To Be Distributed	$590.22	

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.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

MISC 66 PAGE 195

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Alexander G. Jones, Esquire
Attorney for Somerset County Sanitary District, Inc.
S. Somerset Avenue
Princess Anne, Maryland 21853

George Mosley
c/o Alberta Pleasant
Star Hill No. 2
Dover, Delaware 19901

Date of Filing: October 12, 1977

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#58
jfd

FILED
Oct 13 10 34 AM '77

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.

George Mosley, his heirs and assigns,
Princess Anne, Somerset County, Maryland

* NO. 10040 Chancery Cases

* IN THE CIRCUIT COURT FOR

* SOMERSET COUNTY

* STATE OF MARYLAND

* IN EQUITY

AMENDED AUDIT REPORT

Logan C. Widdowson, Auditor, duly appointed, reports that since the initial report filed herein he has received an additional expense and therefore Amends the Audit Report filed herein as follows:

Amount of Sale		$1,650.00
Previously allowed Expenses, Costs and Fees	$1,059.38	
Previous Balance of Funds to be Distribute	$590.22	
Additional Expense Water Rent	$53.74	
Corrected Balance for Distribution		$536.48

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been compied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid.

Alexander G. Jones, Esquire
Attorney for Somerset County Sanitary District, Inc.
South Somerset Avenue
Princess Anne, Maryland 21853

George Mosley
c/o Alberta Pleasant
Star Hill No. 2
Dover, Delaware 19901

Date of Filing: October 18, 1977

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2500

No. 10040 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 18th day of October, 19 77 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 2nd day of November, 19 77.

S. Theodore Walker
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 3rd day of November, 19 77 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Walker
CLERK

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. 10,040 Chancery In the Circuit Court for Somerset County, Maryland
vs	:	
George Mosley, his heirs and assigns	:	

SURRENDER OF SURPLUS FUNDS TO
CLERK OF CIRCUIT COURT BY ALEXANDER G. JONES, TRUSTEE

Pursuant to the Audit filed in this proceeding I hereby tender unto the Clerk of the Circuit Court for Somerset County, Maryland, Jones & Jones, Trustees check No. 5442, dated November 1, 1977 in the amount of $536.48 to be deposited to the credit of said Clerk and to be distributed by him unto such claimants as the Court may determine are entitled thereto.

Alexander G. Jones, Trustee.

Dated: November 1, 1977

Eved
MAR. 7 1978

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

FILED
NOV 1 9 AM '77

LIBER 46 PAGE 200

NOV 10-76 B 923578D******5.0
NOV 10-76 B 923577D*****40.0

Gary R. Wroten	:	No. 10,009 CHANCERY
Complainant	:	In the Circuit Court For
vs.	:	Somerset County
Gloria Fay Wroten	:	State of Maryland
Respondent	:	In Equity

: : : : : :

INFORMATION

COMPLAINANT
Master Sgt. Gary R. Wroten
Ramstine, Germany
86 AMS (USAFE)
APO N.Y. 09012
PAS: RFODFF3N

COMPLAINANT'S SOLICITORS:
Thomas S. Simpkins
Thomas J. Spain
51 N. Main Street
Princess Anne, Md. 21853

RESPONDENT:
Gloria Fay Wroten
S. Somerset Avenue
Crisfield, Maryland 21817

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FILED
NOV 10 11 AM '76

Gary R. Wroten	:	No. 10,009 Chancery
Complainant	:	In the Circuit Court For
vs.	:	Somerset County
Gloria Fay Wroten	:	State of Maryland
Respondent	:	In Equity

: : : : : : :

BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Complainant, Gary R. Wroten, by Thomas S. Simpkins and Thomas J. Spain, his Solicitors, complaining says:

1. That on April 15, 1963, the Complainant and Respondent did acquire a parcel of land situate in Asbury Election District, Somerset County, Maryland, by deed from Wade D. Ward, as tenants by the entireties, deed reference Liber 215, folio 487; and described as follows:

> All that lot of land situate in Asbury Election District, Somerset County, Maryland, on the West side of the County Road leading from Crisfield High School to Jenkins Creek Bridge (Somerset Ave.,) and fronting thereon 70' and extending back therefrom in an uniform width to an uniform depth of 246'.

2. That the parties hereto have now been divorced a vinculo matrimonii.

3. That the Complainant and Respondent now own the premises as tenants in common by virtue of operation of law.

4. That the premises is improved by a residence and is not subject to partition without material loss to the parties.

5. That the Complainant desires to have the property sold and the proceeds divided between the parties according to their interest.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 46 FOLIO 263

LIBER 46 PAGE 202

WHEREFORE, the Complainant prays this Honorable Court to pass an Order of Court appointing a Trustee to sell the premises and distribute the proceeds after the payment of liens and costs attending sale between the parties hereto.

AND AS IN DUTY BOUND, ETC.

Gary R. Wroten

Gary R. Wroten

Thomas S. Simpkins
Solicitor for the Complainant

WITH THE UNITED STATES
AIR FORCE
AT APO NEW YORK 09012 } SS

_____, _____ SS:

I hereby certify that on this 1st day of October 1976, personally appeared Gary R. Wroten and he acknowledged the aforegoing Bill of Complaint to be true and correct to the best of his information, knowledge and belief, and he did sign the same in my presence.

As Witness my hand and official seal of office.

James E. Caldwell

JAMES E. CALDWELL, CAPT
Judge Advocate

OFFICE OF THE STAFF JUDGE ADVOCATE
GRANTED GENERAL POWERS OF A NOTARY PUBLIC
JUDGE ADVOCATE UNDER PUBLIC LAW (70A STAT 77)

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FILED
Nov 10 11 12 AM '76

WRIT OF SUBPOENA: No. 10,009 Chancery Case

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Gloria Fay Wroten
S. Somerset Avenue
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 Master Sgt. Gary R. Wroten
Ramstine, Germany
86 AMS (USAFE)
APO N.Y. 09012
PAS: RFODFF3N

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 DANIEL T. PRETTYMAN, Chief Judge of the First Judicial Circuit of Maryland.

Issued the..10th..day of.....November....., 19...76....

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the...21st.....day of.....December....., 19.....76. 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)

Name Thomas S. Simpkins
Thomas J. Spain
Address 51 N. Main Street
Princess Anne, Maryland 21853

Clerk

Summoned & Copy of Titling, Information, Bill of Complaint and Affidavit left with Gloria Fay Wroten Nov 12, 1976.

Edwin L. Sterling
Deputy Sheriff

Gary R. Wroten
Complainant
vs.
Gloria Fay Wroten
Respondent

No. 10,009 Chancery
In the Circuit Court for
Somerset County, Maryland

ANSWER TO BILL OF COMPLAINT

Gloria Fay Wroten, Respondent, by her attorney, Lionel Bennett, in answer to the bill of complaint, says:

1. She admits the allegations of paragraphs 1, 2, 3 and 4.

2. She denies knowledge of paragraph 5.

Respondent prays that her attorney, Lionel Bennett, be appointed co-trustee for the purpose of sale of the premises described in the bill of complaint herein.

Lionel Bennett
Lionel Bennett
Attorney for Respondent
945 Main Street
Crisfield, Maryland 21817
968-1166

CERTIFICATE OF MAILING

I certify that on December 20, 1976, I mailed a copy of this answer to Thomas S. Simpkins and Thomas J. Spain, Solicitors for Complainant, 51 N. Main Street, Princess Anne, Maryland 21853.

Lionel Bennett
Lionel Bennett
Attorney for Respondent

Gary R. Wroten	:	No. 10,009 Chancery
Complainant	:	In the Circuit Court For
vs.	:	Somerset County
Gloria Fay Wroten	:	State of Maryland
Respondent	:	In Equity

: : : : : :

CONSENT TO DECREE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

A Bill of Complaint for Partition and Answer admitting the allegations having been filed in this cause, we, the Solicitors for Complainant and Respondent do hereby consent to a Decree appointing both Solicitors as Trustees to sell the property mentioned in these proceedings and suggest that a bond in the amount of Thirty Thousand Dollars ($30,000.00) be required for the faithful performance of their duties.

Thomas S. Simpkins
Solicitor for the Complainant

Dated: January 7, 1977

Lionel Bennett
Solicitor for the Respondent

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FILED
JAN 10 '77 11 05 AM
LIBER 46 PAGE 205

LIBER 46 PAGE 206

Gary R. Wroten	:	No. 10,009 Chancery
Complainant	:	In the Circuit Court For
vs.	:	Somerset County
Gloria Fay Wroten	:	
		State of Maryland
Respondent	:	

: : : : :

DECREE

UPON the Bill of Complaint for Partition, Answer and Consent heretofore filed, IT IS this 10th day of Jan. 1977, by the Circuit Court for Somerset County, Maryland, in Equity, ORDERED that Thomas S. Simpkins and Lionel Bennett BE and they hereby ARE appointed Trustees to sell the premises described in these proceedings, provided they shall file their approved bond for the faithful performance of their duties in the amount of Thirty Thousand Dollars ($30,000.00) and they shall sell the same at public sale in the customary manner after having given notice thereof as required by law and they shall promptly following said sale report the same to this Court.

R. D. Worsley

JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.

TELEPHONE 651-1400

FILED

[illegible]

KNOW ALL MEN BY THESE PRESENTS: That we, Lionel Bennett and Thomas S. Simpkins as principal and Western Surety Company, a corporation, as surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Thirty Thousand Dollars ($30,000.00), current money, to be paid to the said State of Maryland, or its certain attorney; to which payment well and truly to be made and done, we bind ourselves, and each of us, our and each of our Heirs, Successors and Assigns, Executors and Administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 11th day of January, in the year of our Lord one thousand nine hundred and seventy seven.

WHEREAS, the above bounden Lionel Bennett and Thomas S. Simpkins by virture of a decree of the Circuit Court for Somerset County have been appointed trustees to sell certain lands and premises in Asbury Election District, Somerset County, Maryland mentioned in the proceedings in the case of Gary R. Wroten vs. Gloria Fay Wroten, No. 10,009 Chancery now pending in said Court;

Now the condition of the above obligation is such that if the above bounded Lionel Bennett and Thomas S. Simpkins do and shall well and faithfully perform the trust reposed in them by said decree, or that may be reposed in them by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virture in law.

Signed, sealed and delivered
in the presence of:

Lionel Bennett Seal
Lionel Bennett, Trustee

Bond approved:

Thomas S. Simpkins Seal
Thomas S. Simpkins, Trustee

Western Surety Company

Clerk

By: Lionel Bennett Seal
Attorney in Fact

LIBER 46 PAGE 207 LIBER 010 PAGE 353

POWER OF ATTORNEY

(Irrevocable) LIBER 46 PAGE 08 № 1754112 R

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That the Western Surety Company, a corporation, does hereby make, constitute and appoint LIONEL BENNETT in the City of CRISFIELD, State of MARYLAND, with limited authority, its true and lawful Agent, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds.

An ORIGINAL bond required by Statute, Decree of Court or Ordinance for:	MAXIMUM PENALTY
(A) ADMINISTRATOR CONSERVATOR CURATOR EXECUTOR GUARDIAN TRUSTEE – (Testamentary Only) SALE OF REAL OR PERSONAL PROPERTY –When this company has qualifying bond or when it is a separate bond for accounting of proceeds of sale only COMMISSIONER TO SELL REAL ESTATE REFEREE IN PARTITION TRUSTEE OR RECEIVER – (In Bankruptcy Only)	$1,000,000.00
(B) NOTARY PUBLIC PUBLIC OFFICIAL AND DEPUTIES RECEIVER – (In State Court Only)	$ 50,000.00
(C) PLAINTIFF'S COURT BOND, except bonds prohibited by (G): FOR CORPORATION ..... FOR ALL OTHERS	$ 10,000.00 $ 5,000.00
(D) COST ON APPEAL) EXCLUDING OPEN PENALTY, REMOVAL OF CAUSE) STAY, SUPERSEDEAS OR GUARANTEE OF A JUDGMENT	$ 500.00
(E) LICENSE PERMIT QUIET TITLE License and Permit limited to bonds where a county, city, town, village or township is the Obligee. Bonds to the state are not authorized, except special fuel users	$ 10,000.00 $ 1,000.00
(F) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Secretary, Treasurer or Assistant Secretary of the Western Surety Company specifically authorizing its execution.	
(G) SUPERSEDEAS, OR OPEN PENALTY OR STAY BONDS ON APPEAL OR GUARANTEE OF JUDGMENT, OR BAIL BONDS OR CONSTRUCTION BID OR CONTRACT BONDS, OR A BOND FOR A DEFENDANT are not authorized by this Power of Attorney, except as provided in Section (F).	

The WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

Dated this 1st day of April, 1973.

ATTEST _____ Assistant Secretary

WESTERN SURETY COMPANY

By Joe Kirby President

STATE OF SOUTH DAKOTA } ss
County of Minnehaha

On this 1st day of April, 1973, before me, a Notary Public, personally appeared JOE KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires

J. KUDECH, Notary Public, 19 ____

By Commission Expires 5-9-81

FILED

Notary Public, South Dakota

I, the undersigned officer of the Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

In testimony whereof, I have hereunto set my hand and the seal of the Western Surety Company this *11th day of January, 19 77

JAN 13 1 35 PM '77

RECORDED IN LIBER NO. 10 FOLIO 353

I, THEODORE PROBUS, CLK. CT. CT.

BY ____ DEPUTY

WESTERN SURETY COMPANY

By Joe Kirby President

*IMPORTANT: This date must be filled in before it is attached to the bond and it must be the same date as the bond.

99—6-73

LIBER 010 PAGE 354

Gary R. Wroten	:	No. 10,009 Chancery
Complainant	:	In the Circuit Court For
vs.	:	Somerset County
Gloria Fay Wroten	:	State of Maryland
Respondent	:	

: : : : :

REPORT OF SALE

Thomas S. Simpkins, Trustee in the above captioned cause, duly qualified after filing his approved bond, hereby reports: That he did on Saturday, February 12, 1977, at 2:00 p.m. after having given due notice as required by law, sell the land at public auction described in these proceedings, unto Francis Mikula and Anita Jeanette Mikula, his wife, of Baltimore, Maryland, for the sum of Fifteen Thousand Dollars ($15,000.00) that being the highest bid therefor.

Thomas S. Simpkins (SEAL)

STATE OF MARYLAND, COUNTY OF SOMERSET:

I hereby certify that on this 14 day of February 1977, before me, a Notary Public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, and after being duly sworn by me according to law, deposes and says: That he was duly appointed and qualified Trustee to sell the land in the above cause proceedings and that he did sell the same as hereinbefore set forth, that the sale was fairly conducted and that the Report of Sale is true and correct to best of his knowledge and belief.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY, MD.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

•

LIONEL BENNETT
Attorney at Law
Crisfield, Maryland

Chancery No. 10,009
In the Circuit Court For
Somerset County, Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County, Maryland, this 14th day of February 1977, 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 16th day of March 1977; provided a copy of this ORDER be inserted in some newspaper published in Somerset County, Maryland, once in each of THREE consecutive weeks before the 7th day of March 1977.

The report states the amount of sale to be a total of Fifteen Thousand Dollars ($15,000.00).

Theodore Phebus

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Gary R. Wroten	:	No. 10,009 Chancery
Complainant	:	In the Circuit Court For
vs.	:	Somerset County
Gloria Fay Wroten	:	State of Maryland
Respondent	:	

: : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF BALTIMORE

I hereby certify that on this 16th day of February 1977, before me, a Notary Public in and for the State and County aforesaid, personally appeared Anita Jeanette Mikula and after being duly sworn by me according to law, deposes and says:

1. That she was the purchaser at the public auction of the property in these proceedings held on February 12, 1977 at 2:00 p.m.

2. That she did not act as agent for anyone but purchased the same for herself as principal.

3. That she did not directly or indirectly discourage anyone from bidding on the property.

As Witness my hand and Notarial Seal.

Christine A. [illegible]
Notary Public

Anita Jeanette Mikula
Anita Jeanette Mikula
Affiant

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

LIBER 46 PAGE 211

Thomas S. Simpkins
Attorney At Law
Princess Anne, Maryland

Lionel Bennett
Attorney At Law
Crisfield, Maryland

Chancery No. 10,[illegible]
In the Circuit Court for
Somerset County, Maryland

ORDER NISI

Ordered by the Circuit Court for Somerset County, Maryland, this 14th day of February 1977, that the sale of the property mentioned in these proceedings, by the report stated by Thomas S. Simpkins, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown on or before [illegible] day of March 1977, provided a copy of this order be published in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 7th day of March 1977.

The report states the amount of sale to be [illegible] Thousand Dollars ([illegible],000.00).

J. Theodore Phoebus, Clerk
True Copy, Test
2-10-3t

CRISFIELD, MD. March 10, 19 77

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 18, 19 77 and ending March 4, 19 77

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

CRISFIELD, MD. March 11, 19 77

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 January 21, 19 77 and ending February 11, 19 77

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

Thomas S. Simpkins
Attorney At Law
Princess Anne, Maryland

Lionel Bennett
Attorney At Law
Crisfield, Md.

TRUSTEE'S SALE

OF VALUABLE REAL ESTATE SITUATE IN SOMERSET COUNTY, MARYLAND

Under and by virtue of a Decree dated January 10, 1977, by the Circuit Court for Somerset County, in No. 10, Chancery, to the undersigned Trustees, we will give notice that we will offer for sale the hereinafter described real [illegible]

[illegible] front of Post Office
Crisfield, Maryland
On
Saturday, February 12, 1977
at 2:00 P.M.
at public auction to the highest bidder or bidders, [illegible]

Description:
[illegible] lot or parcel of [illegible] situate in Asbury [illegible] District, and [illegible] on the west side of County Road [illegible] from the Crisfield [illegible] to Jenkins [illegible] and fronting [illegible] (70) feet on said County Road [illegible] running back a [illegible] of two hundred (200) feet and [illegible] (200) feet; said land conveyed unto Gary R. Wroten and Gloria Fay Wroten, his wife, by Wade D. Ward, Trustee by deed dated April 15, 1933 and recorded among the Land Records of Somerset County, Maryland, in Liber 215, folio 467.

Improvements:
Improved - bedroom 1½ bath home, hot water heat, hardwood floors, porch, in excellent condition.

Terms Of Sale:
20 per cent deposit on day of sale. Balance upon Ratification, unpaid portion to bear interest at 8 per cent. All title expense, revenue stamps and closing costs at purchaser's expense.

Thomas S. Simpkins,
Attorney
51 N. Main Street
Princess Anne,
Maryland
Telephone 651-1400

Lionel Bennett
Attorney
205 Main Street
Crisfield, Maryland
Telephone 968-1103
1-21-4t

Filed
1977 FEB 16 PM 3:45

Gary R. Wroten,

Complainant

vs.

Gloria Fay Wroten,

Respondent

No. 10,009 Chancery

In the Circuit Court for

Somerset County, Maryland

FINAL ORDER

Ordered by the Court this 21st day of March, 1977 that the sale made and reported by the trustees be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

William B. Jones, II
Judge

46 293

GARY R. WROTEN	*	NO. 10,009 CHANCERY CASES
Plaintiff	*	IN THE CIRCUIT COURT FOR
	*	SOMERSET COUNTY
vs.	*	STATE OF MARYLAND
GLORIA FAY WROTEN	*	IN EQUITY
Defendant	*	

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 therein, states the following account:

Amount of Sale		$15,000.00
Reimbursement for prepaid taxes		48.15
TOTAL		$15,048.15
Expenses, Costs and Fees		
Clerk of Court	$103.00	
E. Muir, Auctioneer	75.00	
Crisfield Times	77.50	
Advertising $57.50		
Order Nisi 20.00		
Loyola Federal - Mortgage	9376.82	
Fee to Release Mortgage	5.00	
Notary Fees	5.00	
Trustees Bond	90.00	
City of Crisfield water bill	18.00	
Trustees Commission per Rules	900.00	
Auditor's fee	45.00	
Total Expenses, Costs & Fees		$10,695.32
Balance of funds to be distributed		$4,352.83
Distribution:		
1/2 to Gary R. Wroten		$2,176.41
1/2 to Gloria Fay Wroten		$2,176.42

TAKE DUE NOTICE that his First and Final Auditor's Report in the above entitled cause was filed with the Clerk of the Circuit Court for Somerset County, State of 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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of this Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Lionel Bennett, Esq.
945 Main Street
Crisfield, MD 21817

Thomas S. Simpkins, Esq.
51 N. Somerset Ave.
Princess Anne, MD 21853

date of filing: April 25, 1977

Logan C. Widdowson
Auditor

LCW/jf 4/25/77
77-46

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3900

No. 10009 Chancery Case

LIBER 46 PAGE 216

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 25th day of April, 19 77, 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 10th day of May, 19 77.

S. 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 11th day of May, 19 77, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Phillips
CLERK

Exd.
MAR. 7 1978

JOHN C. NASON and
RONALD G. RAYNE, Substitute Trustees
Plaintiffs

-v-

NANCY W. BOZMAN
906 Campus Place
Princess Anne, Md. 21853
Defendant

NO. 10172 CHANCERY

IN THE CIRCUIT COURT FOR

SOMERSET COUNTY, 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 26, 1974, from Nancy W. Bozman of Somerset County, Maryland, and recorded among the Land Records of Somerset County, Maryland, in Liber No. 282, folio 753, et seq; John C. Nason and Ronald G. Rayne having been appointed Substitute Trustees in accordance with the provisions of said Deed of Trust.

JOHN C. NASON

RONALD G. RAYNE
Substitute Trustees
212 E. Main Street, Salisbury, Md. 21801
Telephone 749-2211

FOR DEED OF TRUST SEE LIBER NO. 282, FOLIO 753

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 46 PAGE 218

JOHN C. NASON and RONALD G. RAYNE, Substitute Trustees Plaintiffs	:	NO. 10172 CHANCERY
	:	IN THE CIRCUIT COURT FOR
-v-	:	SOMERSET COUNTY, MARYLAND
NANCY W. BOZMAN 906 Campus Place Princess Anne, Md. 21853 Defendant	:	

* *

AFFIDAVIT OF INDEBTEDNESS

STATE OF VIRGINIA , COUNTY OF ARLINGTON & FAIRFAX , TO WIT:

I HEREBY CERTIFY that on this 25th day of July, 1977, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared JAMIE H. CRONNING, Vice President of First Virginia Bank, a body corporate of the State of Virginia, who made oath in due form of law as follows:

1. That First Virginia Bank, a body corporate, is the beneficiary of a Deed of Trust dated September 26, 1974, which Deed of Trust is from Nancy W. Bozman and is recorded among the Land Records of Somerset County, Maryland, in Liber No. 282, folio 753, et seq.; and on behalf of the beneficiary, being authorized so to do he made oath in due form of law that the sum of $ 22,752.91 is now due and owing thereunder plus $ 5.27 interest per day for each day hereafter.

2. That the said Defendant is not a member 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 Solders' 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 906 Campus Place, Princess Anne, Maryland 21853.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: 8/2/77

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

AUG -8-77 B 029691D*****20.00
AUG -8-77 B 029690D*****40.00

JOHN C. NASON and RONALD G. RAYNE, Substitute Trustees Plaintiffs	:	NO. 10172 CHANCERY IN THE CIRCUIT COURT FOR
-v-	:	SOMERSET COUNTY, MARYLAND
NANCY W. BOZMAN 906 Campus Place Princess Anne, Md. 21853 Defendant	:	

* *

PETITION FOR POSSESSION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of John C. Nason and Ronald G. Rayne, Substitute Trustees for the Purpose of Foreclosure and Collection of a Deed of Trust, respectfully shows:

1. That Nancy W. Bozman is indebted unto First Virginia Bank, which said obligation is secured by a Deed of Trust recorded among the Land Records of Somerset County, Maryland, in Liber No. 282, folio 753, et seq.

2. That the said Deed of Trust has been filed for foreclosure for non-payment within the time limited of the principal and interest payments on the aforesaid Deed of Trust, no payments having been made thereon since January, 1977.

3. That your Petitioners, Substitute Trustees for the Purpose of Foreclosure and Collection, are desirous of entering the improvements on said real estate which consist of a one story dwelling, for the purpose of preparing it for sale and showing it to any persons who might be interested in purchasing same at foreclosure sale, and your Petitioners are further desirous of selling the property on the premises in which event it is most desirable that possession be had.

4. That under the terms of the aforesaid Deed of Trust "If Borrower fails to perform the covenants and agreements contained in this Deed of Trust ... then Lender at Lender's option, upon notice to Borrower, may make such appearances ... and take such action as is necessary to protect Lender's interest...." and default having been made in the payments due under the aforesaid Deed of Trust, and title to the land being vested in First Virginia Bank, the said First Virginia Bank through its Trustees

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

for the purpose of Foreclosure are entitled to possession of said property and Nancy W. Bozman is no longer entitled to possession thereof.

5. That foreclosure sale is scheduled for September 12, 1977, at 10:00 o'clock a.m. on the premises, and your Petitioners desire possession no later than September 2, 1977.

WHEREFORE, your Petitioners pray this Honorable Court to pass an Order giving them the right of possession on and after September 2, 1977.

RESPECTFULLY SUBMITTED,

JOHN C. NASON
One of Substitute Trustees

212 E. Main Street, Salisbury, Md. 21801
749-2211

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
AUG 9 10 20 AM '77

ORDER OF COURT

The aforegoing Petition having been duly read and considered, it is, this day of , 1977, by the Circuit Court for Somerset County, Maryland, in No. Chancery, ORDERED and DECREED that First Virginia Bank, and John C. Nason and Ronald G. Rayne, Trustees for the purpose of foreclosure and collection, their agents, servants and employees, be, and they are hereby, given possession on of the real estate and improvements thereon mentioned in said Petition and described in the aforesaid Deed of Trust; and provided further that a copy of this Petition and Order be served upon the mortgagor or left on the premises herein referred to by the Sheriff of Somerset County, Maryland, and a copy mailed to the Mortgagor by Counsel for the Mortgagee at her last known address within five (5) days from the date of this Order.

JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 46 PAGE 222

MORTGAGEE OR ATTORNEYS' BOND

No. 10,172 Chancery

Know all Men by these Presents:

THAT WE.....John C. Nason & Ronald Rayne, 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..Twenty-three thousand ten and 74/100---------- *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*....11th..... *day of*..September.....*in the year of our Lord nineteen hundred and*...seventy-seven.....

WHEREAS, the above bounden.....John C. Nason & Ronald Rayne.....

by virtue of a power contained in ~~mortgage~~ Deed of Trust *from*.....Nancy W. Bozman.....

.....Princess Anne, Maryland.....

to .....First Virginia Bank.....

.....

dated .....9/26/74.....*and recorded in Liber*.....282.....

No..... *folio*.....753.....*etc., one of the Land Record Books of*.....

.....Somerset County.....*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*.....Deed of Trust.....

.....*is about to execute the power vested in him in said mortgage;*

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 }

_____ [SEAL.]

_____ [SEAL]

AETNA INSURANCE COMPANY

By_____
ROBBIN W. GRAY *Attorney-in-Fact.*

ATTEST:

_____

THE WITHIN BOND APPROVED.

PER: L. Theodore Phoebus, CLERK.

Form 1-630-1593

LIBER 010 PAGE 377

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

Robbin W. Gray of Salisbury, 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 22nd day of August, 1975.

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 22nd day of August, 1975, 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, 1977

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 6 day of Sept, 19 77

HARTFORD ÆTNA INSURANCE CO. CONNECTICUT

J. J. Murphy, Secretary

43733

Form 630-07 Ed. Feb. '73 PRINTED IN U.S.A.

LIBER 46 PAGE 223

LIBER 010 PAGE 378

USCB 46 PAGE 224

JOHN C. NASON and
RONALD G. RAYNE, Substitute Trustees :
Plaintiffs

v.

NANCY W. BOZMAN
Defendant

IN THE CIRCUIT COURT FOR

SOMERSET COUNTY, MARYLAND

NO. 10,172 CHANCERY

* * * * * * * * * * * * * * *

CERTIFICATE OF PUBLICATION

PRINCESS ANNE, MD., 9/14 1977

This is to certify that the annexed Notice of 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 of Sale

Dates Inserted: Aug 18, 25, Sept 1-8 -1977

Business Manager MARYLANDER and HERALD

TERMS OF SALE: [illegible] on the date of sale, and the [illegible] thereof. Credit [illegible] per annum [illegible] satisfaction of the said Trustees, or all cash [illegible], at the option of the purchaser [illegible], revenue stamps, transfer tax [illegible] expense of the purchaser or purchasers. [illegible] to be [illegible] to the date of sale. Possession upon final ratification [illegible] sale by the Circuit Court for Somerset County, Maryland.

For further information, contact the undersigned at 301-479-2211.

JOHN C. NASON & RONALD G. RAYNE
Substitute Trustees
212 E. Main St., Salisbury, Md. 21801

[illegible] 9/1 & 9/8

PERDUE, OWRUTSKY & WHITHEAD
PROFESSIONAL ASSOCIATION
212 East Main Street
Salisbury, Md. 21801
Telephone: 301-749-2211

Substitute Trustee Sale

OF

Residential Property

Under and by virtue of the power of sale continued in a Deed of Trust from Nancy W. Bozman to The Trust Company of West Virginia and Caldwell C. Kendrick, Trustees for First Virginia Bank, dated September 26, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber No. 282, folio 753, default having occurred in the terms, covenants and agreements thereof, the undersigned Substitute Trustees will sell at

PUBLIC AUCTION

to the highest bidder on

September 12, 1977

at the hour of 10:00 o'clock A.M.

on the premises at 906 N. Campus Place, Princess Anne, in East Princess Anne Election District, Somerset County, Maryland, all of the following described real estate:

ALL that lot, tract or parcel of land situate, lying and being in the East Princess Anne Election District, Somerset County, Maryland, on the Northwesterly side of and binding upon North Campus Place, and being all of Lot No. 6, Block B, on a plat entitled "Hamlin Glen" Sub-division for Wilson E. Davis & Son, Inc., dated July, 1972, made by Burton B. Gordy, Registered Md. Land Surveyor, which plat is recorded among the Land Records of Somerset County, Maryland, in Plat Book I.T.P. No. 8, folio 60; and, being in all respects the same land which was conveyed unto the said Nancy W. Bozman by First Townhouses, Inc., a body corporate, by deed dated September 26, 1974, recorded among the aforesaid Land Records, SUBJECT, NEVERTHELESS, to the restrictions set forth on the aforesaid plat; to the following two utility rights-of-way to Delmarva Power & Light Co.: (a) dated September 1, 1972, and recorded among the Land Records aforesaid in Liber I.T.P. No. 268, folio [illegible]; and (b) dated April 22, 1972, and recorded among the Land Records aforesaid in Liber I.T.P. No. 263, folio 114; SUBJECT, ALSO, to a utility right-of-way to the C & P Telephone Co. of Baltimore City, dated April 29, 1981, and recorded among the Land Records aforesaid in Liber J.M.T. No. 101, folio 175, and SUBJECT, ALSO, to the operation and effect of the dedication of streets and roads to the President and Commissioners of Princess Anne, Maryland, contained in a deed from Wilson E. Davis & Son, Inc., to Modular Housing Systems, Inc., dated July 31, 1972, and recorded in the aforesaid Liber I.T.P. No. [illegible], folio 273.

The aforedescribed real estate is improved by a one story dwelling consisting of a living room, dining room, kitchen, three bedrooms, and one and one-half baths.

AFFIDAVIT

STATE OF ~~MARYLAND~~ VIRGINIA AT LARGE ~~COUNTY~~, TO WIT:

I HEREBY CERTIFY that on this 21st day of September, 1977 before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared ROBERT D. HOLLAND, JR. of FIRST VIRGINIA BANK the purchaser(s) named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, Robert D. Holland, Jr., attended the sale of the property described in the mortgage filed in these proceedings held in Princess Anne, Maryland, on Monday, September 12, 1977, and purchased the same for TEN THOUSAND DOLLARS ($10,000.00).

(2) That no other persons, firm or corporations are financially interested or involved, as principal or otherwise.

(3) That neither I nor anyone else did directly or indirectly discourage anyone from bidding on said property.

Robert D. Holland, Jr.
Robert D. Holland, Jr.
AFFIANT

SUBSCRIBED AND SWORN TO, before me, this 21st day of September, 1977.

Helen H. Blake
NOTARY PUBLIC

HELEN H. BLAKE NOTARY PUBLIC VIRGINIA AT LARGE

My Commission expires: Nov. 3, 1978

FILED

LIBER 46 PAGE 225

JOHN C. NASON and RONALD G. RAYNE, Substitute Trustees Plaintiffs	:	NO.10,172 CHANCERY IN THE CIRCUIT COURT FOR
v.	:	SOMERSET COUNTY, MARYLAND
NANCY W. BOZMAN 906 Campus Place Princess Anne, Md. 21853 Defendants	:	

* *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of John C. Nason and Ronald G. Rayne, Substitute Trustees for the purpose of foreclosure and collection of a Deed of Trust from Nancy W. Bozman to The Trust Company of First Virginia & Caldwell C. Kendrick, Trustees for First Virginia Bank, dated September 26, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber 282, folio 753, et seq., respectfully shows:

That after default had been made in the terms, covenants, and conditions of the said Deed of Trust, and after having given at least 20 days notice of the time, place, and terms of sale by advertisement in the Marylander & Herald, a newspaper published in Somerset County, Maryland, prior to September 12, 1977, and after giving bond with the securities approved by the Clerk of this Court, said John C. Nason, one of the said attorneys, did, on Monday, September 12, 1977, at 10:00 o'clock a.m., attend at 906 Campus Place, 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 Publication, and said attorney did, then and there, offer for sale at public auction, all the right, title and interest of the said Nancy W. Bozman, and all persons claiming title therefrom, said property being more particularly described as follows:

ALL that lot, tract or parcel of land situate, lying and being in the East Princess Anne Election District of Somerset County, Maryland, on the Northwesterly side of and binding upon North Campus Place and being all of Lot No. 6, Block B, on a plat entitled "Manokin Glen" Sub-division for Wilson E. Davis & Son, Inc., dated July, 1972, made by Burton B. Gordy, Registered Maryland Land Surveyor, which plat is recorded among the Land Records of Somerset County, Maryland, in Plat Book I. T. P. No. 8, folio 98; and being in all respects the same land which was conveyed unto the said Nancy W. Bozman by First Townhouses, Inc., a body corporate, by deed recorded among the land records of Somerset County aforesaid, SUBJECT, NEVERTHELESS, to the restrictions set forth on the aforesaid plat; to the following two utility rights of way to Delmarva Power & Light Co.: (a) dated September 1, 1972, and recorded among the Land Records aforesaid in Liber I. T. P. No. 268, folio 340; and (b) dated April 28, 1972, and recorded among the Land Records aforesaid in Liber I. T. P. No. 266, folio 114; SUBJECT, ALSO, to a utility right of way to the C & P Telephone Co. of Baltimore City, dated April 29, 1931, and recorded among the Land Records aforesaid In Liber J. M. T. No. 101, folio 175, and SUBJECT, ALSO, to the operation and effect of the dedication of streets and roads to the President and Commissioners of Princess Anne, Maryland, contained in a deed from Wilson E. Davis & Son, Inc., to Modular Housing Systems, Inc., dated July 31, 1972, and recorded as aforesaid in Liber I. T. P. No. 266, folio 268.

YOUR said attorneys sold the aforedescribed property unto FIRST VIRGINIA BANK, a body corporate, at and for the sum of $10,000.00, it, at that sum, being the highest bidder therefor, and the said purchaser has complied with the terms of sale.

RESPECTFULLY SUBMITTED,

JOHN C. MASON

RONALD C. RAYNE

Substitute Trustees

LIBER 46 PAGE 227

LIBER 46 PAGE 228

STATE OF MARYLAND, COUNTY OF WORCESTER, TO WIT:

I HEREBY CERTIFY that on this 23rd day of September, 1977, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared John C. Nason and Ronald G. Rayne, Substitute Trustees of the Deed of Trust named in the aforegoing Report of Sale and made oath in due form of law that the matters and things set forth in the foregoing 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.

Mary Jane Porter

NOTARY PUBLIC

My Commission expires 7/1/78

MARY JANE PORTER
NOTARY PUBLIC
WORCESTER COUNTY, MD.

JOHN C. NASON and
RONALD G. RAYNE, Substitute
Trustees
Plaintiffs

v.

NANCY W. BOZMAN
906 Campus Place
Princess Anne, Md. 21853
Defendant

NO.10172 CHANCERY

IN THE CIRCUIT COURT FOR SOMERSET COUNTY

STATE OF MARYLAND

* *

AFFIDAVIT OF COMPLIANCE

I HEREBY AFFIRM that I, John C. Nason, one of the Substitute Trustees of the Plaintiff, did mail to the Mortgagor, Nancy Bozman (Long), at the Mortgagor's last known address at 906 Campus Place, Princess Anne, Maryland, 21853 by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on September 12, 1977, and that such mailing was sent on September 1, 1977 and was returned to me on September 9, 1977, as evidenced by the enclosed envelope.

JOHN C. NASON, Assignee

STATE OF MARYLAND, ~~WICOMICO~~ Worcester COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 9th day of September, 1977, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared JOHN C. NASON, Assignee, and made oath in due for of law that the matters and things set forth in the aforegoing Affidavit are true and correct to the best of his knowledge, information and belief.

AS WITNESS, my hand and Notarial Seal the day and year first above written.

MARY JANE PORTER
NOTARY PUBLIC
WORCESTER COUNTY, MD.

Mary Jane Porter
Notary Public
My Commission Expires: 7/1/78

FILED
SEP 27 10 10 AM '77

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
SALISBURY, MARYLAND 21801
(301) 749-2211

HERMAN E. PERDUE
MORTON J. OWRUTSKY
LLOYD O. WHITEHEAD
RONALD G. RAYNE
DONALD C. DAVIS
JOHN C. NASON
WALTER P. DRAKE

OCEAN CITY OFFICE
3906 OCEAN HIGHWAY
OCEAN CITY, MD. 21842
(301) 289-8408

September 1, 1977

LIBER 46 PAGE 230

Ms. Nancy Bozman (Long)
906 Campus Place
Princess Anne, Maryland 21853

Dear Ms. Bozman:

This letter is your notice pursuant to Maryland Rule W74 2(b) of the Maryland Rules of Procedure that the undersigned Trustee for First Virginia Bank, the secured party, will sell at public auction all of the property owned by you and described as being on the Northwesterly side of and binding upon North Campus Place and being all of Lot 6, Block B, on a plat entitled "Manokin Glen" Sub-division, in East Princess Anne Election District, Somerset County, Maryland, and further described in a Deed of Trust dated September 26, 1974, from you to The Trust Company of First Virginia and Caldwell C. Kendrick, Trustees for First Virginia Bank. Said sale will be held on September 12, 1977, at 10:00 o'clock a. m., at the premises.

The terms of sale are $5,000.00 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 nine per cent per annum and to be secured to the satisfaction of the said Trustee.

For your information, I am enclosing a copy of the advertisement of sale which is appearing in the local newspaper.

Very truly yours,

John C. Nason

jcn/mjp
enc.
CERTIFIED MAIL, RETURN RECEIPT REQUESTED

LAW OFFICES
PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
SALISBURY, MARYLAND 21801

Ms. Nancy Bozman (Long)
906 Campus Place
Princess Anne, Md. 21853

CERTIFIED MAIL
No. 405022

U.S. POSTAGE 0.13 P.B. METER 1271216 SEP-1'77 SALISBURY MD.

U.S. POSTAGE 0.85 P.B. METER 1271216 SEP-1'77 SALISBURY MD.

2nd Notice
Return

RETURN TO SENDER
Refused
Unclaimed
Unknown
Addressee
Insufficient Address
No such street
No such office in state
No mail received at this address

Received, left no address
No such number
Moved, not forwardable
Addressee unknown

PS Form 3811, Nov. 1976 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse. Arlington Mortgage

1. The following service is requested (check one).
- [x] Show to whom and date delivered .....25¢
- [ ] Show to whom, date, & address of delivery .....45¢
- [ ] RESTRICTED DELIVERY. Show to whom and date delivered .....85¢
- [ ] RESTRICTED DELIVERY. Show to whom, date, and address of delivery ..$1.05

(Fees shown are in addition to postage charges and other fees).

2. ARTICLE ADDRESSED TO:
Nancy Bozman (Long)
906 Campus Place
Princess Anne, Md. 21853

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	405022	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE [ ] Addressee [ ] Authorized agent

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

☆ GPO: 1976—O-203-453

LIBER 46 PAGE 231

LIBER 46 PAGE 232

PERDUE, OWRUTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION
212 East Main Street
Salisbury, Md. 21801
Telephone: 301-749-2211

SUBSTITUTE TRUSTEES' SALE

OF

RESIDENTIAL PROPERTY

Under and by virtue of the power of sale contained in a Deed of Trust from Nancy W. Bozman to The Trust Company of First Virginia and Caldwell C. Kendrick, Trustees for First Virginia Bank, dated September 26, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber No. 282, folio 753, default having occurred in the terms, covenants and agreements thereof, the undersigned Substitute Trustees will sell at

PUBLIC AUCTION

to the highest bidder on

September 12 , 1977,

at the hour of 10:00 o'clock A. M.

on the premises at 906 N. Campus Place, Princess Anne, in East Princess Anne Election District, Somerset County, Maryland, all of the following described real estate:

ALL that lot, tract or parcel of land situate, lying and being in the East Princess Anne Election District, Somerset County, Maryland, on the Northwesterly side of and binding upon North Campus Place, and being all of Lot No. 6, Block B, on a plat entitled "Manokin Glen" Sub-division for Wilson E. Davis & Son, Inc., dated July, 1972, made by Burton B. Gordy, Registered Maryland Land Surveyor, which plat is recorded among the Land Records of Somerset County, Maryland, in Plat Book I. T. P. No. 8, folio 98;

and, being in all respects the same land which was conveyed unto the said Nancy W. Bozman by First Townhouses, Inc., a body corporate, by deed dated September 26, 1974, recorded among the aforesaid Land Records, SUBJECT, NEVERTHELESS, to the restrictions set forth on the aforesaid plat; to the following two utilitity rights-of-way to Delmarva Power & Light Co.: (a) dated September 1, 1972, and recorded among the Land Records aforesaid in Liber I. T. P. No. 268, folio 340; and (b) dated April 28, 1972, and recorded among the Land Records aforesaid in Liber I. T. P. No. 266, folio 114; SUBJECT, ALSO, to a utility right-of-way to the C & P Telephone Co. of Baltimore City, dated April 29, 1931, and recorded among the Land Records aforesaid in Liber J. M. T. No. 101, folio 175, and SUBJECT, ALSO, to the operation and effect of the dedication of streets and roads to the President and Commissioners of Princess Anne, Maryland, contained in a deed from Wilson E. Davis & Son, Inc., to Modular Housing Systems, Inc., dated July 31, 1972, and recorded as aforesaid in Liber I. T. P. No. 266, folio 268.

The aforedescribed real estate is improved by a one story dwelling consisting of a living room, dining room, kitchen, three bedrooms, and one and one-half baths.

TERMS OF SALE: $5,000.00 of the purchase price on the date of sale, and the balance within thirty (30) days thereof. Credit portion to bear interest at the rate of nine per cent per annum from the date of sale, to be secured to the satisfaction of the said Trustees, or all cash on the day of sale, at the option of the purchaser or purchasers. Title papers, revenue stamps, transfer tax and recording costs at the expense of the purchaser or purchasers. Taxes to be adjusted to the date of sale. Possession upon final ratification of the sale by the Circuit Court for Somerset County, Maryland.

For further information, contact the undersigned at 301-479-2211.

JOHN C. NASON
RONALD G. RAYNE, Substitute Trustees
212 E. Main St., Salisbury, Md. 21801

Dates to be run: August 18, 25, Sept. 1 & 8

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 27th day of September, 1977, that the sale of the property mentioned in these proceedings made and reported by John C. Nason and Ronald G. Rayne, Substitute Trustees of a Deed of Trust, under the power of sale contained in the Deed of Trust from Nancy W. Bozman to The Trust Company of First Virginia and Caldwell C. Kendrick, Trustees for First Virginia Bank, 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 28th day of October, 1977; 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 25th day of September, 1977.

THE REPORT states the amount of sale to be $10,000.00.

S. Theodore Phoebus
clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, the 2nd day of Nov., 1977, that the sale made and reported by the Substitute Trustees of the Deed of Trust 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.

Lloyd L. Simpkins
Judge

FILED
SEP 27 10 11 AM '77

JOHN C. NASON and RONALD G. RAYNE, Substitute Trustees
Plaintiffs

v.

NANCY W. BOZMAN
Defendant

: IN THE CIRCUIT COURT FOR SOMERSET COUNTY
: STATE OF MARYLAND
:
: NO. 10,172 Chancery
:

* * * * * * * * * * * * * * * * * * * *

CERTIFICATE OF PUBLICATION

PRINCESS ANNE, MD., Oct 24, 1977

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 Nisi

Dates Inserted: 9/29, 10/6-13 1977

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

BANKS & NASON, P. A.
216 E. Main Street
Salisbury, Md. 21801
546-4644

JOHN C. NASON and RONALD G. RAYNE Substitute Trustees

vs.

NANCY W. BOZMAN

NO. 10,172 CHANCERY

IN THE CIRCUIT FOR SOMERSET COUNTY, MARYLAND

ORDER NISI

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, on this 27th day of September, 1977, that the sale of the property mentioned in these proceedings made and reported by John C. Nason and Ronald G. Rayne, Substitute Trustees of Deed of Trust, under the power of sale contained in the Deed of Trust from Nancy W. Bozman to The Trust Company of First Virginia and Caldwell C. Kendrick, Trustees for First Virginia Bank 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 28th day of October, 1977; 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 25th day of October, 1977.

THE REPORT states the amount of sale to be $10,000.00.

I. THEODORE PHOEBUS
Clerk

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

3tc—9/29, 10/6 & 10/13

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
216 EAST MAIN ST.
SALISBURY, MD.
21801

FILED
OCT 28 9 22 AM '77

LIBER 46 PAGE 235

JOHN C. NASON and RONALD G. RAYNE, Substitute Trustees	*	IN THE CIRCUIT COURT
Plaintiffs	*	FOR SOMERSET COUNTY
	*	STATE OF MARYLAND
vs.		
	*	NO. 10,172 CHANCERY
NANCY W. BOZMAN		
Defendant	*	

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 therein, states the following Account:

Amount of Sale			$10,000.00
Costs, Expenses and Fees			
I. T. Phoebus, Court Costs		$ 127.00	
Marylander & Herald		165.62	
Order Nisi	$25.00		
Advertising	$140.62		
Auctioneer, O. J. Brittingham		100.00	
Bond - Gray Agency		125.00	
State & County Taxes		857.22	
Tax Ditch		1.81	
Town of Princess Anne Taxes		384.90	
Trustee Commission		500.00	
Auditor		45.00	
Total Costs, Expenses and Fees			2,306.55
Funds for Distribution			7,693.45
Statement of debt[1]			22,752.46
Deficiency[1]			$15,059.46

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

John C. Nason, Esquire
216 E. Main Street
Salisbury, Maryland 21801

Nancy W. Bozman
906 Campus Place
Princess Anne, Maryland 21853

1-Plus interest since July 25, 1977

Date of Filing: November 4, 1977

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

No. 10172 Chancery Case

LIBER 46 FOLIO 237

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 4th day of November, 19 77, 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 21st day of November, 19 77.

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 2nd day of December, 19 77, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

LIBER 46 PAGE 238

JOHN C. NASON and RONALD G. RAYNE, Substitute Trustees	:	IN THE CIRCUIT COURT FOR
Plaintiffs	:	SOMERSET COUNTY, MARYLAND
v.	:	
	:	NO. 10,172 Chancery
NANCY W. BOZMAN		
Defendant	:	

* * * * * * * * * * * * * *

SUBSTITUTE TRUSTEES' PETITION FOR DISCHARGE AND DISCHARGE OF BOND

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Petitioners, John C. Nason and Ronald G. Rayne, Substitute Trustees, respectfully request that they be discharged and that the bond which they have posted herein be discharged. The grounds of this petition are as follows:

1. By Deed of Trust and/or Appointment of Substitute Trustees filed herein or among the Land Records of this County, your Petitioners were appointed Substitute Trustees to make sale of property mentioned in these proceedings and to post bond in the penalty sum of $23,010.74, conditioned for the faithful performance of the trust reposed in them by said decree.

2. That your Trustees have done all things ordered or required of them in this cause and their sale of said property has been finally ratified and the first and final auditor's report of said sale has been ratified heretofore and all monies in their hands have been disbursed and distributed in accordance with said audit.

3. That the company which supplied your Petitioners' bond referred to hereinabove requires your Petitioners to obtain a release thereof for its records.

WHEREFORE, your Trustees pray the Court that they be discharged as Substitute Trustees in the aforegoing cause and that the bond heretofore posted by them in this proceeding be discharged.

AND, AS IN DUTY BOUND, ETC.

JOHN C. NASON, Substitute Trustee

RONALD G. RAYNE, Substitute Trustee

FILED

DEC 5 2 38 PM '77

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
216 EAST MAIN ST.
SALISBURY, MD.
21801

DECREE

The foregoing Petition having been read and considered and it appearing that John C. Nason and Ronald G. Rayne, Substitute Trustees have fully discharged to the satisfaction of this Court, all and singular the duties enjoined upon them as Substitute Trustees and their account having been duly approved and confirmed by the Court and it further appearing that they have distributed all money in their possession as such Substitute Trustees in accordance with the first and final auditor's report, it is, thereupon, this 5th. day of Dec. 1977, ORDERED, ADJUDGED AND DECREED by the Circuit Court for Somerset County, Maryland, in equity, that John C. Nason and Ronald G. Rayne, Substitute Trustees as aforesaid, be and they are hereby finally discharged from their duties as Substitute Trustees and it is FURTHER ORDERED, ADJUDGED AND DECREED that the bond heretofore posted in these proceedings by said Substitute Trustees be, and the same is hereby discharged and released.

Lloyd L. Simpkins
JUDGE

Exd
MAR. 7 1978

FILED
DEC 8 2 30 PM '77

LAW OFFICES OF
BANKS & NASON
PROFESSIONAL ASSOCIATION
216 EAST MAIN ST.
SALISBURY, MD.
21801

LIBER 46 PAGE 240

CHARLES E. HEARNE, JR., ~~XXXXXXXX~~ ~~XXXXXX~~, and/or JAMES P. BAILEY Attorneys and Agents named in Mortgage	:	No. 10149 Chancery In the Circuit Court for Somerset County State of Maryland
FROM JACK A. RIDGWAY and JOYCE M. RIDGWAY	:	JUN 22-77 B 528534D*****40.00

* * * * * * *

MR. CLERK:

Please docket case as above and file for foreclosure original mortgage from Jack A. Ridgway and Joyce M. Ridgway,

dated March 29, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber L.T.P. No. 225, Folio 176.

Please enter the appearance of the undersigned as Solicitors for the Mortgagee, our address being Colonial Building, Salisbury, Maryland.

HEARNE & BAILEY

By _____
Solicitors for Mortgagee

FOR MORTGAGE SEE LIBER NO. 225, FOLIO 176.

HEARNE & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144
PROFESSIONAL ASSOCIATION

FILED
JUN 22 9 27 AM '77

CHARLES E. HEARNE, JR., ~~XXXXXXXXX~~ ~~XXXXXX~~, and/or JAMES P. BAILEY Attorneys and Agents named in Mortgage FROM JACK A. RIDGWAY and JOYCE M. RIDGWAY	:	No. _____ Chancery In the Circuit Court for Somerset _____ County State of Maryland

* * * * * * * *

MILITARY AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 20th day of June, A.D., 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Assistant Loan Officer of the within Mortgagee, and made oath in due form of law that Joyce M. Ridgway is deceased and that Jack A. Ridgway is ~~are~~ not in the military service as hereinafter set forth and that ~~they~~ he has ~~have~~ not been in such military service within thirty (30) days prior to the making of this affidavit, such military service being referred to as follows:

(1) The military service of the United States of America or of the enlisted reserve groups 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.

RUTH T. DONAWAY NOTARY PUBLIC Wicomico County, Md.

Ruth T. Donaway
Notary Public

FILED

CHARLES E. HEARNE, JR., ~~HAMXXXXX~~ ~~XXXXXX~~, and/or JAMES P. BAILEY	:	No. _____ Chancery
	:	In the Circuit Court for
Attorneys and Agents named in Mortgage	:	Somerset County
FROM	:	State of Maryland
JACK A. RIDGWAY and JOYCE M. RIDGWAY	:	
	:	
	:	
	:	

* * * * * *

STATEMENT OF MORTGAGE DEBT

TO FIRST SHORE FEDERAL SAVINGS AND LOAN ASSOCIATION, MORTGAGEE

Principal Balance	$ 4,991.49
Interest from 6/30/77 to 7/22/77, date of sale	42.43
Life Insurance Premium	18.00
Late Charges	16.20
	$ 5,068.12
LESS: Reserve for Taxes & Insurance	117.90
TOTAL DUE as of date of sale	$ 4,950.22

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 20th day of June, A.D., 19 77, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Assistant Loan Officer of

the within Mortgagee_, and made oath in due form of law that the aforegoing Statement of Mortgage Debt is true and correct.

AS WITNESS my hand and Notarial Seal.

RUTH T. DONAWAY NOTARY PUBLIC Wicomico County, Md.

Ruth T. Donaway
Notary Public

CHARLES E. HEARNE, JR., and/or JAMES P. BAILEY, Attorneys and Agents named in Mortgage to First Shore Federal Savings and Loan Association	:	No. 10,149 Chancery
	:	In the Circuit Court for
	:	Somerset County
FROM	:	
JACK A. RIDGWAY and JOYCE M. RIDGWAY, his wife Somerset Avenue Princess Anne, Maryland 21853	:	State of Maryland

* * * * * * *

AMENDED
STATEMENT OF MORTGAGE DEBT

TO FIRST SHORE FEDERAL SAVINGS AND LOAN ASSOCIATION, MORTGAGEE

Principal Balance	$ 4,991.49
Interest from 6/30/77 to July 22, 1977 (the above shown on original Statement)	42.43
Additional Interest from July 22, 1977 to September 19, 1977, date of sale	23.24
Life Insurance Premium	18.00
Late Charges	16.20
	$ 5,091.36
Less: Reserve for Taxes & Insurance	- 117.90
TOTAL DUE as of date of sale	$ 4,973.46

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 15th day of August, A.D., 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared John W. Laws, Loan Officer of the within Mortgagee, and made oath in due form of law that the aforegoing Statement of Mortgage Debt is true and correct.

AS WITNESS my hand and Notarial Seal.

RUTH T. DONAWAY NOTARY PUBLIC Wicomico County, Md.

Ruth T. Donaway
Notary Public

LIBER 46 PAGE 243

AUG 19-77 B 32 020D*****10.00

LIBER 46 PAGE 244

Ex Parte in the Matter of a mortgage foreclosure in No. 10,149 Chancery

Chancery No. 10149
In the Circuit Court for Somerset County, Maryland

Mr. Clerk:

Please enter my appearance for Jack Ridgway in the above entitled matter.

R. Patrick Hayman
Prince William Street
Princess Anne, Md. 21853
Phone: 651-3271

I hereby certify that on this 19th day of August, 1977, I mailed a copy of the above to Charles E. Hearne, Jr., Esq., and James P. Bailey, Esq., at Hearne & Bailey, P.A., Colonial Building, Salisbury, Maryland 21801.

R. Patrick Hayman

Ex Parte in the Matter of a mortgage foreclosure in No. 10,149 Chancery

Chancery No. 10149

In the Circuit Court for Somerset County, Maryland

PETITION FOR INJUNCTION

Petitioner, Jack Ridgway, by his attorney, R. Patrick Hayman, respectfully represents as follows:

1. That there is filed in Chancery No. 10,149 a mortgage foreclosure proceeding wherein a sale of certain real property is scheduled for August 19, 1977.

2. That this sale has been advertised in the Marylander and Herald, published in Princess Anne, Maryland, as shown by the two copies of advertisements attached hereto.

3. That the aforementioned advertisements fail to state the time for the sale, as required by Rule W 74 (2) (b), Maryland Rules of Procedure.

4. That the outstanding indebtedness due pursuant the terms of the mortgage is $4,973.46.

5. That the property has a value in excess of $20,000.00.

6. That the failure of the advertisements to state the time of sale will prevent interested buyers from appearing at the sale and thus lessen competitive bidding with the result that immediate irreparable and substantial harm will result to Petitioner.

7. That no harm will result to Mortgagee, if the sale is delayed until proper advertisement, as required by Rule W 74 (2) (b), is made.

8. That the Petitioner is without funds to post bond.

9. That there exists no adequate remedy at law.

Wherefore, Petitioner prays the Court:

1. for an Ex Parte Injunction enjoining the sale of the aforesaid real property on August 19, 1977.

2. for a final injunction enjoining the sale of the aforesaid real property until such time as the Attorneys and Agents named in the Mortgage shall advertise the sale, as required by Rule W 74 (2) (b).

3. That no bond be required of Petitioner.

4. For such other relief as Petitioner's case may require.

Jack R. Ridgway
Jack Ridgway

R. Patrick Hayman
Attorney for Petitioner
Prince William Street
Princess Anne, Md. 21853
Phone: 651-3271

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 19th day of August, 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Jack Ridgway, and he made oath in due form of law that the matters and facts set forth in the above Petition are true and correct as therein stated, to the best of his knowledge, information and belief.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

I hereby certify that on this 19th day of August, 1977, I mailed a copy of the above Petition For Injunction to Charles E. Hearne, Jr., Esq. and James P. Bailey, Esq., at Hearne & Bailey, P.A., Colonial Building, Salisbury, Maryland 21801.

R. Patrick Hayman
Attorney for Petitioner

Ex Parte in the Matter of a mortgage foreclosure in No. 10,149 Chancery

Chancery No. 10149
In the Circuit Court for Somerset County, Maryland

ORDER

Upon the foregoing Petition, it is hereby ORDERED this 19th day of August, 1977, by the Circuit Court for Somerset County, Maryland, in Chancery, that no bond shall be required of Petitioner.

R. E. Dorsey
Judge

Ex Parte in the Matter of a mortgage foreclosure in No. 10,149 Chancery	Chancery No. In the Circuit Court for Somerset County, Maryland

ORDER OF COURT

Upon reading the complaint of Petitioner in this action, and the affidavit of Petitioner, and from the stated intentions and acts the Attorneys and Agents, it appears to the satisfaction of the Court that there is a proper case for granting an ex parte injunction, and unless the ex parte injunction prayed for be granted, great injury will result to Petitioner,

Now, therefore, it is hereby ORDERED this 19th day of August, 1977, that the sale of certain real property owned by Jack A. Ridgway, subject to a sale and mortgage foreclosure proceeding in Chancery Case No. 10,149, be and the attorneys and agents are enjoined from selling the aforesaid real property on Friday, August 19, 1977. This ex parte injunction shall expire August 28, 1977, and the attorneys and agents shall have leave to move for a hearing on not more than two days notice.

Judge

I hereby certify that on this 19th day of August, 1977, I mailed a copy of the above Order Of Court to Charles E. Hearne, Jr., Esq. and James P. Bailey, Esq., at Hearne & Bailey, P.A., Colonial Building, Salisbury, Maryland 21801.

R. Patrick Hayman
Attorney for Petitioner

Ex Parte in the Matter of a mortgage foreclosure in No. 10,149 Chancery

Chancery No.

In the Circuit Court for Somerset County, Maryland

ORDER TO SHOW CAUSE

Upon reading the complaint and affidavit of Petitioner, and from the stated intentions and acts of the Attorneys and Agents, it appears to the satisfaction of the Court that there is a proper case for granting a final injunction, and unless the final injunction prayed for be granted, great injury will result to Petitioner,

Now, therefore, it is hereby ORDERED that the Attorneys and Agents be and appear before this Court at the hour of 10:00 o'clock A M., on the 1ST day of SEPTEMBER, 1977, then and there to show cause, if any they have, why they should not be permanently enjoined and restrained from selling the premises owned by Petitioner, Jack A. Ridgway, until such time as Mortgagee's Attorneys and Agents shall comply with the requirements of Rule W 74, Maryland Rules of Procedure, provided that a copy of this Petition and Order be served upon Mortgagee's Agents and Attorneys, Charles E. Hearne, Jr., Esq., and James P. Bailey, Esq., on or before the 25th day of August, 1977.

R. Al. Dorsey
Judge

FILED
AUG 18 3 05 PM '77
LIBER 46 FOLIO 249

Register of Wills
3tc—8/11, 8/18 & 8/25

HEARNE & BAILEY, P.A.
Colonial Building
Salisbury, Maryland

8-18-77

ATTORNEY'S SALE

OF

Valuable Real Estate

Under and by virtue of the power of sale contained in a certain mortgage from Jack A. Ridgway and Joyce M. Ridgway, his wife, dated March 29, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 225, Folio 176, default having occurred in the convenants thereof, the undersigned, attorneys named in said mortgage, 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, August 19, 1977

ALL that lot of land situate in West Princess Anne Election District, of Somerset County and State of Maryland, on the Westerly side of and binding upon Somerset Avenue, and being the same land that was conveyed unto Jack A. Ridgway and Joyce M. Ridgway, his wife, by Lillie R. Wink, Widow, by deed dated March 30, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 226, Folio 320.

The above described property is improved by a two-and one-half story dwelling with aluminum siding, containing eleven rooms, two and one-half baths, hot air heat and attached garage.

TERMS OF SALE: Ten percent (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 annum, and to be payable upon ratification of the sale, or all cash at the option of the purchaser, with title papers, revenue stamps and transfer tax at the expense of the purchaser and taxes adjusted as of the date of sale.

CHARLES E. HEARNE, JR.,
JAMES P. BAILEY,
Attorneys and Agents
Colonial Building
Salisbury, Maryland 21801
Phone 301-749-5144

3tc—7/28, 8/4 & 8/11

HEARNE & BAILEY, P.A.
Colonial Building
Salisbury, Maryland

8-11-77

ATTORNEY'S SALE

OF

Valuable Real Estate

Under and by virtue of the power of sale contained in a certain mortgage from Jack A. Ridgway and Joyce M. Ridgway, his wife, dated March 29, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 225, Folio 176, default having occurred in the convenants thereof, the undersigned, attorneys named in said mortgage, 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, August 19, 1977

ALL that lot of land situate in West Princess Anne Election District, of Somerset County and State of Maryland, on the Westerly side of and binding upon Somerset Avenue, and being the same land that was conveyed unto Jack A. Ridgway and Joyce M. Ridgway, his wife, by Lillie R. Wink, Widow, by deed dated March 30, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 226, Folio 320.

The above described property is improved by a two-and one-half story dwelling with aluminum siding, containing eleven rooms, two and one-half baths, hot air heat and attached garage.

TERMS OF SALE: Ten percent (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 annum, and to be payable upon ratification of the sale, or all cash at the option of the purchaser, with title papers, revenue stamps and transfer tax at the expense of the purchaser and taxes adjusted as of the date of sale.

CHARLES E. HEARNE, JR.,
JAMES P. BAILEY,
Attorneys and Agents
Colonial Building
Salisbury, Maryland 21801
Phone 301-749-5144

HEARNE & BAILEY, P.A.
Colonial Building
Salisbury, Maryland

8-4-77

ATTORNEY'S SALE

OF

Valuable Real Estate

Under and by virtue of the power of sale contained in a certain mortgage from Jack A. Ridgway and Joyce M. Ridgway, his wife, dated March 29, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 225, Folio 176, default having occurred in the convenants thereof, the undersigned, attorneys named in said mortgage, 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, August 19, 1977

ALL that lot of land situate in West Princess Anne Election District, of Somerset County and State of Maryland, on the Westerly side of and binding upon Somerset Avenue, and being the same land that was conveyed unto Jack A. Ridgway and Joyce M. Ridgway, his wife, by Lillie R. Wink, Widow, by deed dated March 30, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 226, Folio 320.

The above described property is improved by a two-and one-half story dwelling with aluminum siding, containing eleven rooms, two and one-half baths, hot air heat and attached garage.

TERMS OF SALE: Ten percent (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 annum, and to be payable upon ratification of the sale, or all cash at the option of the purchaser, with title papers, revenue stamps and transfer tax at the expense of the purchaser and taxes adjusted as of the date of sale.

CHARLES E. HEARNE, JR.,
JAMES P. BAILEY,
Attorneys and Agents
Colonial Building
Salisbury, Maryland 21801
Phone 301-749-5144

4tc—7/28, 8/4, 8/11 & 8/18

No. 10,149 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,

Somerset County, to wit:

TO James P. Bailey, Esq.
Hearne & Bailey; P.A.
Colonial Building
Salisbury, Maryland 21801

GREETING:

We command and enjoin you that you do within the time limited by law, ~~beginning on the first Monday after the expiration of thirty days hereafter~~ AS PER COPY OF SHOW CAUSE ORDER ATTACHED HERETO cause your answer or other defense to be filed to the complaint of Jack A. Ridgway

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 Daniel T. Prettyman Chief Judge of the First Judicial Circuit of Maryland.

Issued the 19th day of August, 19 77

~~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 is not necessary, but unless you answer or make other defense within the time aforesaid the complainant may obtain a decree pro confesso against you which upon proper proof may be converted into a final decree for the relief demanded.~~

Solicitor for Complainant(s)

R. Patrick Hayman
Name Prince William Street
Princess Anne, Maryland 21853
Address

Clerk

Summoned James P. Bailey, Esquire and copy of Writ of Subpoena and Show Cause Order left with him this 22nd day of August, 1977.

William E. Shockley
Sheriff of Wicomico County

Sheriff's Cost $5.00

LIBER 46 PAGE 251

No. 10,149 Chancery Case

WRIT OF SUBPOENA: LIBER 46 FOLIO 252

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Charles E. Hearne, Jr., Esq.
Hearne & Bailey, P.A.
Colonial Building
Salisbury, Maryland 21801

GREETING:

We command and enjoin you that you do within the time limited by law, AS PER COPY OF SHOW CAUSE ORDER ATTACHED HERETO cause your answer or other defense to be filed to the complaint of Jack A. Ridgway

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 Daniel T. Prettyman Chief Judge of the First Judicial Circuit of Maryland.

Issued the....19th day of.....August....., 19..77....

Solicitor for Complainant(s)

R. Patrick Hayman
Name Prince William Street
Princess Anne, Maryland 21853
Address

Clerk

Summoned Charles E. Hearne, Jr., Esq. and copy of Writ of Subpoena and Show Cause Order left with him this 22nd day of August, 1977.

William E. Shockley
Sheriff of Wicomico County

Sheriff's Cost $5.00

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

No. 10149 Chancery

KNOW ALL MEN BY THESE PRESENTS:

That we, Charles E. Hearne, Jr. and James P. Bailey

as Principal,

and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of FIVE THOUSAND DOLLARS ($5,000.00) - - -

LIBER 46 PAGE 254

HEARNE, ~~XXX~~ & BAILEY

ATTORNEYS AT LAW

CHARLES E. HEARNE, JR., and/or JAMES P. BAILEY, Attorneys and Agents named in Mortgage to First Shore Federal Savings and Loan Association	:	No. 10149 Chancery
	:	In the Circuit Court for
	:	Somerset County
	:	State of Maryland
FROM	:	
JACK A. RIDGWAY and JOYCE M. RIDGWAY, his wife Somerset Avenue Princess Anne, Maryland 21853	:	

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 7th day of October, A.D., 19 77, 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., and James P. Bailey

be ratified and confirmed, unless cause to the contrary be shown on or before the 8th day of November, A.D., 1977, 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 31st day of October, A.D., 19 77.

The report states the amount of sale to be NINETEEN THOUSAND ONE HUNDRED --- ---------- DOLLARS ($19,100.00).

Thodore Phelps
CLERK

CHARLES E. HEARNE, JR. and JAMES P. BAILEY, Attorneys and Agents named in Mortgage to First Shore Federal Savings and Loan Association	:	No. 10149 Chancery
	:	In the Circuit Court for
	:	Somerset County
FROM	:	State of Maryland
JACK A. RIDGWAY and JOYCE M. RIDGWAY, his wife Somerset Avenue Princess Anne, Maryland 21853	:	

* * * * * * * * * * *

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 6th day of October, A.D., 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Charles E. Hearne, Jr., one of the Attorneys and Agents named in said mortgage, and made oath in due form of law that in compliance with the Maryland Rules of Procedure notice was given to the within Mortgagors at their last known address, namely Old Route 13, Somerset Avenue, Princess Anne, Maryland 21853, and Cape Windsor Trailer Park, Selbyville, Delaware, 19975, of the sale of said property by Certified Mail, which said certified mail was refused or unclaimed by said addressees, copy of respective letters being attached hereto as evidence thereof.

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray
Notary Public

SHIRLEY C. GRAY
NOTARY PUBLIC
WICOMICO COUNTY, MD.

LIBER 46 PAGE 256

LAW OFFICES
HEARNE & BAILEY, P. A.
COLONIAL BUILDING
P. O. BOX 138
SALISBURY, MD. 21801

CERTIFIED
No. 168702
MAIL

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RETURNED TO SENDER

UNCLAIMED

SALISBURY MD. SEP-7'77 U.S. POSTAGE .98

9-8-77
9-14-77
9-23-77

Mr. and Mrs. Jack A. Ridgway
~~Old Route 33, Somerset Avenue~~
~~Princess Anne, Maryland 21853~~

Selbyville Del 199

Addressee only

NAME
1st Notice 10-4
2nd Notice 10-10
Return

NAME
1st Notice 9/16
2nd Notice 9/22
Return 10/1

LAW OFFICES
HEARNE & BAILEY, P. A.
COLONIAL BUILDING
P. O. BOX 138
SALISBURY, MD. 21801

CERTIFIED
No. 168703
MAIL

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RETURNED TO SENDER

UNCLAIMED

SALISBURY MD. SEP-7'77 U.S. POSTAGE .98

Mr. and Mrs. Jack A. Ridgway
Cape Windsor Trailer Park
Selbyville, Delaware 19975

NAME
1st Notice 9/8
2nd Notice 9/14
Return 9/23

NAME
1st Notice 9/24
2nd Notice 9/30
Return

CHARLES E. HEARNE, JR., and/or JAMES P. BAILEY, Attorneys and Agents named in Mortgage to First Shore Federal Savings and Loan Association	:	NO. 10149 Chancery
	:	In the Circuit Court for
	:	Somerset County
	:	State of Maryland
FROM	:	
JACK A. RIDGWAY and JOYCE M. RIDGWAY, his wife Somerset Avenue Princess Anne, Maryland 21853	:	

* * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF Sale of Charles E. Hearne, Jr. and James P. Bailey, Attorneys and Agents named in Mortgage under and by virtue of the power of sale contained in a certain mortgage made and executed by Jack A. Ridgway and Joyce M. Ridgway, his wife, to The First Shore Federal Savings and Loan Association dated March 29, 1965 and recorded among the Land Records of Somerset County, in Liber I.T.P. No. 225, Folio 176-179, default having been made in the payment of the interest thereon, and in other covenants and conditions of said mortgage, whereby the entire debt has become due and demandable, respectfully shows:

That after having given bond with security for the faithful performance of their trust, and after having 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 Marylander & Herald, a weekly newspaper published in said

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144
PROFESSIONAL ASSOCIATION

LIBER 46 PAGE 257

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 Friday September 16, 1977, at 11:00 o'clock A.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 attorneys and agents offered at public auction to the highest bidder the real estate mentioned in said mortgage, same being described as follows:

ALL that lot of land situate in West Princess Anne Election District, of Somerset County and State of Maryland, on the Westerly side of and binding upon Somerset Avenue, and being the same land that was conveyed unto Jack A. Ridgway and Joyce M. Ridgway, his wife, by Lillie R. Wink, Widow, by deed dated March 30, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 226, Folio 320.

AND said Attorneys and Agents as aforesaid, under and by virtue of said power, sold the above described property unto Peninsula Bank, at and for the sum of NINETEEN THOUSAND ONE HUNDRED DOLLARS ($19,100.00), it being at that sum the highest bidder therefor, and the said purchase was complied with said terms of sale.

AND, the said Attorneys and Agents as aforesaid report and pray ratification of said sale as above reported.

Respectfully submitted,

Charles E. Hearne, Jr.

James P. Bailey

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 6th day of October, A.D., 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Charles E. Hearne, Jr. and James P. Bailey, Attorneys and Agents as aforesaid, and made oath in due form of law that the matters and facts 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.

Notary Public

SHIRLEY C. GRAY
NOTARY PUBLIC
WICOMICO COUNTY, MD.

LIBER 46 PAGE 260

PRINCESS ANNE, MD., Sept 27 1977

This is to certify that the annexed Attorney 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 Attorney Sale

Dates Inserted: Sept 8, 15, 22 & 29 1977

J. Bryan Lloyd

Business Manager MARYLANDER and HERALD

HEARNE & BAILEY, P.A.
Colonial Building
Salisbury, Maryland

ATTORNEY'S SALE

OF

Valuable Real Estate

Under and by virtue of the power of sale contained in a certain mortgage from Jack A. Ridgway and Joyce M. Ridgway, his wife, dated March 29, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 225, Folio 176, default having occurred in the convenants thereof, the undersigned, attorneys named in said mortgage, 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, Sept. 30, 1977

at 11:00 o'clock a.m.

ALL that lot of land situate in West Princess Anne Election District, of Somerset County and State of Maryland, on the Westerly side of and binding upon Somerset Avenue, and being the same land that was conveyed unto Jack A. Ridgway and Joyce M. Ridgway, his wife, by Lillie R. Wink, Widow, by deed dated March 30, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 223, Folio 220.

The above described property is improved by a two-and one-half story dwelling with aluminum siding, containing eleven rooms, two and one-half baths, hot air heat and attached garage.

TERMS OF SALE: Ten percent (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 annum, and to be payable upon ratification of the sale, or all cash at the option of the purchaser, with title papers, revenue stamps and transfer tax at the expense of the purchaser and taxes adjusted as of the date of sale.

CHARLES E. HEARNE, JR.,
JAMES P. BAILEY,
Attorneys and Agents
Colonial Building
Salisbury, Maryland 21801
Phone 301-749-5144

4tc—8/25, 9/1, 9/8 & 9/15

Charles E. Hearne, Jr. and/or James P. Bailey, Attorneys and Agents named in mortgage from Jack A. Ridgway and Joyce M. Ridgway	:	No. 10,149 Chancery
	:	In the Circuit Court for
	:	Somerset County, Maryland

APPLICATION FOR SURPLUS OF PROCEEDS OF SALE

To the Honorable, the Judge of said Court:

Peninsula Bank (formerly Bank of Somerset) by Jones & Jones, its attorneys, pursuant to Rule W75(a) of the Maryland Rules of Procedure, hereby makes applicatinn to have the surplus of the proceeds of the sale reported in this proceeding paid over to the said Peninsula Bank, and in support of said application submits the following:

1. That the property subject of this foreclosure proceeding was subject to two judgments in favor of the Bank of Somerset vs. Jack A. Ridgway, Joyce Ridway and others as follows:

(a) Judgment in No. 3407 Civil Docket in the Circuit Court for Somerset County, Maryland, dated October 13, 1966 in the amount of $3212.11 plus interest, collection fee of $321.22 and costs. The balance due and outstanding on this judgment as of September 15, 1977 was $2257.73 plus collection fee of $321.22 and costs.

(b) Judgment in No. 3408 Civil Docket in the Circuit Court for Somerset County, Maryland, dated October 13, 1966 in the amount of $10,573.13 plus interest, collection fee of $1057.32 and costs. The balance now due and outstanding on this judgment as of September 15, 1977 was $9940.78 plus collection fee of $1057.32 and costs.

2. Said judgments are liens against the real estate subject of this proceeding.

3. That according to information provided to the applicant by the attorney for the mortgagee said property was sold at public auction on September 16, 1977 for a total amount of $19,100.00, that the amount necessary to satisfy said mortgage principal, interest, taxes, fees, commission and costs amount to$7979.50 subject to some small adjustment for interest, leaving a surplus of $11,120.50 subject to said adjustments.

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

Said surplus funds amount to less than the indebtedness owed by the mortgagors to the applicant herein.

WHEREFORE, the applicant applies for an order of this Court directing that the surplus of the proceeds of sale after payment of the principal and interest of said mortgage and all taxes, fees, commission and costs be paid over to the applicant.

JONES & JONES

By _____
Attorneys for Applicant

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 2nd day of November, 1977, before me, the subscriber, a Notary Public of the State andCounty aforesaid, personally appeared Alexander G. Jones, one of the attorneys for the applicant named in the foregoing Application for Surplus of Proceeds 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.

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

Patsy E. Oke
Notary Public

I hereby certify, that on this 2nd day of November, 1977, I mailed a copy of the foregoing Application for Surplus of Proceeds of Sale to Logan C. Widdowson, Esq., Auditor for the Circuit Court for Somerset County, N. Somerset Avenue, Princess Anne, Maryland 21853 and to James P. Bailey, Esq. Attorney for Mortgagee, Colonial Building, Salisbury, Maryland 21801 by first class U.S. Mail, postage prepaid.

Alexander G. Jones
Princess Anne, Maryland
Telephone : 651-2747

HEARNE & BAILEY
Attorneys At Law

CHARLES E. HEARNE, Jr., and/or JAMES P. BAILEY, Attorneys and Agents named in Mortgage to First Shore Federal Savings and Loan Association

FROM

JACK A. RIDGWAY and JOYCE M. RIDGWAY, his wife Somerset Avenue, Princess Anne, Maryland 21853

No. 10149 Chancery
In the Circuit Court
for Somerset County
State of Maryland

ORDER NISI

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 7th day of October, A.D., 1977, 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., and James P. Bailey, be ratified and confirmed, unless cause to the contrary be shown on or before the 8th day of November, A.D., 1977, 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 31st day of October, A.D., 1977.

The report states the amount of sale to be NINETEEN THOUSAND ONE HUNDRED DOLLARS ($19,100.00).

I. Theodore Phoebus
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus
Clerk

3tc—10/13, 20, & 27

PRINCESS ANNE, MD., Nov 1 1977

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 Nisi

Dates Inserted: Oct 13, 20, 27 1977

J. Bryan Bond
Business Manager MARYLANDER and HERALD

LIBER 46 PAGE 263

LIBER 46 PAGE 264

AFFIDAVIT

STATE OF MARYLAND, SOMERSET COUNTY, to-wit:

I HEREBY CERTIFY, That on this 16th day of September, A.D., 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Victor H. Dryden, Vice President of Peninsula Bank,

the purchaser named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, Victor H. Dryden, attended the sale the property described in the mortgage filed in these proceedings held in Princess Anne, Maryland, on September 16, 1977, and purchased the same for $19,100.00

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That neither he nor Peninsula Bank directly or indirectly discouraged anyone from bidding on said property.

Victor H. Dryden
Affiant

SUBSCRIBED AND SWORN TO, before me, this 16th day of September, A.D., 1977.

Notary Public

FINAL ORDER OF RATIFICATION

ORDERED, this 15th day of Nov., A.D., 1977, 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. and James P. Bailey, Attorneys and Agents under power contained in the aforesaid mortgage, 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, and said Attorneys and Agents are allowed their usual commissions and such proper expenses as they shall produce vouchers for to the auditor.

Lloyd L. Simpkins
JUDGE

FILED
NOV 15 4 00 PM '77
LIBER 46 PAGE 265

CHARLES E. HEARNE, JR. and/or
JAMES P. BAILEY, Attorneys and
Agents named in Mortgage to
First Shore Federal Savings
and Loan Association

FROM

JACK A. RIDGWAY and
JOYCE M. RIDGWAY, his wife
Somerset Avenue
Princess Anne, Maryland 21853

* No. 10,149 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 therein, states the following

Account:

Amount of Sale			$19,100.00
Costs, Expenses, and Fees:			
I. T. Phoebus Court Costs		$154.00	
Marylander & Herald		225.00	
Advertising	$200.00		
Order Nisi	25.00		
Bond Premium - Fidelty & Deposit		20.00	
Carroll Long, Auctioneer		50.00	
Commission per Rules		1,105.00	
Attorney's fee per Mortgage		50.00	
State and County Taxes		1,271.20	
Front Foot Assessment		180.40	
Postage		1.20	
Auditor's fee		45.00	
Total Costs, Expenses and fees			$3,101.80
Funds for Distribution			$15,998.20
Statement of Debt			$5,023.26
Debt as of date of Sale	$4,973.46		
plus interest 60 days at .83/day	$49.80		
Excess funds			$10,974.94

The Auditor feels the excess funds should be paid to Alexander G. Jones, Esquire, of Jones & Jones, Attorney for Peninsula Bank in accordance with the Application for Surplus of Proceeds of Sale.

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.

YOUR AUDITOR hereby certifies that the Maryland rules of Procedure have been complied with by mailing on the date of the filing of the Audit, notice

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

of this report to the following parties by regular U.S. Mail, postage prepaid:

Charles E. Hearne, Jr., Esquire
Hearn & Bailey, PA
P.O. Box 138
Salisbury, Maryland 21801

Jack A. Ridgway
N. Somerset Avenue
Princess Anne, Maryland 21853

R. Patrick Hayman, Esquire
Attorney for Jack Ridgway
Prince William Street
Princess Anne, Maryland 21853

Alexander G. Jones, Esquire
Attorney for Peninsula Bank
S. Somerset Avenue
Princess Anne, Maryland 21853

Date of Filing: December 21, 1977

Logan C. Widdowson
Auditor

LCW/jd
12-21-77
#60

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2600

No. 10149 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 21st day of December, 19 77 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 January, 19 78.

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 6th day of January, 19 78 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

Exd
MAR. 7 1978

SEP -6-77 B 32 456D*****10.00
SEP -6-77 B 32 455D*****40.00

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	No. 10195 Chancery
	*	In the Circuit Court
-vs-	*	For Somerset County,
ELMER E. POLK, JR. NORMA L. POLK Route 1, Box 162 Princess Anne, Maryland 21853	*	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 July 3, 1971, from Elmer E. Polk, Jr. and Norma L. Polk, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber TTP No. 261, Folio 635; 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 SUBSTITUTION OF TRUSTEES SEE LIBER NO. 302 FOLIO 532.

FOR ORIGINAL DEED OF TRUST SEE LIBER NO. 261, FOLIO 635.

LAW OFFICES, PENDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
SEP 6 10 39 AM '77
46 PAGE 269

LIBER 46 PAGE 270

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	No. 10,1955 Chancery
	*	In the Circuit Court
-vs-	*	For Somerset County,
	*	State of Maryland
ELMER E. POLK, JR. NORMA L. POLK		

****

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, Elmer E. Polk, Jr. and/or Norma L. Polk _____ at the Mortgagors last known address at Route 1, Box 162, Princess Anne, Maryland 21853, by Registered Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on September 19, 1977. 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 22nd day of September, 1977 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
Beverly A. Tilghman
My Commission Expires: July 1, 1978

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
~~John C. Mason~~
Walter P. Drake

212 EAST MAIN STREET
SALISBURY, MARYLAND 21801
749-2211

OCEAN CITY OFFICE
PHILADELPHIA AVE. AT 40TH ST.
OCEAN CITY, MD. 21842
(301) 289-8408

September 19, 1977

Mr. Elmer E. Polk, Jr. and/or
Mrs. Norma L. Polk
Route 1, Box 162
Princess Anne, Maryland 21853

Dear Mr. and/or Mrs. Polk:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Homes, Inc. of July 3, 1971, and recorded among the Land Records of Somerset County, Maryland in Liber ITP No. 261, folio 635, 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 September 8, 1977. Your property will be sold at the Front Door of the Court House at Princess Anne, Maryland on Friday, September 30, 1977, 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 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

FILED
SEP 20 9 50 AM '77

LOW:vmh
File No.: 23261
Certified Mail, Return Receipt Requested
Restricted to Addressee Only.

PS Form 3811, Dec. 1970

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered ..... 25¢
- ☐ Show to whom, date, and address of delivery ..... 45¢
- ☐ RESTRICTED DELIVERY.
  Show to whom and date delivered ..... 85¢
- ☒ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery .. $1.05

(Fees shown are in addition to postage charges and other fees).

2. ARTICLE ADDRESSED TO:
Mr. Elmer E. Polk, Jr. and/or
Mrs. Norma L. Polk
Route 1, Box 162
Princess Anne, Md. 21853

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	165013	

(CLERK'S INITIALS)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

Elmer E. Polk

4. DATE OF DELIVERY
9-21-77

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO: 1971—O-419-430

FILED
Sep 26 9 57 AM '77

LLOYD O. WHITEHEAD and
DONALD C. DAVIS
Substitute Trustees,

Vs.

ELMER E. POLK, JR.
NORMA L. POLK

NO. 10,195 CHANCERY
IN THE CIRCUIT COURT
FOR SOMERSET COUNTY,
STATE OF MARYLAND.

* * * * * * * * * *

AMENDED
AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 22nd day of September, 1977, before me, the subscriber, a Notary Public in and for the State of Maryland 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 ELMER E. POLK, JR. and NORMA L. POLK, his wife dated July 3, 1971, and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP No. 261, folio 635; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $9,744.73 is now due and owing, with interest at the rate of $2.52 per day from the date of September 1, 1977.

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 162, Princess Anne, Maryland 21853.

LLOYD O. WHITEHEAD, Substitute Trustee

DONALD C. DAVIS, Substitute Trustee
AFFIANTS

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC
My Commission expires: July 1, 1978.

LIBER 46 FOLIO 273

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

10195

LIBER 46 PAGE 274

MORTGAGEE OR ATTORNEYS' BOND

No. 10195 Chancery Case

Know all Men by these Presents:

THAT WE Lloyd O. Whitehead and Donald C. Davis, Substitute Trustees for Jim Walter Homes, Inc.

of 212 E. Main Street, Salisbury, Maryland 21801

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* Eleven Thousand and NO/100 ($11,000.) *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* 27th *day of* September *in the year of our Lord nineteen hundred and* Seventy-seven

WHEREAS, the above bounden Lloyd O. Whitehead and Donald C. Davis *by virtue of a power contained in* ~~mortgage~~ DEED OF TRUST *from* Elmer E. Polk, Jr. and Norma L. Polk, H/W

to Jim Walter Homes, Inc.

dated July 3, 1971 *and recorded in Liber* I.T.T. 261 *No.* *folio* 635 *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 *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

Beverly A. Telghman

Lloyd O. Whitehead [SEAL]

Donald C. Davis [SEAL]

AETNA INSURANCE COMPANY

By ROBBIN W. GRAY *Attorney-in-Fact*

ATTEST: Angela D. Gray

Form 1-630-1593

THE WITHIN BOND APPROVED.

PER: L. Thurlow Phoebus, CLERK.

LIBER 010 PAGE 379

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

Robbin W. Gray of Salisbury, 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 22nd day of August, 1975.

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 22nd day of August, 1975, 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, 1977

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 Seated at Hartford, Connecticut, this ..... day of .....

FILED
SEP 30 9 49 AM '77
RECORDED IN
LIBER NO. ____ FOLIO
I, THEODORE PHOEBUS, CLERK
BY ..... DEPUTY

J. J. Murphy, Secretary

HARTFORD ÆTNA INSURANCE CO. CONNECTICUT

03733

Form 630-07 Ed. Feb. '73 PRINTED IN U.S.A.

LIBER 010 PAGE 380

LIBER 46 PAGE 275

LIBER 46 PAGE 276

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	No. 10,195 Chancery
	*	In the Circuit Court
-vs-	*	For Somerset County,
ELMER E. POLK, JR. NORMA L. POLK	*	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 July 3, 1971, from Elmer E. Polk, Jr. and Norma L. Polk, his wife, and recorded among the Land Records of Somerset County, State of Maryland, in Liber ITP 261 Folio 635 : 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, Somerset Co., Maryland, prior to Friday, September 30, 1977, and after giving bond with the securities approved by the Clerk of this Court, said Trustees did, on Friday, September 30, 1977, at 10:00 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 Elmer E. Polk, Jr. and Norma L. Polk, his wife, said property being more particularly described as follows:

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

The following described land and premises , situate in the County of Somerset, State of Maryland, more particularly described as follows: ALL that lot or parcel of land situate in Mt. Vernon Election District, Somerset County, Maryland, binding on the east side of the county road from Dr. Barnes' Corner to White Haven, bounded on the north by the land of George Bailey, on the east by the land of Briscoe Pinkett, and on the south by the land of George Game, containing one acre, more or less, and being the same in all the land which was conveyed to John Mills (erronously referred to as James Mills) and Essie Mills from L. Creston Beauchamp, Trustee, et al, by deed dated June 27, 1956, and recorded among the Land Records of Somerset County in Liber B.L.B. No. 178, folio 184.

For source of title see deed book 228 page 618.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

FILED
SEP 30 10 25 AM '77

AND your Trustees sold the aforedescribed property to MID-STATE HOMES, INC., a body corporate of Florida

at and for the sum of $ 8000.00 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 30th day of September, 1977, 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.

Beverly A. Silghman
NOTARY PUBLIC

My Commission Expires: July 1, 1978.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

ORDER NISI

ORDERED by the Circuit Court of Wicomico County, Maryland, in Equity on this 30th day of September, 1977, 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 Elmer E. Polk, Jr. and Norma L. Polk, 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 31st day of October, 1977; 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 25th day of October, 1977.

The report states the amount of the sale to be $ 8000.00.

I. Theodore Phelps
Clerk

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, this 5th day of Dec., 1977, 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 $250.00 in lieu of commission.

Lloyd L. Simpkins
JUDGE

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 46 PAGE 280

PRINCESS ANNE, MD. Sept 29 1977

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 Trustee Sale

Dates Inserted: Sept 8, 15, 22, 29

Business Manager MARYLANDER and HERALD

PERDUE, OWSLTSKY & WHITEHEAD
PROFESSIONAL ASSOCIATION
212 [illegible] Street
Salisbury, Maryland 21801

TRUSTEE'S SALE

OF

Valuable Home and Lot

IN MT. VERNON ELECTION DISTRICT,
SOMERSET COUNTY, MARYLAND, ON
EAST SIDE OF COUNTY ROAD FROM
DR. BARNES' CORNER TO WHITE HAVEN

By virtue of the power of sale and authority contained in a Deed of Trust executed by Milner E. Polk, Jr. and Norma L. Polk, his wife, to Jim Walter Homes, Inc., dated July 3, 1971, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 261, folio 635, the undersigned will sell

AT PUBLIC AUCTION

at the front door of the Courthouse at Princess Anne, Somerset County, Maryland, on

Friday, September 30, 1977

at or about the hour of 10:00 o'clock a.m.

all the following described real estate, known as land and premises situate in the County of Somerset, State of Maryland, more particularly described as follows:

ALL that lot or parcel of and situate in Mt. Vernon Election District, Somerset County, Maryland, binding on the east side of the county road from Dr. Barnes' Corner to White Haven, bounded on the north by the land of George [illegible], and on the south by the land of George Game, containing one acre (erroneously conveyed to as James Mills) and Doris Mills from L. Creston Beauchamp, Trustee, et al, by deed dated June 27, 1956, and recorded among the Land Records of Somerset County in Liber B.L.B. No. 178, folio 1[illegible].

For source of title see deed book 228 page 618.

Possession of said property will be given upon ratification of sale.

TERMS OF SALE: $[illegible] 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 balance to bear interest at the rate of [illegible]% 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
[illegible] Street
Salisbury, Maryland 21801
Telephone: 742-2211

4tc—9/8, 9/15, 9/22 & 9/29

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees, Vs. ELMER E. POLK, JR. NORMA L. POLK	* * * * * * *	NO. 10,195 CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND

* * * * * * * * * *

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 30th day of September, 1977, 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 as follows:

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.

NOTARY PUBLIC

My Commission expires: July 1, 1978

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

LIBER 46 PAGE 282

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—

ELMER E. POLK, JR.
NORMA L. POLK

NO. 10,195
CHANCERY

In the Circuit Court
For Somerset County
State of Maryland

Order NISI

ORDERED by the Circuit Court for Wicomico County, Maryland, in Equity, on this 30th day of September, 1977, 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 Elmer E. Polk, Jr. and Norma L. Polk, 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 31st day of October, 1977; 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 25th day of October, 1977.

The Report states the amount of the sale to be $8,000.00.

I. Theodore Phoebus
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus,
Clerk.
3tc—10/6, 10/13 & 10/23

PRINCESS ANNE, MD., Nov 29 1977

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 Nisi

Dates Inserted: Oct 6, 13, 20 1977

Business Manager MARYLANDER and HERALD

LLOYD O. WHITEHEAD and DONALD C. DAVIS, Substitute Trustees	*	No. 10, 195 Chancery
	*	In the Circuit Court
-vs-	*	For Somerset County,
ELMER E. POLK, JR. NORMA L. POLK	*	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 therein, states the following Account:

Amount of Sale			$ 8,000.00
Costs, Expenses and Fees			
I. Theodore Phoebus, Clerk of Court		$116.00	
Marylander and Herald		137.50	
Advertising	$112.50		
Order Nisi	25.00		
Orren J. Brittingham, Auctioneer		50.00	
State & County Taxes		39.56	
Bond Premium, Gray Agency		44.00	
Notary fees - Beverly Tilghman		5.00	
Lloyd O. Whitehead and Donald C. Davis Fee in lieu of Commission		250.00	
Postage		5.00	
Auditor's fee		45.00	
Total Costs, Expenses & Fees			$692.06
Funds for Distribution			$7,307.94
Statement of debt as of September 1, 1977 $9,744.73 plus 89 days interest at $2.52/day = $224.28			$9,969.01
Deficiency			$2,661.07

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

Lloyd O. Whitehead, Esquire
Perdue, Owrutsky & Whitehead
212 E. Main Street
Salisbury, Maryland 21801

Elmer E. Polk, Jr.
Rt. 1, Box 162
Princess Anne, Maryland 21853

Norma L. Polk
Rt. 1, Box 162
Princess Anne, Maryland 21853

Date of Filing: December 22, 1977

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LIBER 46 PAGE 284

No. 10195 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 22nd day of December, 19 77, 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 January, 19 78.

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 20th day of January, 19 78, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Phoebus
CLERK

Ed

MAR. 7 1978

OCT 14-76 B 322905D*****40.00

Logan C. Widdowson, Assignee, * No. 9996 Chancery

Ex Parte, Under Power Contained

In Mortgage From Bay Enterprises, * In the Circuit Court For

Inc. to William G. Wunderlich, Jr.

And Lois E. Wunderlich, His Wife. * Somerset County, Maryland

* * *

Mr. Clerk:

Please record the assignment of the above-entitled mortgage, docket the above-entitled suit and file the original mortgage among the papers therein.

Logan C. Widdowson
11 N. Somerset Avenue
Princess Anne, Maryland 21853
Telephone: 651-3800

Mortgage Filed in Liber I.T.P. 295 Folio 301

Assignment Filed in Liber I.T.P. 296 Folio 520

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

49 285

Logan C. Widdowson, Assignee, * No. 9996 Chancery

Ex Parte, Under Power Contained

In Mortgage From Bay Enterprises, * In The Circuit Court For

Inc. To William G. Wunderlich, Jr.

And Lois E. Wunderlich, His Wife. * Somerset County, Maryland

* * *

State of Maryland, Somerset County, To Wit:

I hereby certify, that on this 14thday of October, 1976, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared William G. Wunderlich, Jr., and made oath in due form of law as follows: The principal amount owing on the above mortgage is six thousand one hundred dollars ($6,100.00) with interest from July 29, 1976.

As witness my hand and Notarial Seal.

JAYNE L. FIELDS NOTARY PUBLIC SOMERSET CO., MD.

Jayne L. Fields
Notary Public

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

Chancery 9996

Maryland

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2609

That we, Logan C. Widdowson, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Seven thousand and 00/100 ---------- ($ 7,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 2nd day of November, 19 76.

WHEREAS, the above bounden Logan C. Widdowson

by virtue of the power contained in a mortgage from Bay Interprises, Inc.

to William Wunderlich

bearing date the 29th day of July 76 and recorded among

the mortgage records of Somerset County, Maryland

in Liber _____ No. 295 Folio 301

and Logan C. Widdowson

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden Logan C. Widdowson

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Philip C. Widdowson — Logan C. Widdowson, Principal

_____ — _____, Principal

As to Surety

A Deywall

C Larson

WESTERN SURETY COMPANY

By W. Berentschot
W. Berentschot, Asst. Secy.

Countersigned by Donald R. Mendelson Maryland Resident Agent

FILED

Bond approved this 3rd day of November, 1976.

NOV 3 - 9 44 AM '76

RECORDED IN _____
LIBER NO. ____ FOLIO ____
J. THEODORE PHOEBUS, CLK. CT. CT.
BY _____ DEPUTY

J. Theodore Phoebus
Clerk

1266

16 287

LIBER 46 PAGE 298

Logan C. Widdowson, Assignee, Ex Parte	*	No. 9996 Chancery
under power contained in Mortgage from	*	In the Circuit Court
Bay Enterprises, Inc. to William G.	*	For Somerset County
Wunderlich, Jr. and Lois E. Wunderlich,	*	State of Maryland
his wife	*	

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Logan C. Widdowson, Assignee of a mortgage made and executed by Frank Stone, President of Bay Enterprises, Inc., and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 295, page 301, 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 Maryland & 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 Fiday, November 5, 1976, at 1:00 p.m., then and there proceed to sell the property described in said mortgage, to wit: All that lot or parcel of land situate in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, described in said mortgage as beginning at an iron bounder on the west side of the pavement on the west side of Beechwood Street at the intersection of the brick and

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

cement pavements and at the corner of the land formerly owned by Dr. C. W. Wainwright, represented on the plat at the letter "A", and runs thence by and with the west side of the pavement South 9° 54' East 52 feet and 2 inches to another iron bounder; thence South 80° 45' West 47 feet 3 inches by and with a wire fence to the corner; thence by and with the wire fence North 9° 31' West 13 feet 8 inches to a point within 2 feet 6 inches of the foundation of the house; thence South 80° 29' West 3 feet; thence North 9° 31' West 13 feet 8 inches to an iron bounder; thence South 80° 29' West 7 feet 6 inches to another iron bounder; thence by and with the fence North 6° 20° West 14 feet 8 inches to another iron bounder along side of the woodhouse; thence by and with the side of the woodhouse South 83° 00' West 5 feet 9 inches; thence through the woodhouse and by and with the partition 12 feet 10 inches to another iron bounder on the line of the said Wainwright property; thence by and with the Wainwright property North 83° 40' East 63 feet 1 inch to the beginning, laid down and described on a plat made by Earle B. Polk, dated July 21, 1919, attached to a deed to Harry C. Dashiell from Anna L. Haines, dated July 24, 1919 and recorded among the aforesaid Land Records in Liber W.J.S. No. 78, folio 492, being the same and all the land which was conveyed unto the said Bay Enterprises, Inc. by Rosemary Lyons by deed dated July 26, 1976, and recorded among the aforesaid Land Records in Liber I.T.P. No. 295, page 299.

And the said property was sold to Earl Warwick, he being then and there the highest bidders therefor, at and for the sum of twelve thousand five hundred dollars ($12,500.00), and the purchaser has complied with the terms of sale.

Respectfully Submitted,

Logan C. Widdowson, Attorney

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2800

46 PG 288

Logan C. Widdowson, Assignee, Ex Parte	*	No. ____ Chancery
under power contained in Mortgage from	*	In the Circuit Court
Bay Enterprises, Inc. to William G.	*	For Somerset County
Wunderlich, Jr. and Lois E. Wunderlich,	*	State of Maryland
his wife	*	

ATTORNEY'S AFFIDAVIT AS TO NOTICE TO MORTGAGORS

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 10th day of November, in the year nineteen hundred and seventy-six, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Logan C. Widdowson, pursuant to the provisions of Rule W-74 a 2 (c) and made oath in due form of law that he was and is the assignee for foreclosure and collection of the mortgage in the above entitled proceeding filed for foreclosure and collection, that on October 27, 1976 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Bay Enterprises, Inc., Box 423, Salisbury, Maryland 21801, by certified mail and that the letter was received by F. L. Stone, President of Bay Enterprises, Inc.

A copy of said letter and the Postal Receceipt is attached hereto.

Logan C. Widdowson

Logan C. Widdowson

Grace L. Fields

Notary Public

JAYNE L. FIELDS NOTARY PUBLIC SOMERSET CO. MD.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

LOGAN C. WIDDOWSON
ATTORNEY AT LAW

ASSOCIATE
PHILIP C. WIDDOWSON

NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853

TELEPHONE: 651-3800

October 27, 1976

Bay Enterprises, Inc.
Box 423
Salisbury, Maryland 21801

Gentlemen:

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 9996 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from Bay Enterprises, Inc. to William G. Wunderlich, Jr. and Lois E. Wunderlich, recorded among the Land Records of Somerset County in Liber I.T.P. No. 295, page 301. The foreclosure sale is currently being advertised in the Marylander & Herald, a newspaper published in Princess Anne, Somerset County, Maryland. The property described in the mortgage will be offered for sale at 1:00 P.M. on Friday, November 5, 1976, in front of the Court House door in Princess Anne, Maryland. Terms of sale: Two thousand dollars ($2,000.00) payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned assignee, payable prior to ratification of said sale by the Circuit Court, with interest from date of sale at the rate of six per cent per annum. A copy of the advertisement is attached to this letter for your convenience.

Regards,

Logan C. Widdowson
Assignee for Foreclosure and Collection

LCW/pw

Certified Mail - Return Receipt Requested

48 292

Logan C. Widdowson, Assignee, Ex Parte	*	No. 9996 Chancery
under power contained in Mortgage from	*	In the Circuit Court
Bay Enterprises, Inc. to William G.	*	For Somerset County
Wunderlich, Jr. and Lois E. Wunderlich,	*	State of Maryland
his wife	*	

PETITION FOR REFERRAL TO SPECIAL AUDITOR

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Logan C. Widdowson, Assignee, named in the above-captioned proceedings, respectfully represents:

1. That the property referred to in the above-entitled cause has been sold and the proceedings 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 Petitioner requests the appointment of a Special Auditor to file an audit in these proceedings.

Logan C. Widdowson

ORDER OF COURT

The aforegoing Petition having been read and considered, it is, thereupon this 12th day of November, 1976 by the Circuit Court for Somerset County, Maryland, ORDERED and 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.

Edward L. Dorsey
Judge

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Logan C. Widdowson, Assignee, Ex Parte	*	No. Chancery Case 9996
under power contained in Mortgage from	*	In the Circuit Court
Bay Enterprises, Inc. to William G.	*	For Somerset County
Wunderlich, Jr. and Lois E. Wunderlich,	*	State of Maryland
his wife	*	In Equity

PURCHASERS' AFFIDAVIT

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I hereby certify that on this 10th day of November, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Earl Warwick, purchaser of the real estate in the above entitled proceedings and 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 he 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.

JAYNE L. FIELDS NOTARY PUBLIC SOMERSET CO. MD.

Jayne L. Fields
Notary Public

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

46 202

Logan C. Widdowson, Assignee, Ex Parte	*	No. Chancery Case 9996
under power contained in Mortgage from	*	In the Circuit Court
Bay Enterprises, Inc. to William G.	*	For Somerset County
Wunderlich, Jr. and Lois E. Wunderlich,	*	State of Maryland
his wife	*	In Equity

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 10 day of ~~November~~ December, 1976, 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 3 day of December, 1976.

The report states the amount of sale of twelve thousand five hundred dollars ($12,500.00).

I. Theodore Phoebus, Clerk

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

PRINCESS ANNE, MD., Dec. 4 1976

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

Date Inserted: Oct. 21, 28, Nov. 4, 1976

Business Manager MARYLANDER and HERALD

LOGAN C. WIDDOWSON
ATTORNEY AT LAW

ASSIGNEE'S SALE

OF VALUABLE

RESIDENTIAL PROPERTY

Under and by virtue of the power of sale contained in a mortage from Bay Enterprises, Inc., recorded July 30, 1976 among the Land Records of Somerset County in Liber I.T.P. No. 295, page 301, default having occurred in said mortage, the undersigned as assignee for the purpose of foreclosure of said mortage, will offer at public sale in front of the Courthouse door in Princess Anne, Somerset County, Maryland, on

Friday, November 5, 1976

at or about the hour of 1 o'clock P.M., all that lot or parcel of land situate in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, described in said mortage as beginning at an iron bounder on the west side of the pavement on the west side of Beechwood Street at the intersection of the brick and cement pavements and at the corner of the land formerly owned by Dr. C. W. Wainwright, represented on the plat at the letter "A", and runs thence by and with the west side of the pavement South 9 54' East 52 feet and 2 inches to another iron bounder; thence South 80 45' West 47 feet 3 inches by and with a wire fence to the corner; thence by and with a wire fence North 9 31' West 13 feet 8 inches to a point within 2 feet and 6 inches of the foundation of the house; thence South 80 29' West 3 feet; thence North 9 31' West 13 feet 8 inches to an iron bounder; thence South 80 29' West 7 feet 6 inches to another iron bounder; thence by and with the fence North 6 20' West 14 feet 8 inches to another iron bounder along side of the woodhouse; thence by and with the side of the woodhouse South 83 00' West 5 feet 9 inches; thence through the woodhouse and by and with the partition 12 feet 10 inches to another iron bounder on the line of the said Wainwright property; thence by and with the Wainwright property North 83 40' East 63 feet 1 inch to the beginning, laid down and described on a plat made by Earle B. Polk, dated July 21, 1919, attached to a deed to Harry C. Dashiell from Anna L. Haines, dated July 24, 1919 and recorded among the aforesaid Land Records in Liber W.J.S. No. 78, folio 492, being the same and all the land which was conveyed unto the said Bay Enterprises, Inc. by Rosemary Lyons by deed dated July 26, 1976, and recorded among the aforesaid Land Records in Liber I.T.P. No. 295, page 299.

The property is improved by a two-story frame dwelling, consisting of three apartments, each with bath and kitchen facilities.

Terms of Sale: Two thousand dollars ($2,000.00) payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned assignee, payable prior to ratification of said sale by the Circuit Court, with interest from date of sale at the rate of six per cent per annum.

All public taxes and assessments will be prorated to date of sale. Title papers, documentary stamps, transfer tax and recording costs at expense of ths purchaser or purchasers.

Logan C. Widdowson, Assignee
11 N. Somerset Avenue
Princess Anne, Maryland 21853
Telephone 651-3800

UER 46 FOL 295

#9996

LIBER 46 PAGE 296

PRINCESS ANNE, MD., Dec. 4 19 76

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 Nisi

Dates Inserted: Nov. 11,18,25, 1976

J. Bryan Byrd

Business Manager MARYLANDER and HERALD

ORDER NISI

No. Chancery 9993

In The Circuit Court
For Somerset County
State of Maryland

Logan C. Widdowson,
Assignee, Ex Parte
under power contained to
Mortgage from
Bay Enterprises, Inc. to
William G. Wunderlich, Jr.
And Lois E. Wunderlich,
His wife

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 10th day of December, 1976, 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 2nd day of December, 1976.

The report states the amount of sale of twelve thousand five hundred dollars ($12,500.00).

Dated November 11, 1976.

I. Theodore Phoebus
Clerk

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

30 3tc.

Logan C. Widdowson, Assignee, Ex Parte	*	No. 9996 Chancery Case
under power contained in Mortgage from	*	In the Circuit Court
Bay Enterprises, Inc. to William G.	*	For Somerset County
Wunderlich, Jr. and Lois E. Wunderlich,	*	State of Maryland
his wife	*	In Equity

* * *

ORDERED by the Circuit Court for Somerset County, Maryland, in Equity, this 15th day of Dec, in the year nineteen hundred and seventy-six, that the sale of the real estate mentioned in these proceedings made and reported by Logan C. Widdowson, Assignee of said mortgage, and the distribution of the proceeds therein, be and the same is hereby 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.

Lloyd L. Humphries
Judge

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

297

Logan C. Widdowson, Assignee, Ex Parte Under Power Contained In Mortgage From Bay Enterprises, Inc. To William G. Wunderlich, Jr. and Lois E. Wunderlich, His Wife	* * *	No. 9996 Chancery Cases In the Circuit Court for Somerset County, Maryland

FIRST AND FINAL AUDITOR'S REPORT

Dawn M. Dryden, Special Auditor, duly appointed by this Court, reports that she has made an examination of the proceedings in the above-entitled cause and from them and the list of expenses furnished her by the Assignee therein, states the following account:

She charges the Assignee with the amount of sale as reported by him, being the sum of twelve thousand five hundred dollars ($12,500).

She has allowed the proper fees, costs and all other proper expenses amounting to one thousand two hundred fifteen dollars and fifty-eight cents ($1,215.58).

The balance then remaining amounts to eleven thousand two hundred eighty-four dollars and forty-two cents ($11,284.42) to be distributed subject to further order of this Court.

Amount of Sale		$12,500.00
Expenses, Costs and Fees:		
Clerk of Court	$100.00	
Marylander & Herald		
Advertising - $100.00		
Order Nisi - 25.00	125.00	
Edwin Muir, Auctioneer	75.00	
Henderson Insurance Agency - Bond Premium	21.00	
Notary Fees	3.00	
Assignee's Commission per Rules	775.00	
Assignee's Fee per Mortgage	75.00	
Postage	1.58	
Dawn Dryden, Special Auditor	40.00	
Total		$ 1,215.58
Balance of Funds to be Distributed		$11,284.42

Statement of Mortgage Debt -	$6,100.00	
Plus Interest to Sale Date	95.13	
Total Debt	$6,195.13	6,195.13
Surplus		$ 5,089.29

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

TAKE DUE NOTICE that the First and Final Auditor's Report in the above-entitled cause was filed on December 22, 1976, with the Clerk of the Court for Somerset County, Maryland.

All exceptions to said report must be filed within fifteen (15) days to the date of filing; if no exceptions are filed, the account may be ratified.

Dawn M. Dryden
Dawn M. Dryden
Special Auditor

Your Auditor hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of this Audit, notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Logan C. Widdowson
Attorney At Law
11 North Somerset Avenue
Princess Anne, Maryland 21853

Bay Enterprises, Inc.
Box 423
Salisbury, Maryland 21801

Dawn M. Dryden
Dawn M. Dryden
Special Auditor

76-41
12/22/76

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

FILED
DEC 16 1976

No. 9996 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 22nd day of December, 19 76 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 January, 19 77.

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 17th day of February, 19 77 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

Logan C. Widdowson, Assignee, Ex Parte Under Power Contained In Mortgage From Bay Enterprises, Inc. To William G. Wunderlich, Jr. and Lois E. Wunderlich, His Wife	:	No. 9996 Chancery In the Circuit Court for Somerset County, Maryland

APPLICATION FOR SURPLUSS OF PROCEEDS OF SALE

To the Honorable, the Judge of said Court:

Michael J. Lyons and Rosemary Lyons, his wife, by Jones & Jones, their attorneys, pursuant to Rule W75(a) of the Maryland Rules of Procedure, hereby make application to have the surplus of the proceeds of the sale reported in this proceeding paid over to the said Michael J. Lyons and Rosemary Lyons, and in support of said application submit the following:

(1) That the property subject of this foreclosure proceeding was subject to a second mortgage from Bay Enterprises, Inc. to Michael J. Lyons and Rosemary Lyons, dated July 29, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 295, folio 305, in the principal amount of $6,700.00 with interest at nine per cent (9%) per annum.

(2) That said mortgage is delinquent and as of the date of sale of said property in this proceeding on November 5, 1976, the mortgage debt was due and outstanding as follows: Principal - $6,630.48; Interest - $59.68.

(3) That said mortgage is a second lien against said real estate and the improvements thereon and has priority over all other liens except the mortgage subject of this proceeding and all costs reported therein.

(4) That the original mortgage upon which the applicants claim is based is filed herewith as "Applicants' Exhibit No. 1" and secures a note from Bay Enterprises, Inc. to Michael J. Lyons and Rosemary Lyons dated July 29, 1976, attached hereto as "Applicants' Exhibit No. 2.

(5) That according to the audit filed in this proceeding there are surplus funds resulting from the sale reported herein in the amount of $5,089.29 and that such funds amount to less than the indebtedness owed by the mortgagor to the applicants herein.

(6) That the applicants respectfully represent that they are the persons who have an interest in the equity of redemption superior to all other persons and that such surplus as remains after payment to the first mortgagees of their claims

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

and expenses should be paid over tothe applicants since the amount of surplus is less than their claim.

WHEREFORE, the applicants apply for an order of this Court directing that the surplus of the proceeds of sale, after payment to the first mortgagees of their claim and expenses, be paid over to the applicants.

JONES & JONES

By

Attorneys for Applicants

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 27th day of December, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, one of the attorneys for the applicants named in the foregoing Application for Surplus of Proceeds 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.

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

JANET T. REDSWORTH NOTARY PUBLIC SOMERSET COUNTY, MD.

Notary Public

APPLICANT'S EXHIBIT NO. 1
Balance Purchase MoneyMortgage
Filed in Liber I. T. P. 295 Folio 305

APPLICANTS' EXHIBIT NO. 2

Princess Anne, Maryland

July 29, 1976

$6700.00

Secured by mortgage of even date herewith, and for value received, Bay Enterprises, Inc., a body corporate of the State of Delaware, promises to pay (SEAL) to the order of Michael J. Lyons and Rosemary Lyons, his wife, sixty-seven hundred dollars, with interest from date at the rate of nine per cent (9%) (SEAL) per annum, in one hundred and twenty monthly installments of eighty-four dollars and eighty-eight cents ($84.88) each, the first of said installments being due and payable on the 29th day of August, 1976, and the remaining installments on even date of each succeeding month thereafter until fully paid, said installment payments to be credited first to interest and the balance to principal of said indebtedness, and hereby waives the benefit of all statutory exemptions and all right to exemption from executio as to the debt evidenced by this note, and if default be made in the payment hereof or any installment, hereby covenants to pay ten per cent additional as a collection fee, and hereby authorizes and empowers any Attorney of any Court of Record at any time after default in the payment of any installment hereof to confess judgment against it for whatever amount may be due on this obligation, principal and interest and costs of suit; with ten per cent collection charges.

As witness the corporate seal of Bay Enterprises, Inc. and the signature of Francis L. Stone, its President, the day and year above written.

BAY ENTERPRISES, INC.

Attest: _____ By _____ President

BAY ENTERPRISES, INC. CORPORATE SEAL DELAWARE

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

FILED

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For value received, we, the endorsers named below, hereby waive presentment, demand for payment, protest and notice of non-payment of the within note, and guarantee the payment of said note and agree that all its provisions shall apply to and bind us as though we were makers.

As witness our hands and seals this 29th day of July, 1976.

Francis L. Stone (SEAL)
Francis L. Stone

Witness: Bonnie C. Stone (SEAL)
Bonnie C. Stone

FILED

Dec 30 10 05 AM '76

RECORDED IN
LIBER NO. ____ FOLIO ____
WILLIAM PREBLE, CLK. CT. CT.
BY ____ DEPUTY

Logan C. Widdowson, Assignee, Ex Parte Under Power Contained In Mortgage From Bay Enterprises, Inc. To William G. Wunderlich, Jr. and Lois E. Wunderlich, His Wife	:	No. 9996 Chancery In the Circuit Court for Somerset County, Maryland

SHOW CAUSE ORDER

ORDERED by the Circuit Court for Somerset County, Maryland, this 30th day of December, 1976, that the surplus proceeds derived from the sale of the property mentioned in thes proceedings made and reported by Logan C. Widdowson, Assignee of a mortgage from Bay Enterprises, Inc. to William G. Wunderlich, Jr. and Lois E. Wunderlich, his wife, be remitted to Michael J. Lyons and Rosemary Lyons, unless cause to the contrary thereof be shown on or before the 26th day of January, 1977, provided a copy of this Order be served on Francis L. Stone, President of Bay Enterprises, Inc., and on Logan C. Widdowson, Assignee, together with a copy of the Application for Surplus of Proceeds of Sale, on or before the 10th day of January, 1977.

Lloyd L. Griffin
Judge

FILED
DEC 30 10 01 AM '76
LIBER 46 PAGE 305

USEP 46 PAGE 306

Logan C. Widdowson, Assignee, Ex Parte Under Power Contained In Mortgage From Bay Enterprises, Inc. To William G. Wunderlich, Jr. and Lois E. Wunderlich, His Wife	:	No. 9996 Chancery In the Circuit Court for Somerset County, Maryland

ORDER OF COURT

ORDERED by the Circuit Court for Somerset County, in Equity, this 4th day of February, 1977, that the surplus proceeds remaining from the sale of the real estate mentioned in these proceedings be and the same is hereby ORDERED to be disbursed to Michael J. Lyons and Rosemary Lyons, his wife, no cause to the contrary having been shown although due notice appears to have been given as required by the Show Cause Order passed in said cause.

Lloyd L. Griffin
Judge

FILED

FEB 4 10 09 AM '77

No. 9996 Chancery Case

In the Circuit Court for
Somerset County, Maryland

Logan C. Widdowson, Assignee
Ex Parte Under Power Contained
In Mortgage From Bay
Enterprises, Inc. To William
G. Wunderlich, Jr. and Lois E.
Wunderlich, his wife

APPLICATION FOR SURPLUS OF
PROCEEDS OF SALE, EXHIBITS 1 and
2 AND SHOW CAUSE ORDER &c

TO BE SERVED UPON:

Francis L. Stone
President of Bay Enterprises, Inc.
and
Logan C. Widdowson, Assignee

Alexander G. Jones
Jones & Jones
Attorneys for Applicants
Princess Anne, Maryland 21853

MISC 46 PG 307

MAR 7 1978

Sheriff's Return

Summoned and copy of Application for Surplus of Proceeds of Sale, Affidavit, Exhibits 1 and 2 and Show Cause Order served upon and left with Francis L. Stone, President of Bay Enterprises, Inc. and Logan C. Widdowson, Assignee, this 11 day of January, 19 77.

Stanley Jones
SHERIFF/DEPUTY SHERIFF

BOOK 046 PAGE 308

AUG 22-75 B 22901 *****40.00

Larue F. Byrd
3732 Dance Mill Road
Phoenix, Maryland,
Plaintiff
vs

Charles Pierce, his heirs, devisees, and personal representatives and their, or any of their heirs, devisees, executors, administrators, grantees, assigns or successors in right, title and interest.
Defendant

In Equity No. 9795

In the Circuit Court for

Somerset County, Maryland

BILL IN PARTITION

Larue F. Byrd, plaintiff, by Lionel Bennett her attorney, alleges:

1. That the plaintiff and the defendant are seized in common of certain premises described as follows:

All that lot of land in the City of Crisfield, Somerset County, Maryland laid down and described as lot #1 on a plat entitled "Plat of Property Formerly Owned by the Blades Heirs" dated July 8, 1958 recorded with a deed made by Harry T. Phoebus, Jr., trustee dated September 19, 1958 recorded in Liber 188 page 539, the plaintiff having acquired her title by deed dated July 16, 1967 recorded in Liber 239 page 413, which represents a 5/6 interest and the defendant Charles Pierce having acquired his title by the will of Emma Blades Pierce filed in Baltimore County in Wills Liber 66 page 505, which represents a 1/6 interest.

2. That said real estate is not susceptible to division without material loss or injury to the parties entitled to interest therein as stated, and that in order to make a division of said interests it will be necessary that the said real estate be sold and the proceeds thereof divided among the parties according to their several interests; that such a sale would be advantageous to the parties concerned.

Wherefore plaintiff prays:

1. That a decree may be passed for the sale of said real estate.

2. That the proceeds of said sale may be distributed among the parties according to their respective rights and interests.

3. That plaintiff may have such other and further relief as her case may require.

Lionel Bennett
Attorney for Plaintiff
945 W. Main St.
Crisfield, Maryland 21817
Phone: 968-1166

Larue F. Byrd,
Plaintiff
vs
Charles Pierce, etc.
Defendant

In Equity No. 9775
In the Circuit Court for
Somerset County, Maryland

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 12th day of August 1975, before me, a subscriber, 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 as follows:

1. That he is the attorney for the plaintiff herein.

2. That he has made an effort to locate Charles Pierce as follows:

He was advised that Charles Pierce was thought to have died in 1961, but the Title Guarantee Company of Baltimore reported no administration of his estate in Baltimore County, his last known place of residence nor were they able to find any heirs.

He learned that it had been said that Charles Pierce adopted a child who married a Harry Brown who allegedly worked in the post office at Lancaster, Pennsylvania. He telephoned the post mistress, a Mrs. Hambright at Lancaster who said she never heard of Harry Brown but referred him to a Mr. Childs, Personnel Officer for the post office system in that district. Mr. Childs reported no such man in the system.

Then he heard that Brown was a retired employee of Aberdeen Arsenal and was a member of the Rising Sun, Maryland, Post of the V. F. W. He wrote to the Rising Sun Post V. F. W. and the letter was returned. He then learned that the nearest V. F. W. posts were at Port Deposit and Darlington, Maryland. He then wrote to those two posts and received negative replies.

He has also inquired of all known relatives of the late wife of Charles Pierce, none of whom could furnish any information concerning either Charles Pierce or Harry Brown.

He has investigated all possible leads concerning Charles Pierce and Harry Brown and has not been able to obtain any information about either.

Wherefore plaintiff prays for an order allowing service of process by publication and ordering the Sheriff to set up a copy of the order of publication upon the land described herein pursuant to Maryland Rules 105-b-1 and 111-a.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Notary Public

O R D E R

On the foregoing affidavit, it is this 22 day of August, 1975, by the Cricuit Court for Somerset County, In Equity, ordered that plaintiff be and she hereby is allowed to serve process herein by publication and

It is further ordered that the Sheriff of Somerset County set up a copy of the order of publication upon the land described in the bill herein pursuant to Maryland Rules.

E. McMaster Duer
E. McMaster Duer
Judge

BOOK 046 PAGE 312

Larue F. Byrd, Plaintiff	:	In Equity No. 9775
vs.	:	In the Circuit Court for
Charles Pierce, etc. Defendant	:	Somerset County, Maryland

ORDER OF PUBLICATION

Ordered by the Circuit Court for Somerset County that notice of suit by Plaintiff for partition of premises described in the bill of complaint against the defendant whose address is unknown be given by publication which shall warn defendant to file a responsive pleading on or before November 24, 1975.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

Larue F. Byrd,
Plaintiff

vs.

Charles Pierce, etc.
Defendant

In Equity No. 9775

In the Circuit Court for

Somerset County, Maryland

CERTIFICATE OF SERVICE

The undersigned, Thomas H. Foxwell, Sheriff of Somerset C County, hereby certifies that on this 30 day of August, 1975, he did post a copy of the Order of Publication issued herein on the premises described in the bill of complaint herein as Lot No. 1 on a plat entitled "Plat of Property formerly owned by the Blades Heirs" recorded with a deed dated July 8, 1958 recorded in Liber 188 page 539.

Thomas H. Foxwell
Thomas H. Foxwell
Sheriff for Somerset County

Larue F. Byrd,
Plaintiff

vs

Charles Pierce, etc.
Defendant

In Equity No. 9775

In the Circuit Court for

Somerset County, Maryland

DECREE PRO CONFESSO

The petition of the plaintiff respectfully shows:

That the defendant, Charles Pierce, has been duly summoned to appear to the bill of complaint herein, but has failed to appear to or answer said bill of complaint within the time prescribed by the rules of this Court.

The plaintiff therefore prays that the bill of complaint 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.

Lionel Bennett
Lionel Bennett

O R D E R

It appearing in the above entitled cause that the defendant, Charles Pierce, has been duly summoned to appear to the bill of complaint within the time prescribed by the rules of this Court, it is thereupon this 26th day of Nov. , 1975, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed that 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.

Lloyd L. Simpkins
Judge

Larue F. Byrd,
Plaintiff
vs
Charles Pierce, etc.
Defendant

In Equity No. 9775
In the Circuit Court for
Somerset County, Maryland.

TESTIMONY

In this cause, testimony having to be taken to support the allegations of the bill, I, William A. Martin, Jr., of Crisfield, Maryland, one of the Standing Examiners of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc., do hereby certify that on this day of 1976, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION BY MR. LIONEL BENNETT:

Larue F. Byrd, a witness of lawful age, the plaintiff, being duly sworn, deposes and says:

Q. Please state your name and residence.
A. My name is Larue F. Byrd, I reside at 3732 Dance Mill Rd., Phoenix, Maryland.

Q. Will you please describe the property mentioned in the bill in partition?
A. The property is a plot of land in the City of Crisfield, Somerset County, Maryland laid down and described as lot #1 on a plat entitled "Plat of Property Formerly Owned by the Blades Heirs" dated July 8, 1958 recorded with a deed made by Harry T. Phoebus, Jr., trustee dated September 19, 1958 recorded in Liber 188 page 539, together with the buildings thereon, a 1/6 interest of which is owned by the defendants. It is assessed for tax purposes for the sum of $2,240.00.

Q. Can this property be divided between the parties to this action?
A. No.

Q. Do you believe that in order to make a division of your respective interests it will be necessary that the real estate be sold and the proceeds be divided between you?
A. Yes, it will.

Q. Do you believe that a sale of the premises would be advantageous to all parties concerned?
A. Yes, I believe it would.

William A. Martin, Jr.
William A. Martin, Jr.

Larue F. Byrd
Larue F. Byrd

Norman L. Adkins, a witness of lawful age, produced on the part of the Plaintiff, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.
A. My name is Norman L. Adkins; I reside in Marion Station, Md.; and I am the Vice President of the Peninsula Bank.

Q. Are you familiar with the value of the land in the vicinity of the premises described by the previous witness?
A. Yes, I am.

Q. Have you made appraisals heretofore of such property?
A. Yes, I have. I am making all the appraisals for the bank in this area.

Q. Will you please describe this property?
A. The property is a plot of land on Somerset Ave., Crisfield, Md. It is improved by a two story dwelling, of frame construction. It is in very bad repair and needs considerable work done on it to make it habitable. In its present condition, it has a marketable value as follows:

Lot	$1,000.00
Bldg	1,500.00
Total	$2,500.00

William A. Martin, Jr.
William A. Martin, Jr.

Norman L. Adkins
Norman L. Adkins

There being no further witnesses to be examined and at the suggestion of the solicitor for the complainant, the papers are herewith returned to Court, and I further certify the annexed bill of costs is correct and paid by the plaintiff.

Bill of Costs:

Examiner	$10.00

Witness my hand and seal.

William A. Martin, Jr.
William A. Martin, Jr.

Larue F. Byrd

vs

Charles Pierce, etc.

In Equity No. 9775

In the Circuit Court for

Somerset County, Maryland

FINAL DECREE

This cause standing ready for hearing and being submitted without argument, the proceedings were read and considered,

It is thereupon this 1st day of Mar. 1976, by the Circuit Court for Somerset County, in Equity, adjudged, ordered and decreed that the real estate in the proceedings mentioned be sold, and it is further

Ordered, adjudged and decreed that Lionel Bennett be, and he is hereby appointed trustee to make such 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 himself and a surety or sureties, to be approved by this Court in the penalty of $5,000.00 if corporate, or $10,000.00 if private surety, 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, having given at least three weeks notice by advertisement inserted in some newspaper published in the City of Crisfield, Somerset County, as he shall think proper, of the time, place, manner and terms of sale, which terms shall be as follows:

A cash deposit of 10% of the purchase price at the time of sale and the balance in cash upon final ratification of sale by the Circuit Court for Somerset County, taxes, water rent, and all other public charges, if any, to be adjusted to the date of settlement and as soon as may be convenient after such sale or 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 this Court's ratification of the sale, and on the payment of the whole purchase money (and not before), the said trustee will, 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 claims of the parties hereto, plaintiffs and defendant, and those claiming by, from, or under them, or of them; and the said trustee will 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.

Lloyd L. Griffin
Judge

KNOW ALL MEN BY THESE PRESENTS: That we, Lionel Bennett as principal and Western Surety Company, a corporation, as surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Five Thousand Dollars, current money, to be paid to the said State of Maryland, or its certain attorney; to which payment well and truly to be made and done, we bind ourselves, and each of us, our and each of our Heirs, Successors and Assigns, Executors and Administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this 3rd day of March in the year of our Lord one thousand nine hundred and seventy six.

WHEREAS, the above bounden Lionel Bennett by virture of a decree of the Circuit Court for Somerset County has been appointed trustee to sell certain lands and premises in the City of Crisfield, Somerset County mentioned in the proceedings in the case of Larue F. Byrd vs Charles Pierce, etc., Equity No. 9775 now pending in said Court;

Now the condition of the above obligation is such that if the above bounden Lionel Bennett does and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, then the above obligation to be void; otherwise to be and remain in full force and virture in law.

Signed, sealed and delivered
in the presence of

Lionel Bennett Seal
Lionel Bennett

Sherry L. Ennis

Seal
Western Surety Company
By:
Lionel Bennett Seal
Attorney in fact

WESTERN SURETY COMPANY CORPORATE SEAL SOUTH DAKOTA

Bond approved:
PER: J. Theodore Phoebus, CLERK

Clerk

LIBER 010 PAGE 122

BOOK 046 PAGE 319

POWER OF ATTORNEY
(Irrevocable)

BOOK 046 PAGE 320
№ 1754110 R

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That the Western Surety Company, a corporation, does hereby make, constitute and appoint LIONEL BENNETT in the City of CRISFIELD, State of MARYLAND, with limited authority, its true and lawful Agent, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds.

An ORIGINAL bond required by Statute, Decree of Court or Ordinance for:	MAXIMUM PENALTY
(A) ADMINISTRATOR CONSERVATOR CURATOR EXECUTOR GUARDIAN TRUSTEE – (Testamentary Only) SALE OF REAL OR PERSONAL PROPERTY –When this company has qualifying bond or when it is a separate bond for accounting of proceeds of sale only COMMISSIONER TO SELL REAL ESTATE REFEREE IN PARTITION TRUSTEE OR RECEIVER – (In Bankruptcy Only)	$1,000,000.00
(B) NOTARY PUBLIC PUBLIC OFFICIAL AND DEPUTIES RECEIVER – (In State Court Only)	$ 50,000.00
(C) PLAINTIFF'S COURT BOND, except bonds prohibited by (G): FOR CORPORATION ..... FOR ALL OTHERS	$ 10,000.00 $ 5,000.00
(D) COST ON APPEAL) EXCLUDING OPEN PENALTY, REMOVAL OF CAUSE) STAY, SUPERSEDEAS OR GUARANTEE OF A JUDGMENT	$ 500.00
(E) LICENSE PERMIT QUIET TITLE License and Permit limited to bonds where a county, city, town, village or township is the Obligee. Bonds to the state are not authorized, except special fuel users	$ 10,000.00 $ 1,000.00
(F) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Secretary, Treasurer or Assistant Secretary of the Western Surety Company specifically authorizing its execution.	
(G) SUPERSEDEAS OR OPEN PENALTY OR STAY BONDS ON APPEAL OR GUARANTEE OF JUDGMENT, OR BAIL BONDS OR CONSTRUCTION BID OR CONTRACT BONDS, OR A BOND FOR A DEFENDANT are not authorized by this Power of Attorney, except as provided in Section (F).	

The WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

Dated this 1st day of April, 1973.

ATTEST _____
Assistant Secretary

WESTERN SURETY COMPANY

By Joe Kirby
President

STATE OF SOUTH DAKOTA
County of Minnehaha } ss

On this 1st day of April, 1973, before me, a Notary Public, personally appeared JOE KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires
L. KNOLGEK, Notary Public, 19____
My Commission Expires 5-9-81

Notary Public, South Dakota

I, the undersigned officer of the Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

In testimony whereof, I have hereunto set my hand and the seal of the Western Surety Company this *3rd day of March, 19 76

WESTERN SURETY COMPANY

By Joe Kirby
President

*IMPORTANT: This date must be filled in before it is attached to the bond and it must be the same date as the bond.

99—6-73

LIBER PAGE 123

Filed for Record March 5 1976 and recorded in Liber
I. T. P. No. 10 Folio 122
Test T. Theodore Phillips Clerk

Larue F. Byrd,
Plaintiff
vs
Charles Pierce, etc.,
Defendant

In Equity No. 9775
In the Circuit Court for
Somerset County, Maryland

REPORT OF SALE

The report of Lionel Bennett, trustee appointed by this Court by order herein dated March 1, 1976, 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 him 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, he did, pursuant to said notice, attend at the steps of the Post Office at Crisfield, Maryland, on April 3, 1976, at 2:00 p.m., and then and there proceeded to sell the property described in the bill of complaint, to wit:

ALL that lot of land in the City of Crisfield, Somerset County, Maryland laid down and described as Lot #1 on a plat entitled "Plat of Property Formerly Owned by the Blades Heirs" dated July 8, 1958 recorded with a deed made by Harry T. Phoebus, Jr., trustee dated September 19, 1958, recorded in Liber 188 page 539, the plaintiff having acquired her title by deed dated July 16, 1967 recorded in Liber 239 page 413, which represents a 5/6 interest and the defendant Charles Pierce having acquired his title by the will of Emma Blades filed in Baltimore County in Wills Liber 66 page 505, which represents a 1/6 interest.

The above property is improved with a two story dwelling of frame construction.

And sold the same to Larue F. Byrd, she being the highest bidder therefore, at and for the sum of $1,600.00, and purchaser

has complied with the terms of sale.

Respectfully submitted,

Lionel Bennett

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 3rd day of April, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Lionel Bennett, trustee 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 herein mentioned and reported was fairly made.

As witness my hand and Notarial Seal.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Notary Public

Larue F. Byrd, Plaintiff	In Equity No. 9775
vs	In the Circuit Court for
Charles Pierce, etc., Defendant	Somerset County, Maryland

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 3rd day of April, 1976, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Larue F. Byrd, who made oath in due form of law as follows:

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

2. That no other person is interested as principal.

3. That she has not directly or indirectly discouraged any one from bidding for the said property.

Witness my hand and Notarial Seal.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Notary Public

BOOK 046 PAGE 324

Larue F. Byrd,	In Equity No. 9775
Plaintiff	In the Circuit Court for
vs	
Charles Pierce, etc.,	Somerset County, Maryland
Defendant	

ORDER NISI

Ordered that the sale of the property mentioned in these proceedings be ratified and confirmed unless cause to the contrary be shown on or before the 13th day of May, 1976, provided a copy of this order be printed in some weekly newspaper in Somerset County one in each of three successive weeks before the 10th day of May, 1976.

The report states the amount of sale to be $1,600.00.

S. Theodore Phoebus

FINAL ORDER

Ordered by this Court this 28th day of May, 1976, that the sale made and reported by the trustee herein be and the same is hereby ratified and confirmed, no cause to the contrary having been shown.

Lloyd L. Simpkins

LIONEL BENNETT,
Attorney

TRUSTEES' SALE

Under and by virtue of a decree of the Circuit Court for Somerset County, Maryland, the undersigned, as trustee, will sell by public auction on the steps of the Post Office in Crisfield, Maryland, on April 3, 1976, at 2:00 p.m.

ALL that lot of land in the City of Crisfield, Somerset County, Maryland, on the southeasterly side of Somerset Avenue, designated as Lot No. 1 on a Plat of Property formerly owned by the Blades Heirs, dated July 8, 1958, prepared by G. Oliver Morrell, Surveyor, recorded among the land records of Somerset County in Liber G.J.B. 188, folio 539, being the same premises conveyed to Larue F. Byrd by deed dated July 6, 1967, recorded in Liber 2 page 413.

The above property is improved with a two story dwelling of frame construction.

The terms of sale shall be as follows:

A cash deposit of ten per cent of the purchase price at the time of sale, and the balance in cash upon final ratification of sale by the Circuit Court for Somerset County, taxes and all other public charges, if any, to be adjusted to the date of settlement.

Lionel Bennett

3-12-4t

CRISFIELD, MD. April 16, 1976

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 4 weeks beginning with the issue of March 12 1976 and ending April 2, 1976.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S. C. Rogers

Lionel Bennett, Atty.
Crisfield, Maryland

Larue F. Byrd,
Plaintiff
vs
Charles Pierce, etc.,
Defendant
In Equity No. 9775
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 be shown on or before the 13th day of May, 1976, provided a copy of this order be printed in some weekly newspaper in Somerset County one in each of three successive weeks before the 10th day of May, 1976.

The report states the amount of sale to be $1,600.00.

I. Theodore Phoebus,
Clerk

4-23-3t

CRISFIELD, MD. May 11, 1976

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 April 23, 1976 and ending May 7, 1976.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S. C. Rogers

BOOK 046 PAGE 325

BOOK 646 PAGE 326

LARUE F. BYRD	*	NO. 9775 CHANCERY
Plaintiff	*	IN THE CIRCUIT COURT FOR
vs.	*	SOMERSET COUNTY
CHARLES PIERCE, ETC.	*	STATE OF MARYLAND
Defendant	*	IN EQUITY

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdwoson, Auditor, duly appointed by this Court, reports that he has made an examination of the proceedings in the above-entitled cause and from then 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 sixteen hundred dollars ($1600.00).

He has allowed the proper fees, costs and all other expenses amounting to four hundred seventeen dollars ($417.00).

The balance of the remining amounts to eleven hundred eighty three dollars ($1,183.00), to be distributed to the parties as their interest may appear.

Amount of Sale		$1,600.00
Expenses, Costs and Fees		
	Crisfield Times Advertising	55.00
	Auctioneer	15.00
	Trustee's Bond Premium	20.00
	Clerk of Court Fees (Filing, etc.)	107.00
	Trustee Commission	160.00
	Lionel Bennett-Appearance Fee	10.00
Total Expenses, Costs & Fees		417.00
Funds to be distributed		1,183.00

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LARUE F. BYRD	*	NO. 9775 CHANCERY
Plaintiff	*	IN THE CIRCUIT COURT FOR
vs.	*	SOMERSET COUNTY
CHARLES PIERCE, ETC.	*	STATE OF MARYLAND
Defendant	*	IN EQUITY

TAKE DUE NOTICE that the First and Final Auditor's Report in the above-entitled cause was filed on June 16th, 1976, 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 the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of this Audit, notice of this Report to the following parties by regular U.S. Mail, postage prepaid;

Lionel Bennett
945 Main Street
Crisfield, Maryland 21817

Charles Pierce
General Delivery
Crisfield, Maryland 21817

Logan C. Widdowson

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

BOOK 046 PAGE 328

No. 9775 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 17th day of June, 1976 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 15th day of July, 1976.

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 19th day of July, 1976, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Phoebus
CLERK

LARUE F. BYRD	*	NO. 9775 CHANCERY
Plaintiff	*	IN THE CIRCUIT COURT FOR
vs.	*	SOMERSET COUNTY
CHARLES PIERCE, ETC.	*	STATE OF MARYLAND
Defendant	*	IN EQUITY

CORRECTION OF ACCOUNTING

Amount of Sale	$1,600.00
Expenses, Costs and Fees	
Crisfield Times Advertising	55.00
Auctioneer	15.00
Trustee's Bond Premium	20.00
Clerk of Court Fees (Filing, etc.)	107.00
Examiner, Testimony	10.00
Auditor	40.00
Trustee Commission	160.00
Lionel Bennett-Appearance Fee	10.00
Total Expenses, Costs & Fees	$417.00
Funds to be distributed	$1,183.00

Your Auditor hereby certifies that the Maryland Rules of Procedure have been complied with by mailing a copy of this Correction of Accounting, notice of this Report to the following parties by regular U.S. Mail, postage prepaid;

Lionel Bennett
945 Main Street
Crisfield, Maryland 21817

Charles Pierce
General Delivery
Crisfield, Maryland 21817

Logan C. Widdowson

July 2, 1976

LAW OFFICE
LOGAN C. WIDDOWSON
11 N. SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

EXO.
APR. 6 1978

APR 15-77 B 526852D*****40.00

Paul T. Carey Pearl D. Carey 211 Ridge Road Wilson, North Carolina 27893	:	No. 10,105 Chancery In the Circuit Court for Somerset County, Maryland
Complainants	:	
vs	:	
George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto	:	
Respondents	:	

BILL OF COMPLAINT QUIA TIMET

To the Honorable, the Judge of said Court:

The Complainants, Paul T. Carey and Pearl D. Carey by Jones & Jones, their attorneys, respectfully represent:

1. That the complainants are the owners in fee simple of a certain tract or parcel of land in St. Peters Election District, Somerset County, Maryland, which was conveyed unto them as tenants by the entireties by James Denwood Lawson and Minnie Lawson, his wife, Gladys Lawson Bryan and Grace Lawson by deed dated October 10, 1970 and recorded October 5, 1971 among the Land Records of Somerset County in Liber I.T.P. No. 262, folio 554, said deed incorporating a plat attached thereto at folio 557 dated August 28, 1971 by Grant E. Powell and Harold W. Hampshire showing said tract as containing 6.95 acres.

2. That the grantors to your Complainants herein claim title by virtue of being heirs at law of Augustus James Lawson, a son and heir at law of George S. Lawson, and by virtue of a deed to them as remaindermen and to Nora Lawson, widow of Augustus James Lawson, the said Nora Lawson having died on or about August 1954.

3. That said last mentioned deed is dated October 2, 1950, recorded December 8, 1950 among the Land Records of Somerset County in Liber B.L.B. No. 151, folio 430 and purports to convey the interest of all the heirs at law of George S. Lawson in a tract described as follows: All that tract or parcel of land situate, lying and being in St. Peters Election District, in

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

said Somerset County and State of Maryland and more fully described as follows, that is to say: All that tract or parcel of land, situate as aforesaid, and lying and binding on the south side of the old county road leading from the state road by Wyatt Corner towards Oriole, bounded on the east by the land of Hoyt Somers, bounded on the west by an unimproved lot of land now owned by Angie Lawson and others, bounded on the west by a ditch known as Abbott's ditch, and containing or supposed to contain six acres of land more or less.

4. That George S. Lawson, late of Somerset County, was during his lifetime and at the time of his death seized and possessed of a large tract of real estate situate on both sides of the road leading from Princess Anne to Deal Island in St. Peters District, containing 200 acres, more or less.

5. That being so seized and possessed the said George S. Lawson departed this life about the year 1891 leaving surviving him a widow, Nancy E. Lawson who has since died (about the year 1908) and leaving a last will and testament which was filed for probate in the Orphans Court for Somerset County but on trial of issues, joined on caveat thereto, was by judgment of the Circuit Court for Somerset County set aside and declared void and probate thereof refused, a copy of which said judgment is filed as "Plaintiff's Exhibit A" in Chancery Case No. 3125 in the Circuit Court for Somerset County, Maryland.

6. That the said George S. Lawson left surviving him as his sole heirs at law the following children and grandchildren, to wit:

(a) John A. Lawson, a son.

(b) George L. Lawson, a son who intermarried with Maude Lawson.

(c) The following children of Rebecca Smith, a daughter of the said George S. Lawson who died before her said father intestate leaving surviving her as her sole heirs at law, a daughter, Olive Smith, also known as Olian Smith, a daughter, Della Tyler, also known as Douzella Tyler, who intermarried with James Tyler, and a daughter, Helen Gertrude Dameriel.

(d) Earl Miles, also known as Lottie E. Miles, wife of G. Frank Miles,

a granddaughter of the said George S. Lawson, being the daughter of Alice A. Miles, who died intestate before her father and predeceased her husband, Bennett P. Miles, leaving surviving as her only heir at law the said Earl Miles.

(e) Edward W. Lawson, also known as Edgar W. Lawson, a son who intermarried with Angie Lawson.

(f) Julia A. Miles, a daughter who intermarried with Rufus L. Miles.

(g) Serena E. Lawson, a daughter.

(h) Oliver P. Lawson, also known as Olian P. Lawson, a son who intermarried with Alexa Lawson.

(i) Harry C. Lawson, a son who intermarried with Eva Lawson.

(j) Augustus J. Lawson, who has since died leaving surviving his widow, Nora Lawson, who died as aforesaid on or about August 1954 and his children, the grantors to your complainants.

7. That after the death of the said George S. Lawson and the judgment sustaining the caveat to the will of the said George S. Lawson, the aforesaid heirs at law of the said George S. Lawson agreed upon a division among themselves of so much of the aforesaid real estate as lies on the south side of the aforesaid road leading from Princess Anne to Deal Island, said property being divided into ten lots, each child or descendants of a child taking a lot per stirpes.

8. That the deed to the heirs at law of Augustus James Lawson (the immediate predecessors in title to your complainants) dated October 2, 1950 recited that the heirs at law of George S. Lawson at that time were Serena E. Lawson, Lillian Lawson Muir and William F. Muir, her husband, Lucille Lawson, W. Everett Lawson and Lucille Jones Lawson, his wife, Edgar Lawson and Ethel D. Lawson, his wife, Mildred Lawson Fisher and Martin Fisher, her husband, Margaret Lawson Windsor and Harry Windsor, Jr., her husband, Lois Lawson Phoebus and Jesse M. Phoebus, her husband, Jennie Lawson and Hattie Lawson, Sadie Marbury, Gola Lawson Hall, Helen Gertrude Dameral, James Tyler, Evelyn Haller and Joseph Haller, her husband, Leila Shoes and

Mervin Shores, her husband, Addie Tankersley, C. Jeanette Wehr, Julia A. Miles, and Lottie Earl Tumison, Dola Hudgins and Ernest Hudgins, Harry C. Lawson and Eva Lawson, his wife, and Lois Lawson.

9. That said deed further recited that the children and heirs at law by a verbal agreement set aside and awarded the tract conveyed by said deed to Augustus James Lawson and that the said Augustus James Lawson erected his hom on said tract of land and he and his family "have been living thereon and have been in exclusive possession of said property for at least the past fifty years" and that Augustus James Lawson in his lifetime never secured a deed for said property and that the grantors in said deed desired to convey the property to Augustus James Lawson's widow and children, he then having departed this life intestate.

10. That the complainants and their predecessors in interest in the aforesaid deeds have had exclusive, complete, actual, open, notorious, hostile, and continuous undisputed possession of said property adverse to Respondents and all other persons for more than twenty years and that Complainants are now in possession of said property.

11. That absence of an administration on the estate of George S. Lawson or Augustus James Lawson, or the heirs of George S. Lawson makes it impossible to determine whether all of his heirs at law have conveyed their interest to the predecessors in title of your complainants and that any interest outstanding represents a claim of an estate or interest in said property adverse to complainants. Any such claim is without any right whatever although it be a denial or dispute of Complainant's title.

12. That there is now pending no action at law or any proceeding in equity to enforce the validity of such title, lien, encumbrance, defect or other adverse claim.

WHEREFORE, Complainants pray as follows:

A. That Respondent and all persons claiming under them, and any other persons claiming any interest in said property be required to set forth the nature of their claims to the real property described in the Bill of Complaint.

B. For a decree of this court that the Complainants have absolute ownership and right of disposition of the property described in the Bill of Complaint.

C. For said decree to permanently enjoin Respondents and all persons claiming under the, and all other persons, from asserting any claim, estate, right, title, lien or interest in or to said property or any part thereof adverse to the Complainants by any action at law or otherwise.

D. That the Complainants be awarded the costs of this proceeding.

May it please your Honor to grant an order of publication setting forth the nature and content of this bill of complaint and commanding all persons claiming any interest in said property be required to set forth the nature of their claims to the real estate described in the bill of complaint and to demand them to appear and be 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 Tony Bruce

Tony Bruce
Attorneys for Complainants
Princess Anne, Maryland
Telephone: 651-2747

Paul T. Carey Pearl D. Carey Complainants	:	No. 10105 Chancery In the Circuit Court for
vs	:	Somerset County, Maryland
George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto Respondent	:	

PETITION TO PROCEED AGAINST RESPONDENT AS NON-RESIDENT

The petition of your complainants, by Jones & Jones, their solicitors, respectfully represents:

That your complainants caused a diligent search of the land, court and testamentary records of Somerset County to be made which failed to determine whether the heirs of George S. Lawson are residents of this State. Many are variously listed as residents of other states and Complainants are without knowledge as to where to direct service to be made nor to whom.

Wherefore, the Petitioners, your complainants herein, pray an order of this Court that the Respondent be proceeded against as non-resident as provided in the Maryland Rules of Procedure in such cases provided giving notice of the pendency of the above entitled action by publication.

JONES & JONES

By Tony Bruce
Tony Bruce
Solicitors for Petitioners

AFFIDAVIT

I, Tony Bruce, do hereby make affidavit that I have made reasonable and bona fide efforts to determine the heirs of George S. Lawson and that as a result of my investigations I believe the heirs of George S. Lawson cannot be served by personal service within this jurisdiction.

Tony Bruce
Tony Bruce

Subscribed to before me this 15th day of April, 1977.

Patsy E. Ake
Notary Public

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

BOOK 046 PAGE 336

Paul T. Carey Pearl D. Carey Complainants	:	No. 10105 Chancery In the Circuit Court for
vs	:	Somerset County, Maryland
George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto Respondents	:	

ORDER

Upon the aforegoing bill of complaint quia timet, it is this 19th day of April, 1977, ORDERED by the Circuit Court for Somerset County that the Respondent, George S. Lawson, be proceeded against as nonresident by giving notice by publication at least once a week in each of THREE successive weeks in a newspaper published in Somerset County, Maryland, before the 16th day of May, 1977, stating the substance and object of the original Bill and warning the said Respondent to file an initial pleading to said Bill on or before the 18th day of July, 1977.

Lloyd L. Simpkins
Judge

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

FILED

Paul T. Carey Pearl D. Carey Complainants	:	No. 10105 Chancery
vs	:	In the Circuit Court for
	:	Somerset County, Maryland
George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto	:	
Respondents	:	

ORDER OF PUBLICATION

This is to give notice that on the 14th day of April, 1977, a Bill of Complaint QuiaTimet was filed in the Circuit Court for Somerset County, Maryland, by the Complainants against the Respondent, now deceased, his heirs and assigns, the whereabouts of whom are unknown.

The Bill alleges that Complainants are the owners of 6.95 acres of land in St. Peters Election District, Somerset County, Maryland, which was conveyed unto them by deed dated October 10, 1970 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 262, folio 554 by James Denwood Lawson, et al. The Bill further alleges that the lack of admimínistration on the estates of George S. Lawson and of his heirs is a denial or dispute of Complainants' title which is without right because Complainants and their predecessors have had exclusive, complte, actual, open, notorious, hostile and continuous undisputed possession of said property adverse to Respondent and all other persons for more than twenty years.

The relief prayed in the Bill is substantially as follows:

1. To require Respondent and all persons claiming under him and any other persons claiming an interest in said real property to set forth the nature of their claim.

2. To quiet title of said real property in Complainants.

WHEREUPON, it is ordered by the Circuit Court for Somerset County, this 19th day of April, 1977, that the Complainants cause a copy of this order to be inserted ina hewspaper published in Somerset County, once a week in each

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

of THREE successive weeks, before the 16th day of May, 1977, giving notice to the said non-resident Respondent of the object and substance of the Bill and warning him to show cause, if any there may be, on or before the 18th day of July, 1977, why a decree should not be passed as prayed.

Lloyd L. Simpkins
Judge

MARYLANDER AND HERALD
Thursday, April 21, 1977 Princess Anne, Maryland

TONY BRUCE
Solicitor

JONES & JONES
Attorneys at Law
Princess Anne, Maryland

No. 10105 Chancery
In the Circuit Court for
Somerset County, Maryland

ORDER OF PUBLICATION

Paul T. Carey, Pearl D. Carey, Complainants
vs.
George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership or any cloud upon Complainants' title thereto, Respondents

This is to give notice that on the 14th day of April, 1977, a Bill of Complaint Quia Timet was filed in the Circuit Court for Somerset County, Maryland, by the Complainants against the Respondent, now deceased, his heirs and assigns, the whereabouts of whom are unknown.

The Bill alleges that Complainants are the owners of 6.95 acres of land in St. Peters Election District, Somerset County, Maryland, which was conveyed unto them by deed dated October 10, 1970 and recorded among the Land records of Somerset County in Liber I.T.P. No. 262, folio 554 by James Denwood Lawson, et al. The Bill further alleges that the lack of administration on the estates of George S. Lawson and of his heirs is a denial or dispute of Complainants' title which is without right because Complainants and their predecessors have had exclusive, complete, actual, open, notorious, hostile and continuous undisputed possession of said property adverse to Respondent and all other persons for more than twenty years.

The relief prayed in the Bill is substantially as follows:

1. To require Respondent and all persons claiming under him and any other persons claiming an interest in said real property to set forth the nature of their claim.

2. To quiet title of said real property in Complainants.

WHEREUPON, it is ordered by the Circuit Court for Somerset County, this 19th day of April, 1977, that the Complainants cause a copy of this order to be inserted in a newspaper published in Somerset County, once a week in each of three successive weeks, before the 16th day of May, 1977, giving notice to the said non-resident Respondent of the object and substance of the Bill and warning him to show cause, if any there may be, on or before the 18th day of July, 1977, why a decree should not be passed as prayed.

LLOYD L. SIMPKINS
Judge

True Copy,
Test: L. THEODORE PHOEBUS, Clerk.

3t, 4/21, 4/28, and 5/5

PRINCESS ANNE, MD., May 17 1977

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 of Pub.

Dates Inserted: 4/21-28 5/5

Business Manager MARYLANDER and HERALD

BOOK 046 PAGE 339

Paul T. Carey Pearl D. Carey Complainants	:	No. 10,105 Chancery
vs	:	In the Circuit Court for
	:	Somerset County, Maryland
George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto	:	
Respondents	:	

To the Honorable, the Judge of said Court:

The petition of Paul T. Carey and Pearl D. Carey, the Complainants herein, respectfully show:

That the Respondents in this cause have been duly summonsed to appear to the Bill of Complaint in this cause, but have failed to appear to or answer said Bill of Complaint.

The Complainants, therefore, pray that the Bill of Complaint in this cause may be taken pro-confesso against the said Respondents and that the Complainants have leave to take testimony before one of the standing examiners of this Court.

JONES & JONES

By Tony Bruce
Tony Bruce
Solicitors for Complainants

ORDER

It appearing in the above entitled cause that the adult Respondent, George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto, have been duly summonsed to appear to the Bill of Complaint, in this cause, but have failed to appear to or answer said Bill of Complaint within the time prescribed by the Rules of this Court.

It is thereupon this 29th day of July, in the year nineteen hundred and seventy-seven, by the Circuit Court for Somerset County, Maryland,

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

in Equity, ADJUDGED, ORDERED and DECREED that said Bill of Complaint, be and the same is hereby taken pro-confesso against said Respondents.

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

Lloyd L. Simpson
Judge

Paul T. Carey Pearl D. Carey Complainants	:	No. 10,105 Chancery In the Circuit Court for
vs	:	Somerset County, Maryland
George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto Respondents	:	

TESTIMONY

A Decree pro-confesso having been previously filed in this proceeding upon Petition of the Complainants against the Respondents who have failed to appear or to answer the Bill of Complaint filed in this proceeding within the time prescribed by the Rules of Court, therefore:

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 4th day of August, 1977, in the law offices of Jones & Jones, Princess Anne, Maryland, I did take the following testimony, to wit:

Everett Lawson, a witness of lawful age produced on the part ofthe Complainants, being first duly sworn, deposes and says:

Int. 1 Please state your name, age, residence and occupation.

Ans. My name is Everett Lawson. I am 60 years of age. I reside at Monie, Maryland and I operate a taxi cab.

Int. 2 Do you know any of the parties in this case?

Ans. I am the grandson of George S. Lawson who died about 1891 owning approximately 200 acres of land in the vicinity of Monie on both sides of whiat is now called the Oriole back road.

Int. 3 Did George S. Lawson have any heirs or devisees.

Ans. My grandfather left a will which was later declared invalid. He had numerous heirs including several sons, daughters and grandchildren.

Int. 4 What happened to the real estate your grandfather owned?

Ans. The property on the north side of the Oriole back road was not

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

settled until about World War I. The property on the south side of the road was divided among the heirs by mutual agreement.

Int. 5 Did you know Augustus James Lawson?

Ans. Yes. He was my Uncle Jim, a son of George S. Lawson. He had a share of the property on the south side of the road as an heir. When the division was made he was given about seven acres next to the Angie Lawson share. Uncle Jim's property ran southwesterly from the Oriole back road about 2100 feet to the Abbott's ditch. He built a home on the property and he and his family lived there for over fifty years. The house has now fallen down although there is a good stand of timber on the property.

Int. 6 Did you or other members of the family ever sign a deed to Augustus James Lawson?

Ans. No. When Uncle Jim died his immediate family found that there had never been a deed given for the property from the other heirs. None of the family ever claimed any interest in Uncle Jim's share and as far as we were concerned or anyone else in the community Uncle Jim had occupied the property as if he had lawfully owned it. All of the heirs I knew signed a deed reciting all of these facts granting the property to his widow and children. This occured about the fall of 1950. No one else ever claimed an interest in the property.

Int. 7 Do Augustus James Lawson's heirs still have an interest in the property?

Ans. His widow, Nora Lawson, died August 1954 and his children sold the property to Paul T. Carey and Pearl D. Carey in 1970.

Court Question:

Ans. Nothing further.

William Everett Lawson
Everett Lawson

There being no further witnesses produced for examination by me, and at the request of attorneys for Complainants, 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 witness and thereupon he 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 4th day of August, 1977.

(SEAL)
Logan C. Widdowson, Examiner

Paul T. Carey Pearl D. Carey Complainants vs George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto	: : : : : : :	No. 10,105 Chancery In the Circuit Court for Somerset County, Maryland

PROFFER

To the Honorable, the Judge of said Court:

The Complainants, Paul T. Carey and Pearl D. Carey, by Jones & Jones, their attorneys, proffer to the Court a certified copy of the docket entries of a caveat proceeding, being No. 1822 in the Circuit Court for Somerset County, which said docket entries having been offered as Plaintiff's Exhibit A subsequently in the Chancery proceedings No. 3125 in the Circuit Court for Somerset County together with a certified copy of the testimony in No. 3125 all of which the Complainants' request that this Court take judicial note of with the proviso that they not be required again to be recorded inasmuch as they are a part of the present records of the Circuit Court for Somerset County in Chancery proceeding No. 3125 and recorded in Liber No. 17, folio 522 et seq.

The Complainants by their attorneys further proffer a certified copy of a deed to Nora Lawson, et al, from Serena E. Lawson, et al, dated October 2, 1950 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 151, folio 430 et seq.

JONES & JONES

By Tony Bruce

Tony Bruce
Solicitors for Complainants

ORDER

The aforegoing having been read and considered this 4th day of August, 1977, the aforegoing is received for ~~the purpose~~ of taking testimony.

Examiner

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

ORDER OF COURT

The aforegoing having been read and considered it is ORDERED this 8th day of August, 1977, by the Circuit Court for Somerset County, Maryland, that the evidence proffered be accepted into evidence in this proceeding and that they be marked Complainants' Exhibits A, B and C, respectively, and be it further ORDERED that the Court shall exempt Exhibits A and B from being subseqently recorded.

R. Ed. Hasey
Judge

DEED	This deed made this 2nd day of October, in the year Nineteen
FROM	Hundred and Fifty, by Serena E. Lawson (Single), Lillian Law-
SERENA E. LAWSON, ET. AL	son Muir and William F. Muir, her husband, Lucille Lawson
TO	(Single), W. Everett Lawson and Lucille Jones Lawson, his wife,
NORA LAWSON, ET. AL	Edgar Lawson and Ethel D. Lawson, his wife, Mildred Lawson
	Fisher and Martin Fisher, her husband, Margaret Lawson Wind-

sor and Harry Windsor, Jr., her husband, Lois Lawson Phoebus and Jesse M. Phoebus, her husband, all of Somerset County and State of Maryland, Jennie Lawson and Hattie Lawson (both single), Sadie Marbury (divorced), Gola Lawson Hall (widow), Helen Gertrude Dameral (widow), James Tyler (Single), Evelyn Haller and Joseph Haller, her husband, Leila Shores and Mervin Shores, her husband, Addie Tankersley (divorced), C. Jeanette Wehr all of Baltimore City and State of Maryland, Julia A. Miles and Lottie Earl Tumison (widow) of the city of Norfolk and State

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of Virginia, Dola Hudgins and Ernest Hudgins, her husband, of the city of Richmond and State of Virginia, Harry C. Lawson and Eva Lawson, his wife of Bexar County and State of Texas, and Lois Lawson (Single), of Jefferson County and State of Texas.

Whereas, George S. Lawson, late of Somerset County and State of Maryland, died intestate and without a valid Last Will and Testament; and whereas after his death his children and heirs-at-law by a verbal agreement set aside and awarded the tract of land hereinafter described to Augustus James Lawson a son of the said George S. Lawson, deceased; and whereas, the said Augustus James Lawson erected his home on said tract of land and he and his family have been living thereon and have been in exclusive possession of said property for at least the past fifty years; and whereas, the said Augustus James Lawson in his lifetime never secured a deed for said property; and whereas the grantors herein are the heirs-at-law of the late George S. Lawson at the present time, and now desire to convey the property hereinafter described to the widow and children of the said Augustus James Lawson, who has also departed this life intestate.

Now therefore this deed witnesseth, that in consideration of the premises and of the sum of one dollar in hand paid, the said Serena E. Lawson, Lillian Lawson Muir and William F. Muir, her husband, Lucille Lawson, W. Everett Lawson and Lucille Jones Lawson, his wife, Edgar Lawson and Ethel D. Lawson, his wife, Mildred Lawson Fisher and Martin Fisher, her husband, Margaret Lawson Windsor and Harry Windsor, Jr., her husband, Lois Lawson Phoebus and Jesse M. Phoebus, her husband, Jennie Lawson and Hattie Lawson, Sadie Marbury, Gola Lawson Hall, Helen Gertrude Dameral, James Tyler, Evelyn Haller and Joseph Haller, her husband, Leila Shores and Mervin Shores, her husband, Addie Tankersley, C. Jeanette Wehr, Julia A. Miles and Lottie Earl Tumison, Dola Hudgins and Ernest Hudgins, Harry C. Lawson and Eva Lawson, his wife, and Lois Lawson do grant and convey unto Nora Lawson (widow), of Augustus James Lawson, for and during the term of her natural life and upon her death to the following children of the said Nora Lawson; namely, Gladys Lawson Bryan, of Wicomico County and State of Maryland, Denwood Law-

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Nora Lawson, namely, Gladys Lawson Bryan, of Wicomico County and State of Maryland, Denwood Lawson and Grace Lawson, of Baltimore City and State of Maryland, as tenants in common, their heirs and assigns, in fee simple; all that tract or parcel of land, situate lying and being in St. Peters Election District, in said Somerset County and State of Maryland, and more fully described as follows, that is to say:

All that tract or parcel of land, situate as aforesaid, and lying and binding on the south side of the old county road leading from the state road by Wyatt Corner towards Oriole, bounded on the east by the land of Hoyt Somers, bounded on the west by an unimproved lot of land now owned by Angie Lawson and others, bounded on the west by a ditch known as Abbott's ditch, and containing or supposed to contain six acres of land more or less.

The said tract of land above described, being owned as above set forth by George S. Lawson, late of said Somerset County deceased, and which said tract of land after his death was awarded in the manner set forth in the second paragraph of this deed.

Together with the dwelling house and all other buildings and improvements thereupon erected, made or being, and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages to the same belonging, or in any wise appertaining.

To have and to hold the land and premises above described and mentioned, and hereby intended to be conveyed, unto and to the proper use and benefit of the said Nora Lawson for and during the term of her natural life and upon her death to the following children of the said Nora Lawson and the late Augustus James Lawson; namely, Gladys Lawson Bryan, Denwood Lawson and Grace Lawson, as tenants in common, their heirs and assigns, in fee simple.

And the said grantors and each of them covenant that they will warrant specially the property hereby granted and conveyed, and that they will execute such further assurances of

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the said land as may be requisite.

As witness the hands and seals of the said grantors.

TEST:

Harry C. Dashiell

Serena Elizabeth Lawson (SEAL)
Lillian Lawson Muir (SEAL)
William F. Muir (SEAL)
Lucille Emily Lawson (SEAL)
W. Everett Lawson (SEAL)
Lucille Jones Lawson (SEAL)
Edgar Lawson (SEAL)
Ethel D. Lawson (SEAL)
Mildred L. Fisher (SEAL)
Martin Fisher (SEAL)
Margaret Lawson Windsor (SEAL)
Harry Windsor Jr. (SEAL)
Lois Lawson Phoebus (SEAL)
Jesse Mervin Phoebus (SEAL)
C. Jeanette Wehr (SEAL)

TEST:

Myrtle A. Renshaw

Jennie Lawson (SEAL)
Hattie Lawson (SEAL)
Sadie Marbury (SEAL)
Gola Lawson Hall (SEAL)
Helen Gertrude Dameral (SEAL)
James Tyler (SEAL)
Evelyn Haller (SEAL)

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Joseph A. Haller (SEAL)

Leila Shores (SEAL)

Mervin Shores (SEAL)

Addie Tankersley (SEAL)

Julia A. Miles (SEAL)

Lottie Earl Tunison (SEAL)

Dola L. Hudgins (SEAL)

Ernest C. Hudgins (SEAL)

Harry C. Lawson (SEAL)

Eva Lawson (SEAL)

TEST: Lois Lawson (SEAL)

STATE OF MARYLAND, SOMERSET COUNTY, to wit:

I hereby certify that on this 16th day of November, 1950, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Lillian Lawson Muir and William F. Muir, her husband, Serena E. Lawson, Lucille Lawson, W. Everett Lawson and Lucille Jones Lawson, his wife, Edgar Lawson and Ethel D. Lawson, his wife, Mildred Lawson Fisher and Martin Fisher, her husband, Margaret Lawson Windsor and Harry Windsor, Jr., her husband, Lois Lawson Phoebus and Jesse M. Phoebus, and did each of them acknowledge the aforegoing deed to be their act and deed; and I do further certify that the said Lillian Lawson Muir and William F. Muir, her husband, Serena E. Lawson, Lucille Lawson, W. Everett Lawson and Lucille Jones Lawson, his wife, Edgar Lawson and Ethel D. Lawson, his wife, Mildred Lawson Fisher and Martin Fisher, her husband, Margaret Lawson Windsor and Harry

BOOK 046 PAGE 351

Windsor, Jr., her husband, and Lois Lawson Phoebus and Jesse M. Phoebus, her husband, signed the aforegoing deed in my presence, and that I witnessed their signatures to the same.

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

SEAL OF NOTARY — Edna Mae Widdowson, Notary Public

STATE OF MARYLAND, BALTIMORE CITY, to wit:

I hereby certify that on this 4th day of December, 1950, before me the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City aforesaid, personally appeared C. Jeanette Wehr, Jennie Lawson and Hattie Lawson, Sadie Marbury, Gola Lawson Hall, Helen Gertrude Dameral, James Tyler, Evelyn Haller and Joseph Haller, her husband, Leila Shores and Mervin Shores, her husband, and Addie Tankersley, and did each of them acknowledge the aforegoing deed to be their act and deed; and I do further certify that the said C. Jeanette Wehr, Jennie Lawson, Hattie Lawson, Sadie Marbury, Gola Lawson Hall, Helen Gertrude Dameral, James Tyler, Evelyn Haller and Joseph Haller, her husband, Leila Shores and Mervin Shores, her husband, and Addie Tankersley, signed the aforegoing deed in my presence, and that I witnessed their signatures to the same.

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

SEAL OF NOTARY — Myrtle A. Renshaw, Notary Public

STATE OF VIRGINIA, CITY OF NORFOLK, to wit:

I hereby certify that on this 2nd day of October, 1950, before me the subscriber, a Notary Public of the State of Virginia, in and for the city of Norfolk aforesaid, personally appeared Julia A. Miles and Lottie Earl Tunison and acknowledged the aforegoing deed to be their act and deed; and I do further certify that the said Julia A. Miles and Lottie Earl Tumison, signed the aforegoing deed in my presence. and that I witnessed their signatures to the same.

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

SEAL OF NOTARY — E. S. Shepherd
Notary Public
My commission expires August 21, 1954

STATE OF VIRGINIA, CITY OF RICHMOND, to wit:-

I hereby certify that on this 18th day of October, 1950, before me the subscriber, a Notary Public of the State of Virginia, in and for the city of Richmond, aforesaid, personally appeared, Dola Hudgins and Ernest Hudgins, her husband, and acknowledged the aforegoing deed to be their act and deed; and I do further certify that the said Dola Hudgins and Ernest Hudgins, her husband, signed the aforegoing deed in my presence, and that I witnessed their signatures to the same.

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

SEAL OF NOTARY — Malrie W. Hanes
Notary Public
My Commission Expires April 19, 1954

STATE OF TEXAS, BEXAR COUNTY, to wit:

I hereby certify that on this 10th day of October, 1950, before me the subscriber, a Notary Public of the State of Texas, in and for Bexar County, aforesaid, personally appeared Harry C. Lawson and Eva Lawson, his wife, and acknowledged the aforegoing deed to be their act and deed; and I do further certify that the said Harry C. Lawson and Eva Lawson signed the aforegoing deed in my presence, and that I witnessed their signatures to the same.

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

SEAL OF NOTARY — Emil Karger
Notary Public

Notary Public, Bexar County, Texas

BOOK 046 PAGE 353

STATE OF TEXAS, JEFFERSON COUNTY, to wit:

I hereby certify that on this 13th day of October, 1950, before me the subscriber, a Notary Public of the State of Texas, in and for Jefferson County, aforesaid, personally appeared Lois Lawson, and acknowledged the aforegoing deed to be his act and deed; and I do further certify that the said Lois Lawson signed the aforegoing deed in my presence, and that I witnessed his signature to the same.

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

SEAL OF NOTARY — D'Wilda Chris, Notary Public

Notary Public in & for Jefferson County, Texas -
My commission expires June 1, 1951

Received for Record December 8, 1950 and recorded in Liber B.L.B. No. 151, Folio 430, et seq., one of the Land Records of Somerset County.

Per: Benjamin L. Bruce, Clerk.

Gft + mailed to Nora Lawson 2/1/52.

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In The Circuit Court For Somerset County

STATE OF MARYLAND :
SOMERSET COUNTY : SCT.

I. Theodore Phoebus, Clerk of the Circuit Court for Somerset County, do hereby certify that the aforegoing is a true copy of the original

DEED

From

Serena E. Lawson, ET. AL

To

Nora Lawson, ET. AL

taken from the Records of the said Circuit Court for Somerset County as recorded in Liber No. 151 , Folio 430 , one of the Land Records of Somerset County.

IN TESTIMONY WHEREOF, I hereto set my hand and affix the Seal of said Court, this 29th day of July A. D. 19 77

T. Theodore Phoebus
Clerk of the Circuit Court for Somerset County

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Paul T. Carey Pearl D. Carey Complainants	:	No. 10,105 Chancery
vs	:	In the Circuit Court for
	:	Somerset County, Maryland
George S. Lawson, his heirs and assigns, and all other persons unknown, claiming any right, title, estate, lien or interest in the real property described in the complaint adverse to Complainants' ownership, or any cloud upon Complainants' title thereto	:	

DECREE

The proceedings in the above cause including the Bill of Complaint Quia Timet, the testimony and exhibits having been read and considered and the Court having made its own investigation of the facts and circumstances of this case and having considered the comments of counsel of record for Complainants and it appearing to the Court that the ends of justice would be served by the granting of a decree in favor of Complainants, it is thereupon this 19th day of August, 1977, by the Circuit Court for Somerset County, Maryland, sitting in equity, ADJUDGED, ORDERED and DECREED:

1. That the complainants, Paul T. Carey and Pearl D. Carey, have absolute ownership and the right of disposition of the property described in the Bill of Complaint heretofore filed in this proceeding on behalf of said Complainants, described therein as: All that tract or parcel of land situate, lying and being in St. Peters Election District, in said Somerset County and State of Maryland and more fully described as follows, that is to say: All that tract or parcel of land, situate as aforesaid, and lying and binding on the south side of the old county road leading from the state road by Wyatt Corner towards Oriole, bounded on the east by the land of Hoyt Somers, bounded on the west by an unimproved lot of land now owned by Angie Lawson and others, bounded on the west by a ditch known as Abbott's ditch, and containing or supposed to contain six acres of land more or less.

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

2. That the complainants, Paul T. Carey and Pearl D. Carey, have established title to said land by virtue of the exclusive, complete, actual, open, notorious,

hostile, and continuous undisputed possession of said property by themselves and by their predecessors in title, adverse to the respondents and all other persons for more than twenty years prior to the filing of the Bill of Complaint in this proceeding and as a result have acquired title to said land by adverse possession under the laws of the State of Maryland.

3. That the respondents, the heirs at law of George S. Lawson, and all persons claiming under them be and they are hereby permanently enjoined from asserting any claim, estate, right, title, lien or interest in or to said property or any part thereof adverse to the said Paul T. Carey and Pearl D. Carey or their successors in interest by any action at law or otherwise.

4. That the complainants pay the costs of this proceeding.

R. W. Ashby
Judge

EXD.
APR. 6 1978

BOOK 046 PAGE 358

MAY 18-76 B 529364D*****40.00

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Carroll Lawrence Hancock
and Catherine Louise Hancock, his
wife, and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 9920 Chancery

In the Circuit Court for

Somerset County,

State of Maryland

Mr. Clerk:

Please file the attached mortgage and non-military service affidavit and enter the appearance of Wade D. Ward for the purpose of foreclosure and collection.

Wade D. Ward, Attorney
Assignee

FOR MORTGAGE SEE LIBER NO. 236, Folio 504.

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Carroll Lawrence Hancock
and Catherine Louise Hancock, his
wife, and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 9920 Chancery

In the Circuit Court

For Somerset County,

State of Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this day of April, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, and he made oath in due form of law, that he knows the Defendants herein and that to the best of his knowledge, information and belief:

(1) Said Defendants are not in the Military Service of the United States of America.

(2) Said Defendants are not in the Military Service of any National allied with the United States of America:

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act.

(4) Said Defendants are not members of the Enlisted Reserve Corps, who have been ordered to report for Military Service.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN • NOTARY PUBLIC • SOMERSET CO., MD.

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Wade D. Ward, Assignee Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	:	No. 9920 Chancery In the Circuit Court for Somerset County State of Maryland

STATEMENT OF MORTGAGE DEBT

Original amount of mortgages	$	16,000.00
Less - amount paid on principals		7,029.40
Amount owed on principals	$	8,970.60
Plus interest to 06/07/76		194.32
Plus insurance premium advanced on property		55.00
	$	9,219.92

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 9th day of June, 1976, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, a United States Banking Corporation, the plaintiff in the above entitled cause, and made oath that the foregoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN • NOTARY PUBLIC • SOMERSET CO. MD.

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

Maryland

No. 9920 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

LIBER 010 PAGE 332

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2294

That we, WADE D. WARD, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of -----Ninety Five Hundred---- ($9500.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 7th day of June, 1976.

WHEREAS, the above bounden Wade D. Ward

by virtue of the power contained in a mortgage from Carroll L. & Catherine L. Hancock

to Eastern Shore National Bank

bearing date the 15th day of February 1967 and recorded among

the mortgage records of Somerset County, Maryland

in Liber I.T.P. 236 No. 236 Folio 504

and Wade D. Ward
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Wade D. Ward

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Robert Scott Davis

X Wade D. Ward
Principal

Principal

As to Surety

M Stratton

C. Larson

WESTERN SURETY COMPANY

By W. Berentschot
W. Berentschot, Asst. Sec'y.

Countersigned by Philip W. Tawes Maryland Resident Agent

THE WITHIN BOND APPROVED:

FILED

PER: S. Theodore Phebus, CLERK. JUN 7 4 05 PM '76

RECORDED IN 524
LIBER NO. 19 FOLIO 332
S. THEODORE PHEBUS, CLK. CT. CT.
BY ____ DEPUTY

BOOK 040 PAGE 361

1268

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Carroll Lawrence
Hancock and Catherine Louise
Hancock, his wife, and then by
assignment to Wade D. Ward for
foreclosure and collection.

Chancery No. 9720

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 Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, to the Bank of Crisfield, a body corporate, now the Eastern Shore National Bank, a United States Banking Corporation, dated February 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 236 folio 504, 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 advertisment in the Crisfield Times, once in each of three successive weeks before the day of sale, he did, pursuant to said notice, attend on the Post Office steps in Crisfield, Maryland, on Tuesday, June 8, 1976, at 2:00 p.m. then and there proceeded to sell the property described in said mortgage to wit:

All that lot or parcel of land situate, lying and being located in the City of Crisfield, Somerset County, State of Maryland, being located on the easterly side of Richardson Avenue and being bound on the south by Columbia Avenue; and being the same and all that property conveyed to Harry Evans from Raydie James Sterling, et. al. by deed duly recorded among the Land Records of Somerset County, Maryland, and being the same and all that property conveyed to the Bank of Crisfield from Wade D. Ward, Attorney and Assignee, by deed dated December 20, 1961, and recorded in Liber G.J.B. No. 207 folio 569; and being the same and all that property conveyed to Elmer D. Hancock and Ethel M. Hancock, his wife, from the Bank of Crisfield, a body corporate by deed dated April 27, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 226 folio 577; and being the same and all that property conveyed to Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, from Elmer D. Hancock and Ethel M. Hancock, his wife, by deed dated February 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 237 folio 305.

And the said property was sold to the Eastern Shore National Bank, a United States Banking Corporation, it being then and there the highest bidder therefor, at and for the sum of Ten Thousand Dollars ($10,000.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Wade D. Ward, Attorney

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage from Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

Chancery No. 9220

In the Circuit Court for Somerset County, Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 9th day of June, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, a United States Banking Corporation, he being the duly authorized agent for said Bank in making this affidavit, it being one of the purchasers of real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone but the Eastern Shore National Bank.

2. That other interest in said purchase as principal is none.

3. That he 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.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN • NOTARY PUBLIC • SOMERSET CO. MD.

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Carroll Lawrence
Hancock and Catherine Louise
Hancock, his wife, and then by
assignment to Wade D. Ward for
foreclosure and collection.

Chancery No. 9220

In the Circuit Court

For Somerset County

State of 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 12th day of July, 1976, 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 6th day of July, 1976.

The report states the amount of sale being Ten Thousand Dollars ($10,000.00).

DATED June 9, 1976

I. Theodore Phoebus, Clerk

CRISFIELD, MD. June 16, 19 76

THIS is to certify that the annexed Public 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 Public Sale for 3 weeks beginning with the issue of May 21, 19 76 and ending June 4, 19 76.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

Wade D. Ward,
Solicitor

PUBLIC SALE Of VALUABLE PROPERTY

By virtue of the power and authority contained in a mortgage from Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, to said Bank of Crisfield, a body corporate, now The Eastern Shore National Bank, a United States Banking Corporation, dated February 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 236 folio 504 which said mortgage has been duly assigned to the undersigned by the said Eastern Shore National Bank, by assignment dated April 21, 1976, and recorded among the Land Records of Somerset County, Maryland, 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 Post Office in Crisfield, Maryland, on Tuesday,

June 8, 1976

at or about the hour of 2:00 p.m., all that lot or parcel of land situate, lying and being in the City of Crisfield, Somerset County, State of Maryland, and more particularly described as follows:

All that lot or parcel of land situate, lying and being as aforesaid, being located on the easterly side of Richardson Avenue and being bound on the south by Columbia Avenue; and being the same and all that property conveyed to Harry Evans from Raydie James Sterling, et. al. by deed duly recorded among the Land Records of Somerset County, Maryland, and being the same and all that property conveyed to the Bank of Crisfield from Wade D. Ward, Attorney and Assignee, by deed dated December 20, 1961, and recorded in Liber G.J.B. No 207, folio 569; and being the same and all that property conveyed to Elmer D. Hancock and Ethel M. Hancock, his wife, from the Bank of Crisfield, a body corporate by deed dated April 27, 1965, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 226 folio 577; and being the same and all that property conveyed to Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, from Elmer D. Hancock and Ethel M. Hancock, his wife, by deed dated February 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 237 folio 305.

This property is improved with a dwelling in good condition.

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 for Somerset County; the unpaid portion to bear interest at the rate of eight per cent (8 per cent) per annum.

Taxes, assessments, and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, and cost of recording at the expense of purchaser or purchasers.

Wade D. Ward, Attorney
Assignee of said Mortgage
5-21-3t

Wade D. Ward, Assignee for the purpose of foreclosure and collection under power contained in a mortgage from Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, and then by assignement to Wade D. Ward, for foreclosure and collection.

Chancery No. 9920

In the Circuit Court

For Somerset County

State of Maryland

Wade D. Ward
Attorney At Law
Crisfield, Md.

Wade D. Ward, Assignee Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from contained in a mortgage from Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

Chancery No. 9920
In the Circuit Court
For Somerset County
State of 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 12th day of July, 1976, 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 6th day of July, 1976.

The report states the amount of sale being Ten Thousand Dollars ($10,000.00).

I. Theodore Phoebus, Clerk

Dated: June 9, 1976
6-18-3t

CRISFIELD, MD. July 8, 19 76

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 June 18, 19 76 and ending July 2, 19 76

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S. C. Rippin

BOOK 046 PAGE 367

BOOK 046 PAGE 368

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage under power contained in a mortgage from Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, and then by assignment to Wade D. Ward, for foreclosure and collection.

Chancery No. 9920

In the Circuit Court for

Somerset County

State of Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 1st day of July, 1976; before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney, and Assignee, of the foreclosure of Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, and he made oath in due form of law that he mailed a certified U. S. Postage prepaid letter to Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, % Windsor Mill Inn, Windsor Mill Road, Baltimore, Maryland and a copy of the receipt is attached hereto, which was mailed six days before date of sale.

As witness my hand and seal the day and year first above written.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN • NOTARY PUBLIC • SOMERSET CO., MD.

No. 386352

RECEIPT FOR CERTIFIED MAIL—~~30¢~~ 10¢ (plus postage)

SENT TO
Mr. & Mrs. Carroll L. Hancock

STREET AND NO.
% Windsor Mill Inn

P.O., STATE AND ZIP CODE
Windsor Mill Road
Baltimore, Maryland

POSTMARK OR DATE
JUN 2 1976

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 3800 Apr. 1971

NO INSURANCE COVERAGE PROVIDED—NOT FOR INTERNATIONAL MAIL

(See other side)

* GPO : 1974 O - 551-456

Wade D. Ward, Assignee for the purpose of foreclosure and collection under power contained in a mortgage from Carroll Lawrence Hancock and Catherine Louise Hancock, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

Chancery No. 9720

In the Circuit Court for

Somerset County

State of Maryland

FINAL ORDER

Ordered by this Court this 16th day of July, 1976, 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.

R. Dale Hussey
Judge

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Carroll Lawrence
Hancock and Catherine Louise
Hancock, his wife, and then by
assignment to Wade D. Ward for
foreclosure and collection.

Chancery No. 9220

In the Circuit Court

For Somerset County

State of Maryland

P E T I T I O N

The Eastern Shore National Bank hereby files a mortgage dated May 15, 1969, and recorded in Liber ITP Number 248 Folio 631 in the amount of Two Thousand Dollars ($2,000), and another mortgage dated March 20, 1970, recorded in Liber ITP 254 Folio 463 in the amount of Four Thousand Dollars ($4,000) covering the property of the mortgages, and hereby request that these mortgages be considered by the Court Auditor and be allowed in the audit in order of their priority.

Robert Tawes, Vice-President
Eastern Shore National Bank

O R D E R

The Eastern Shore National Bank having filed the original mortgages on the properties of Carroll L. Hancock and Catherine Hancock, his wife, mortgagors in the above case in the amounts of Two Thousand Dollars ($2,000) and Four Thousand Dollars ($4,000), it is hereby ORDERED this 8th day of ~~August~~ September, 1976, by the Circuit Court of Somerset County.

THAT the said mortgages be considered by the Court Auditor for Somerset County, Maryland, be allowed in order of their priority.

Lloyd L. Simpkins
Judge

FOR MORTGAGEE SEE LIBER I.T.P. NO. 254, FOLIO 463.
FOR MORTGAGE SEE LIBER I.T.P. NO. 248, FOLIO 631.

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Carrol Lawrence
Hancock and Catherine Louise
Hancock, his wife, and then by
assignment to Wade D. Ward for
foreclosure and collection.

Chancery No. 9920

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 Attorneys therein, states the following account:

He charges the Attorneys with the amount of the sale as reported by them being the sum of Ten thousand dollars ($10,000.00).

He has allowed the proper expenses, costs and fees amounting to Two thousand seven hundred forty-six dollars and thirty cents ($2,746.30).

The balance then remaining amounts to Seven thousand two hundred fifty-three dollars and seventy cents ($7,253.70) to be distributed as follows:

To Eastern Shore National Bank to satisfy first mortgage 6,512.16 with the balance of 821.54 to be credit toward second mortgage.

Amount of Sale			$10,000.00
Expenses, Costs, & Fees			
I.T. Phoebus, Court Costs		$ 90.00	
Treasurer, City of Crisfield-Taxes		836.85	
Treasurer, Somerest County-Taxes		966.95	
Crisfield Times-Advertising		84.00	
Philip Tawes-Bond Premium		28.50	
Auctioneer		50.00	
Commission (Attorney) per Rules		650.00	
Auditor's Fee		40.00	
Total Expenses		$2,746.30	
Funds to be Distributed		$7,253.70	
First Mortgage			
Principal	6,382.38		
Interest	129.78	6,512.16	

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

BOOK 046 PAGE 372

Second Mortgage		
Principal	1,662.95	
Interest	39.45	1,702.40
Third Mortgage		
Principal	925.27	
Interest	75.09	950.36

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

76-40
9/30/76
jlf

Wade D. Ward, Assignee Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from Carrol Lawrence Hancock and Catherine Louise Hancock, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	Chancery No. 9920 In the Circuit Court For Somerset County State of Maryland

TAKE DUE NOTICE that the First and Final Auditor's Report in the above-entitled cause was filed on September 30th, 1976, with the Clerk of Court for Somerset County, Maryland.

All exceptions to said report must be filed within fifteen (15) days to the date of filing; if no exceptions are filed, the account may be ratified.

Logan C. Widdowson
Auditor

Your Auditor hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of this Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid.

Wade D. Ward
Attorney at Law
Crisfield, MD 21817

Carroll Lawrence Hancock
c/o Windsor Mill Inn
Windsor Mill Road
Baltimore, Maryland

Catherine Louise Hancock
c/o Windsor Mill Inn
Windsor Mill Road
Baltimore, Maryland

Logan C. Widdowson

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

BOOK 1993 PAGE 573

BOOK 046 PAGE 374

No. 9920 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 30th day of September, 19 76, 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 15th day of October, 19 76.

I. 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 8th day of March, 19 78, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

EXD.
APR. 6 1978

SEP 14-76 B 521930D*****40.00

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Paul J. Davis, and
then by assignment to Wade D.
Ward for foreclosure and
collection.

No. 9975 Chancery

In the Circuit Court

For Somerset County

State of Maryland

Mr. Clerk:

Please file the attached mortgage and non-military service affidavit and enter the appearance of Wade D. Ward for the purpose of foreclosure and collection.

Wade D. Ward, Attorney
Assignee

FOR MORTGAGE SEE LIBER 285, FOLIO 365.

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Paul J. Davis, and
then by assignment to Wade D.
Ward for foreclosure and
collection.

No. 9975 Chancery

In the Circuit Court

For Somerset County

State of Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 10th day of September, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, and he made oath in due form of law, that he knows the Defendant herein and that to the best of his knowledge, information and belief:

(1) Said Defendant is not in the Military Service of the United States of America.

(2) Said Defendant is not in the Military Service of any National allied with the United States of America.

(3) Said Defendant has not been ordered to report for induction under the Selective Training and Service Act.

(4) Said Defendant is not a member of the Enlisted Reserve Corps, who has been ordered to report for Military Service.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN • NOTARY PUBLIC • SOMERSET CO., MD.

IN THE MATTER OF	*	NO. 9975 CHANCERY
WADE D. WARD, ASSIGNEE OF	*	IN THE CIRCUIT COURT
A MORTGAGE FROM PAUL J.	*	FOR SOMERSET COUNTY
DAVIS, TO EASTERN SHORE	*	STATE OF MARYLAND.
NATIONAL BANK	*	

EX PARTE

* * * * * * * * * *

CLAIM FOR SURPLUS OF PROCEEDS OF SALE

L. Walter Vincent, individually and t/a Vincent's Electrical Service, by his attorney, Lloyd O. Whitehead, pursuant to Rule W 75 of the Maryland Rules of Procedures, claims an interest in the equity of redemption of Paul J. Davis in the property filed herein for foreclosure and does hereby apply to this Court to have the surplus of the proceeds of sale, if any, after payment to the Mortgagees of their claim and expenses, paid over to him, or so much thereof as will satisfy his claim and for grounds therefor states;

THAT L. Walter Vincent, individually and t/a Vincent's Electrical Service obtained a judgment in the District Court of Maryland for Somerset County, in Case No. 2-3-75-CV483, and recorded in the Index of Recorded Judgments in Liber No. 2, Folio 20, on February 20, 1976, notice of which said lien has been recorded in the Circuit Court for Somerset County, Maryland, against the said Paul J. Davis, Mortgagor herein, in the amount of $1,909.28, with interest from February 20, 1976, plus court costs of $25.00 as appears of record in said Court.

LLOYD O. WHITEHEAD
Attorney for L. Walter Vincent,
individually and t/a Vincent's
Electrical Service
212 East Main Street
Salisbury, Maryland 21801
Telephone: 301-749-2211.

I HEREBY CERTIFY that a copy of the aforegoing Claim for Surplus was mailed to Wade D. Ward, Esquire, addressed to him at 946 West Main Street, Crisfield, Maryland 21817, by regular U. S. Mail, postage prepaid, on this 28th day of September, 1976.

LLOYD O. WHITEHEAD

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

BOOK 046 PAGE 378

IN THE MATTER OF	*	NO. 9975 CHANCERY
WADE D. WARD, ASSIGNEE OF	*	IN THE CIRCUIT COURT
A MORTGAGE FROM PAUL J. DAVIS	*	FOR SOMERSET COUNTY
TO EASTERN SHORE NATIONAL BANK	*	STATE OF MARYLAND.
EX PARTE.	*	

* * * * * * * * * *

ORDER

Upon consideration of the Claim for Surplus of Proceeds of Sale filed herein by L. Walter Vincent, individually and t/a Vincent's Electrical Service, pursuant to Rule W 75, it is this 30th day of September, 1976, by the Circuit Court for Somerset County, Maryland,

ORDERED, that the surplus of the proceeds of the foreclosure sale herein set for October 12, 1976, after payment to the Mortgagees of their claim and expenses be paid to L. Walter Vincent, as aforesaid, to satisfy the judgment obtained on his behalf against Paul J. Davis, in Case No. 2-3-75CV483 in the District Court of Maryland for Somerset County, recorded in the Index of Recorded Judgments in Liber No. 2, page 20, notice of which lien has been filed in the Circuit Court for Somerset County, Maryland, according to the priority of the lien as the same may be determined.

R. Lee Jones

JUDGE.

LAW OFFICES, PERDUE, OWRUTSKY & WHITEHEAD, PROFESSIONAL ASSOCIATION

CV483

CASE No. 2-2-25CV483

DISTRICT COURT OF MARYLAND FOR Somerset County

PARTIES

Plaintiff:

L. Walter Vincent, Individually and T/A Vincent's Electrical Service
Route 1, Dollege Road
Parsonsburg, Maryland 21849

VS.

Defendant: | Return

(1) Paul J. Davis
P.O. Box 172
Princess Anne, Md. 21853 | Served 12-11-75

(2) | —

(3) | —

(4) | —

(5) | —

ATTORNEYS

For Plaintiff:
Lloyd O. Whitehead — Name
216 E. Main St. Salisbury Md 21801 — Address

For Defendant:
Daniel Long — Name
Pocomoke City, Md. — Address

Name
Address

JUDGMENT

SUMMARY
DEFAULT
CONSENT ✓
CONFESSION
NISI

Condemnation

in favor of L. Walter Vincent, Individually & T/A Vincent's Electrical Service
Rt. 1, Dollege Road
Parsonsburg, Maryland 21849 for
$1909.28 DAMAGES and COSTS $10.00
with interest from date plus $
Attorney's Fees against
Paul J. Davis
Po. Box 172
Princess Anne, Md. 21853

2-20-76 William Bateman II
Date Judge

Judgment Absolute
Date Clerk

in favor of

for
$ DAMAGES and COSTS $
with interest from date plus $
Attorney's Fees against

Date Judge

Judgment Absolute
Date Clerk

Case of Contract

Trial Date: 2-2-76
@ 1:30 P.M.

CONTINUANCES:

DATE	PLTF	DEFT	PARTIES	INVOKED	ADD DEFT	DEF CONSENTED	DEF OPPOSED	APPROVED	PARTIES NOTIFIED	BY

DATE	Description of Papers	COSTS
12-9-75	Statement of Claim filed w/clerk. Court cost paid	10.00
12-9-75	Summons mailed by Certified mail #046281. Return receipt requested	
12-22-75	Appearance of Atty. D.N. Long entered for def. and Notice of intend to defend filed. All Parties advised.	
1-22-76	All Parties advised of Trial date being 2-20-76 at 2:30 P.M.	
2-20-76	Judgment by Consent in favor of The Plaintiff in The Amount of $1909.28 Plus $10.00 Court Cost.	

CV 50 (1/74)

Wade D.Ward, Assignee Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from Paul J. Davis, and then by assignment to Wade D. Ward for foreclosure and collection.	:	No. 9975 Chancery
	:	In the Circuit Court for
	:	Somerset County
	:	State of Maryland
	:	

STATEMENT OF MORTGAGE DEBT

Original amount of mortgage	$	27,000.00
Less - amount paid on principal		203.16
Amount owed on principal	$	26,796.84
Plus interest to 09/15/76		2,367.05
Plus insurance premium advanced on property		82.00
	$	29,245.89

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 5th day of October, 1976, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President, of the Eastern Shore National Bank, a United States Banking Corporation, the plaintiff in the above entitled cause, and made oath that the foregoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO. MD.

Maryland

Chancery No. 9975

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM-2495

That we, Wade D. Ward, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of ----- Thirty Thousand------ ($30,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 8th day of October, 19 76.

WHEREAS, the above bounden Wade D. Ward

by virtue of the power contained in a mortgage from Paul J. Davis

to The Eastern Shore National Bank

bearing date the 14th day of February, 1975 and recorded among

the mortgage records of Circuit Court, Somerset County Liber ITP285 Folio 365

in Liber ITP 285 No. 285 Folio 365

and Wade D. Ward

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Wade D. Ward

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Robert A. Davis

x Wade D. Ward — Principal

Principal

As to Surety

D. Dewall

C. Larson

WESTERN SURETY COMPANY

By M. Stratton

M. Stratton, Ass't. Sec'y.

Countersigned by Philip W. Tawes Maryland Resident Agent

FILED

THE WITHIN BOND APPROVED.

PER: L. Theodore Phoebus, CLERK. OCT 6 2 48 PM '76

RECORDED IN ITP
LIBER NO. 10 FOLIO 340
I. THEODORE PHOEBUS, CLK. CT. CT.
BY DEPUTY

1268 BOOK 046 PAGE 381

BOOK 010 PAGE 340

Wade D. Ward, Assignee Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from Paul J. Davis, and then by assignment to Wade D. Ward for foreclosure and collection.	:	No. 9975 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 Paul J. Davis to the Eastern Shore National Bank, a United States Banking Corporation, dated February 14, 1975, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 285 folio 365, 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 Marylander & Herald, once in each of three successive weeks before the day of sale, he did, pursuant to said notice, attend on the Courthouse steps in Princess Anne, Maryland, on Tuesday, October, 12, 1976, at 2:00 p.m. then and there proceeded to sell the property described in said mortgage to wit:

Parcel First: All that lot or parcel of land situate, lying and being in the West Princess Anne Election District, Somerset County, State of Maryland; and being Lots Nine (9), Ten (10), Eleven (11), and Twelve (12) of Block C as shown on a plat which is duly recorded among the land records of Somerset County in Liber No. 60 folio 438, each of said lots fronting fifty (50) feet on Spruce Street and extending back therefrom one hundred fifty (150) feet; and especially a Ten-Foot strip of land along the westermost line of Lot Twenty-One (21) Bock C on said plat for the purpose of placing and maintaining sewer and water lines; and being the same land which was conveyed unto Thomas S. Simpkins by Chrles F. Branford by deed dated November 29, 1973, and recorded among the aforesaid land records in Liber 277 folio 249; and being the same and all that property conveyed unto Paul J. Davis by Thomas S. Simpkins by deed dated January 15, 1974, and recorded among the aforesaid land records in Liber I.T.P. No. 278 folio 471; and all being subject to a first mortgage which is duly recorded among the land records of Somerset County, Maryland, in Liber 279 folio 20 and which said first mortgage was announced before the sale and thereafter sold subject thereto.

And the said property was sold to William H. Wilson, Sr., he being then and there the highest bidder therefor, at and for the sum of Eighty-Two Hundred Fifty Dollars ($8,250.00) and the purchaser has complied with the terms of sale and assumed the existing first mortgage of Eighteen Thousand Seven Hundred Eighty-Eight Dollars and Five Cents ($18,788.05).

Parcel Second: All that lot or parcel of land situate, lying and being in West Princess Anne Election District, Somerset County, State of Maryland, being located on the westerly side of the road known as Jeffrey Lane and beginning for the outlines of the same at a concrete post on the westerly side of said road; said point of beginning being designated by the letter "A" on the plat hereinafter referred to; thence S 75° 19' W a distance of Two Hundred (200) feet to a concrete post; thence N 14° 41' W a distance of one hundred seventy-eight and seventy hundredths (178.70) feet to a concrete post; thence N 84° 29' E a distance of two hundred two and five hundredths (202.05) feet to a concrete post; thence S 14° 41' E a distance of one hundred fifty (150) feet to the point of beginning; and being the same and all that property conveyed to Clyde William Jenkins, Jr. and Dawn Lisa Jenkins, his wife, by deed dated August 14, 1973, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 275 folio 127; and having been accurately laid down and described on a plat prepared by G. Oliver Morrell, Registered Land Surveyor, and recorded in Liber I.T.P. No. 232 folio 523; and being the same and all that property conveyed to Paul J. Davis by deed dated December, 1973, by Clyde Jenkins and Dawn Jenkins, his wife, duly recorded among the aforesaid land records in Liber I.T.P. No. 277 folio 534.

And the said property was sold to George Jacob, Jr. and Carolyn Ruth Jacob, his wife, they being then and there the highest bidders therefor, at and for the sum of Thirty-Three Thousand Dollars ($33,000.00) and the purchasers have complied with the terms of sale.

Respectfully submitted,

Wade D. Ward

Wade D. Ward, Assignee
Ex Parte for the purpose
of foreclosure and collection
under power contained in a
mortgage from Paul J. Davis,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 9975 Chancery

In the Circuit Court

For Somerset County

State of 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 15th day of November, 1976, 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 November, 1976.

The report states the amount of sale for Parcel First being Eighty-Two Hundred Fifty Dollars ($8,250.00) and Parcel Second being Thirty-Three Thousand Dollars ($33,000.00).

Dated October 13, 1976.

I. Theodore Phoebus, Clerk

WADE D. WARD, SOLICITOR

PUBLIC SALE OF VALUABLE PROPERTY

By virtue of the power and authority contained in a mortage from Paul J. Davis, to the Eastern Shore National Bank, a United States Banking Corporation, dated February 14, 1975, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 285 folio 365 which said mortgage has been duly assigned to the undersigned by the said Eastern Shore National Bank, by assignment dated August 30, 1976, and recorded among the Land Records of Somerset County, Maryland, for the purpose of foreclosure and collection, default having occured under the conditions of said mortage, I will sell at public auction on the steps of the Court House in Princess Anne, Maryland, on Tuesday,

October 12, 1976

at or about the hour of 2:00 p.m., all those lots of parcels of land situate, lying and being in West Princess Anne Election District, Somerset County, State of Maryland, and more particularly discribed as follows:

First: All that lot or parcel of land situate, as aforesaid, and being Lots Nine (9), Ten (10), Eleven (11) and Twelve (12) of Block C as shown on a plat recorded among the land records of Somerset County in Liber No. 60 folio 438, each of said lots fronting fifty (50) feet on Spruce Street and extending back thereform one hundred fifty (150) feet; and especially a Ten-Foot easement of way over to and across a Ten-Foot strip of land along the westermost line of Lot Twenty-One (21) Block C on said plat for the purpose of placing and maintaining sewer and water lines; and being the same land which was conveyed unto Thomas S. Simpkins by Charles F. Branford by deed dated November 29, 1973, and recorded among the aforesaid land records s in Liber 277 folio 249; and being the same and all that property conveyed unto Paul J. Davis by Thomas S. Simpkins by deed dated January 15, 1974, and recorded among the aforesaid land records in Liber I.T.P. No. 278 folio 471.

Second: All that lot or parcel of land situate, as aforesaid, being located on the westerly side of the road known as Jeffrey Lane and beginning for the outlines of the same at a concrete post on the westerly side of said road; said point of beginning being designated by the letter "A" on the plat hereinafter referred to; thence S 75° 19' W a distance of two hundred(200) feet to a concrete post; thence N 14° 41' W a distance of one hundred seventy-eight and seventy hundredths (178.70) feet to a concrete post; thence N 84° 29' E a distance of two hundred two and five hundredths (202.05) feet to a concrete post; thence S 14° 41' E a distance of one hundred fifty (150) feet to the point of beginning; and being the same and all that lot of land which was conveyed to Clyde William Jenkins, Jr. and Dawn Lisa Jenkins, his wife, by deed dated August 14, 1973, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 275 folio 127; and having been accurately laid down and described on a plat prepared by G. Oliver Morrell, Registered Land Surveyor, and recorded in Liber I.T.P. No. 232 folio 523; and being the same and all that property conveyed to Paul J. Davis by deed dated December, 1973, by Clyde Jenkins and Dawn Jenkins, his wife, duly recorded among the aforesaid land records in Liber I.T.P. No. 277 forio 534.

These properties are improved with dwellings in excellent condition.

Terms of Sale: One-third cash on day of sale, and the balance to be paid upon the final ratification of said sale by the Circuit Court for Somerset County; the unpaid portion to bear interest at the rate of 8 percent per annum.

Taxes, assessments, and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, and cost of recording at the expense of purchaser or purchasers.

WADE D. WARD, ATTORNEY
ASSIGNEE OF SAID MORTGAGE

PRINCESS ANNE, MD., 10/8/76

This is to certify that the annexed Public Sale of Val Property 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 Pub. Sale of Val- Property

Dates Inserted: Sept. 23, 30 Oct 7

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

PRINCESS ANNE, MD., Nov. 12 1976

This is to certify that the annexed Order of 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 of Nisi

Dates Inserted: Oct. 21, 28
Nov. 4, 1976

Business Manager MARYLANDER and HERALD

BOOK 046 PAGE 387

ORDER NISI

No. Chancery 9975

In The Circuit Court
For Somerset County
State of Maryland

Wade D. Ward, Assignee
Ex Parte for the
purpose of foreclosure and
collection under power
contained in a mortage from
Paul J. Davis, and
then by assignment to
Wade. D. Ward for
foreclosure and collection

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 15th day of November, 1976, 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 November, 1976.

The report states the amount of sale for Parcel First being Eighty-Two Hundred Fifty Dollars ($8,250.00) and Parcel second being Thirty-Three Thousand Dollars ($33,000.00).

Dated October 13, 1976.

I. Theodore Phoebus
Clerk
TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
27 4tc.

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage under power contained in a mortgage from Paul J. Davis, and then by assignment to Wade D. Ward, for foreclosure and collection.

Chancery No. 9975

In the Circuit Court

For Somerset County

State of Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 1st day of November, 1976, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney and Assignee, of the foreclosure of Paul J. Davis and he made oath that he mailed a certified U. S. Postage prepaid letter to Paul J. Davis, Princess Anne, Maryland 21853, and a copy of the receipt is attached hereto.

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

Donna H. Hickman
Notary Public

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO. MD.

No. 228946

RECEIPT FOR CERTIFIED MAIL ~~30¢~~ 60¢ (plus postage)

SENT TO Mr. Paul J. Davis

STREET AND NO.

P.O., STATE AND ZIP CODE Princess Anne, Md. 21853

POSTMARK OR DATE

CRISFIELD, MD OCT 2 1976 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 Apr. 1971 -3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

☆ GPO : 1971 O - 551-451

Wade D. Ward, Assignee for
the purpose of foreclosure
and collection of a mortgage
from Paul J. Davis, and then
by assignment to Wade D. Ward
for foreclosure and collection.

Chancery No. 9975

In the Circuit Court

For Somerset County

State of Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 1st day of November, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared William H. Wilson, Sr., he being one of the purchasers of real estate in the above entitled proceedings and 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 he 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.

Donna H. Hickman
Notary Public

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage from Paul J. Davis, and then by assignment to Wade D. Ward for foreclosure and collection.

Chancery No. 9875

In the Circuit Court

For Somerset County

State of Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 1st day of November, 1976, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared George Jacobs, Jr. and Carolyn Ruth Jacobs, his wife, they being one of the purchasers of 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.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO. MD.

Wade D. Ward, kAssignee for
the purpose of foreclosure and
collection of a Mortgage from
Paul J. Bavis, and by
assignment to Wade D. Ward
for freclosure and collection

Chancery No. 9975

In the Circuit Court
for Somerset County

State of Maryland

FINAL ORDER

Ordered by this Court this 17th day of November, 1976, 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.

Lloyd L. Simpkins
Judge

In The Matter of
Wade D. Ward, Assignee
Of a Mortgage From Paul
J. Davis, to Eastern Shore
National Bank

No. 9975 Chancery
In the Circuit Court
For Somerset County
State of Maryland

CLAIM FOR SURPLUS OF PROCEEDS OF SALE

The Eastern Shore National Bank, pursuant to Rule W 75 of the Maryland Rules of Procedures, claims an interest in the equity of redemption of Paul J. Davis in the property filed herein for foreclosure and does hereby apply to this Court to have the surplus of the proceeds of sale, if any, after payment to the Mortgagees of their claim and expenses, paid over to them, or so much thereof as will satisfy their claim and for grounds therefor states:

THAT the Eastern Shore National Bank obtained a judgment in the Circuit Court for Somerset County in Civil Case # 4392 and recorded on February 26, 1975, against the said Paul J. Davis, Mortgagor herein, in the amount of $7,000.00 with interest from February 26, 1975, plus court costs of $40.00 as appears of record in said Court.

Robert Lee Tawes, Jr.
Robert Lee Tawes, Jr.
Executive Vice President
Crisfield, Maryland

In the Matter of
Wade D. Ward, Assignee
Of a Mortgage from Paul
J. Davis to Eastern Shore
National Bank

No. 9975 Chancery

In the Circuit Court

For Somerset County

State of Maryland

ORDER

Upon consideration of the Claim for Surplus of Proceeds of Sale filed herein by the Eastern Shore National Bank, pursuant to Rule W 75, it is this 17th day of November, 1976, by the Circuit Court of Somerset County, Maryland,

ORDERED, that the surplus of the proceeds of the foreclosure sale herein, after payment to the Mortgagees of their claim and expenses be paid to the Eastern Shore National Bank, as aforesaid, to satisfy the judgment obtained on their behalf against Paul J. Davis in Civil Case # 4392 in the Circuit Court for Somerset County, Maryland, according to the priority of the lien as the same may be determined.

Lloyd L. Simpkins
Judge

In the Circuit Court for Somerset County February Term, 1975

Short copy of Judgment No. 4392 Civil

WDW The Eastern Shore National Bank

vs.

Paul J. Davis

Damages $ 7,000.00
Plus Interest $157.50
Cost $ 40.00
Collection Fee $ 1,050.00

Exemption waived.

Judgment February 26, 1975

Interest from Date

Test: L. Theodore Phoebus, Clerk

BOOK 046 PAGE 393

In the Matter of
Wade D. Ward, Assignee
of a Mortgage from Paul J. Davis
to Eastern Shore National Bank

* NO. 9975 CHANCERY CASES
* IN THE CIRCUIT COURT FOR
* SOMERSET COUNTY
* STATE OF MARYLAND
* IN EQUITY

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 therein, state the following Account:

Amount of Sale

Jeffrey Lane Property		$33,000.00
Spruce Street Property		8,250.00
TOTAL		$41,250.00

Expenses, Costs and Fees:

Philip W. Tawes - Bond Premium	$100.00	
Edwin Muir - Auctioneer	75.00	
Marylander & Herald	165.00	
Advertising Sale $140		
Order Nisi $25		
Clerk of Court	116.00	
State and County Taxes	948.30	
Town of Princess Anne Taxes	286.60	
Sanitary District Assessments	415.59	
Trustees Commission per Rules	2212.50	
10% - $3,000 - $300		
5% - excess - $1912.50		
Wade Ward - Appearance Fee	10.00	
Donna Hickman, Notary Fees	5.00	
Auditor's Fee	70.00	
Total Expenses, Costs & Fees		4,403.99
Funds for Distribution		$36,846.01

Distribution as follows:

Eastern Shore National Bank		
Statement of Mortgage Debt	29,245.98	
Interest from 9/15/76 to date of Sale (10/12/76) + 60 days thereafter at 10% 87 days at $8.012572/day	697.09	
Total Allowable on Mortgage		$29,942.98
Excess Funds		$6,903.03

Distribution of Excess Funds to Eastern Shore National Bank to be credited toward its Judgment of February 26, 1975 as found in Civil Case No. 4392 in the Somerset County Circuit Court.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

Wade D. Ward, Esquire
Crisfield, Maryland 21817

Paul J. Davis
Princess Anne, Maryland 21853

Lloyd O. Whitehead, Esquire
212 East Main Street
Salisbury, Maryland 21801

Date of Filing: April 26, 1977

Logan C. Widdowson

LCW/jf 4/26/77
77-47

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

BOOK 046 PAGE 396

No. 9975 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 26th day of April, 19 77 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 May, 19 77.

I. 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 8th day of March, 19 78 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

EXD.
APR. 6 1978

OCT 22-76 8 523088D*****40.00

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Jerry Walker
Workman and Peggy Jane Workman,
his wife, and then by assignment
to Wade D. Ward for foreclosure
and collection.

No. 9999 Chancery

In the Circuit Court

For Somerset County

State of Maryland

Mr. Clerk:

Please file the attached mortgage and non-military service affidavit and enter the appearance of Wade D. Ward for the purpose of foreclosure and collection.

Wade D. Ward, Attorney
Assignee

FOR MORTGAGE SEE LIBER NO. 275, FOLIO 648.

275/648

BOOK 046 PAGE 398

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Jerry Walker
Workman and Peggy Jane Workman,
his wife, and then by assignment
to Wade D. Ward for foreclosure
and collection.

No. 9999 Chancery

In the Circuit Court

For Somerset County

State of Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 15th day of October, 1976, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, and he made oath in due form of law, that he knows the Defendant herein and that to the best of his knowledge, information and belief:

(1) Said Defendants are not in the Military Service of the United States of America.

(2) Said Defendants are not in the Military Service of any National allied with the United States of America.

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act.

(4) Said Defendants are not a member of the Enlisted Reserve Corps, who have been ordered to report for Military Service.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN
NOTARY PUBLIC
SOMERSET CO.

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Jerry Walker
Workman and Peggy Jane Workman,
his wife, and then by assignment
to Wade D. Ward for foreclosure
and collection.

No. 9999 Chancery

In the Circuit Court

For Somerset County

State of Maryland

STATEMENT OF MORTGAGE DEBT

Original amount of mortgage	$ 17,500.00
Less - amount paid on principal	629.74
Amount owed on principal	$ 16,870.26
Plus interest to 10/30/76	1,113.44
	$ 17,983.70

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 15th day of November, 1976, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, a United States Banking Corporation, the plaintiff in the above entitled cause, and made oath that the foregoing is true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO., MD.

BOOK 046 PAGE 399

Maryland

No. 9999 Chancery

BOOK 046 PAGE 400

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2830

That we, Wade D. Ward, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Eighteen Thousand ($18,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 17th day of November, 19 76.

WHEREAS, the above bounden Wade D. Ward

by virtue of the power contained in a mortgage from Jerry Walker & Peggy Jane Walker

to Eastern Shore National Bank succesor to Bank of Crisfield

bearing date the 31st day of August 1973 and recorded among

the mortgage records of Somerset County

in Liber I. T. D. No. 275 Folio 648

and Wade D. Ward
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Wade D. Ward

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Donna J. Hickman

Wade D. Ward
Principal

As to Surety

L. Lawson

C. Larson

Principal

WESTERN SURETY COMPANY

By M. Stratton
M. Stratton, Ass't. Sec'y.

Countersigned by Philip W. Tawes Maryland Resident Agent

FILED

THE WITHIN BOND APPROVED:

PER: L. Theodore Gherkins, CLERK.

Nov 18 12 56 PM '76

RECORDED IN ITP
LIBER NO. 10 FOLIO 347
T. THEODORE GHERKINS, CLR. CT. CT.
BY M DEPUTY

LIBER 010 PAGE 347

1268

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under Power contained in a
mortgage from Jerry Walker
Workman and Peggy Jane Workman,
his wife, and then by assignment
to Wade D. Ward for foreclosure
and collection.

Chancery No. 9999

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 Jerry Walker Workman and Peggy Jane Workman, his wife, to the Bank of Crisfield, a body corporate, now the Eastern Shore National Bank, a United States Banking Corporation, dated February 15, 1967, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 275 folio 648, 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 Crisfield Times, once in each of three successive weeks before the day of sale, he did, pursuant to said notice, attend on the Post Office steps in Crisfield, Maryland, on Friday, November 19, 1976, at 2:00 p.m. then and there proceeded 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 being located on the northeast side of Maryland Route No. 667, otherwise known as Old State Road from Marion to Crisfield; and being bound by the land owned and formerly owned by Norman T. Whittington, Clarence Matthews, Gladys Butler, Denny Butler and William Bromley, Jr. and the above described property being bound on the southwest by a public road known as Davis Street and fronting 124.65 feet on said Maryland Route No. 667 and being the same and all that property conveyed to Samuel C. Bozman and Nancy W. Bozman, his wife, by deed from Golda B. Whittington, et al., by deed dated July 9, 1971, and recorded in Liber I.T.P. No. 262 folio 005; and being the same and all that property conveyed unto Jerry Walker Workman and Peggy Jane Workman, his wife, from Samuel C. Bozman and Nancy W. Bozman, his wife, by deed duly recorded in Liber I.T.P. No. 275 folio 646.

And the said property was sold to Russell Ward and he being then and there the highest bidder therefor, at and for the sum of Twenty Thousand Dollars ($20,000.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Wade D. Ward

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under Power contained in a
mortgage from Jerry Walker
Workman and Peggy Jane Workman,
his wife, and then by assignment
to Wade D. Ward for foreclosure
and collection.

Chancery No.

In the Circuit Court

For Somerset County

State of 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 30th day of December, 1976, 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 20th day of December, 1976.

The report states the amount of sale being Twenty Thousand Dollars ($20,000.00).

I. Theodore Phoebus

I. Theodore Phoebus, Clerk.

BOOK 046 PAGE 404

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Jerry Walker
Workman and Peggy Jane Workman,
his wife, and then by assignment
to Wade D. Ward for foreclosure
and collection.

No. 9999 Chancery

In the Circuit Court

For Somerset County

State of Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 10th day of January, 1977, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney and Assignee, of the foreclosure of Jerry Walker Workman and Peggy Jane Workman, his wife, and he made oath that he mailed a certified U. S. Postage prepaid letter to Jerry Walker Workman, Marion Station, Maryland 21838 and a certified U. S. Postage prepaid letter to Peggy Jean Workman, Town Hall Apartments, Princess Anne, Maryland 21853, and copies of the receipts are attached hereto.

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

Donna H. Hickman
Notary Public

No. 386357

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO Jerry Workman

STREET AND NO.

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

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) .....

POSTMARK OR DATE

CRISFIELD, MD. NOV 11 1976 USPO

PS Form 3800 Apr. 1971 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

☆ GPO : 1974 O - 551-454

MICHAEL W. SOMERS NOTARY PUBLIC SOMERSET CO., MD.

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage under power contained in a mortgage from Jerry Walker Workman and Peggy Jane Workman, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

No. 9999 Chancery

In the Circuit Court

For Somerset County

State of Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 10th day of January, 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Russell Ward, he being the purchaser of the real estate in the above entitled proceedings and 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 he 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.

Donna H. Hickman
Notary Public

No. 386356

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO
Peggy Workman
STREET AND NO.
Town Hall Apts.
P.O., STATE AND ZIP CODE
Princess Anne, Md. 21853

POSTMARK OR DATE
PRINCESS ANNE, MD NOV 11 1976 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 Apr. 1971 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

* GPO : 1974 O - 551-454

DONNA H. HICKMAN • NOTARY PUBLIC • SOMERSET CO.

BOOK 046 PAGE 405

BOOK 046 PAGE 400

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage under power contained in a mortgage from Jerry Walker Workman and Peggy Jane Workman, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

No. 9999 Chancery

In the Circuit Court

For Somerset County

State of Maryland

Wade D. Ward, Atty.
Crisfield, Maryland
Wade D. Ward, Assignee
Ex Parte for the purpose of Foreclosure and Collection under Power contained in a mortgage from Jerry Walker Workman and Peggy Jane Workman, his wife, and then by assignment to Wade D. Ward for foreclose and collection.
Chancery No. 9999
In the Circuit Court
For Somerset County
State of 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 30 day of December, 1976, provided a copy of this Order be inserted in some weekly newspaper printed in Somerset County, once in each of three seccessive weeks before the 20th day of December, 1976.

The report states the amount of sale being Twenty Thousand Dollars ($20,000.00).

I. Theodore Phoebus
Clerk
12-3-34

CRISFIELD, MD. January 11, 19 77

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 December 3, 19 76 and ending December 17, 19 76

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S.C. Rogers

CRISFIELD, MD. January 10, 1977

THIS is to certify that the annexed Public Notice

has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Public Notice for 4

weeks beginning with the issue of October 29, 19 76

and ending November 19, 19 76.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

Public Sale Of Valuable Property

By virtue of the power and authority contained in a mortgage from Jerry Walker Workman and Peggy Jane Workman, his wife, to the Bank of Crisfield, a body corporate, now the Eastern Shore National Bank, a United States Banking Corporation, dated August 31, 1973, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 275 folio 648 which said mortgage has been duly assigned to the undersigned by the said Eastern Shore National Bank, by assignment dated September 7, 1976, and recorded among the Land Records of Somerset County, Maryland, for the purpose of foreclosure and collection default having occurred under the conditions of said mortgage, I will sell at public auction on the steps of the Post Office in Crisfield, Maryland, on Friday,

November 19, 1976

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, State of Maryland, and more particularly described as follows:

All that lot or parcel of land situate, as aforesaid, and being located on the northeast side of Maryland Route No. 667, otherwise known as Old State Road from Marion to Crisfield; and being bound by the land owned and formerly owned by Norman T. Whittington, Clarence Matthews, Gladys Butler, Denny Butler and William Bromley, Jr. and the above described property being bound on the southwest by a public road known as Davis Street and fronting 124.65 feet on said Maryland Route No. 667 and being the same and all that property conveyed to Samuel C. Bozman and Nancy W. Bozman, his wife, by deed from Golda B. Whittington, et al., by deed dated July 9, 1971, and recorded in Liber I.T.P. No. 262 folio 005; and being the same and all that property conveyed unto Jerry Walker Workman and Peggy Jane Workman, his wife, from Samuel C. Bozman and Nancy W. Bozman, his wife, by deed duly recorded in Liber I.T.P. No. 275 folio 646.

The property is improved with a dwelling in excellent condition.

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 for Somerset County; the unpaid portion to bear interest at the rate of eight per cent (8%) per annum.

Taxes, assessments, and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, and cost of recording at the expense of purchaser or purchasers.

Wade D. Ward, Attorney
Assignee of said Mortgage
10-29-4t

BOOK 046 PAGE 408

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage under power contained in a mortgage from Jerry Walker Workman and Peggy Jane Workman, his wife, and they by assignment to Wade D. Ward for foreclosure and collection.

No. 9999 Chancery

In the Circuit Court

For Somerset County

State of Maryland

FINAL ORDER

Ordered by this Court this 18th day of January, 1977, 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.

Lloyd L. Simpkins
Judge

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage under power contained in a mortgage from Jerry Walker Workman and Peggy Jane Workman, his wife, and then by assignment to Wade D. Ward for foreclosure and collection	:	No. 9999 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 for them and the list of expenses furnished him therein, states the following Account:

Amount of Sale			$20,000.00
Expenses, Costs and Fees:			
Clerk of Court		$ 92.00	
Carlos Bozman - Treasurer		730.75	
Auctioneer		75.00	
Carlos Bozman - Lighting		86.13	
Crisfield Times		85.00	
Advertising Sale	$65.00		
Order Nisi	$20.00		
Tawes Insurance - Trustees Bond		54.00	
Trustees Commission per Rules 10% - $3,000 - $300 5% - $17,000 - $850		1,150.00	
Auditor's Fee		45.00	
Donna Hickman, Notary fees		4.00	
Total Expenses, Costs and Fees			2,321.88
Funds for Distribution			$17,678.12
Statement of Debt			
Principal		$16,870.26	
Interest to date of sale plus 60 days at 8% (3.6975/day)		1,405.54	
Total Debt			18,275.80
Deficiency			$ 597.68

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.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

BOOK 046 PAGE 409

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

Wade D. Ward, Esquire
Crisfield, Maryland 21817

Jerry W. Workman
Marion Station, Maryland 21838

Peggy Jean Workman
Princess Anne Townhouses
Princess Anne, Maryland 21853

Date of Filing: 27 May 1977

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

No. 9999 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 27th day of May, 19 77 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 June, 19 77.

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 8th day of March, 19 78 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

BOOK 046 PAGE 411
EXD.
APR. 6 1978

BOOK 046 PAGE 412 DEC 23-76 B 524640D*****40.00

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from F. L. Stone
Electrical Contractors, Inc.,
and Francis L. Stone and Bonnie
C. Stone, his wife, and then by
assignment to Wade D. Ward for
foreclosure and collection.

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of Maryland

Mr. Clerk:

Please file the attached mortgage and non-military service affidavit and enter the appearance of Wade D. Ward for the purpose of foreclosure and collection.

Wade D. Ward, Attorney
Assignee

FOR MORTGAGE SEE LIBER I.T.P. NO. 278, FOLIO 636

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from F. L. Stone
Electrical Contractors, Inc.,
and Francis L. Stone and Bonnie
C. Stone, his wife, and then by
assignment to Wade D. Ward for
foreclosure and collection.

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 22nd day of December, 1976, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, and he made oath in due form of law, that he knows the Defendants herein and that to the best of his knowledge, information and belief:

(1) Said Defendants are not in the Military Service of the United States of America.

(2) Said Defendants are not in the Military Service of any National allied with the United States of America.

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act.

(4) Said Defendants are not a member of the Enlisted Reserve Corps, who have been ordered to report for Military Service.

Donna H. Hickman
Notary Public

BONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO. MD.

BOOK 046 PAGE 413

500K 646 414

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mortgage from F. L. Stone Electrical Contractors, Inc., and Francis L. Stone and Bonnie C. Stone, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	No. 10029 Chancery In the Circuit Court For Somerset County State of Maryland

STATEMENT OF MORTGAGE DEBT

Original amount of mortgage	$ 30,000.00
Less - amount paid on principal	4,393.25
Amount owed on principal	$ 25,606.75
Plus interest to 12/22/76	1,811.68
	$ 27,418.43

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 22nd day of December, 1976, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, a United States Banking Corporation, the plaintiff in the above entitled cause, and made oath that the foregoing is true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Donna H. Hickman
Notary Public

BONNA H. HICKMAN • NOTARY PUBLIC • SOMERSET CO. MD.

Maryland

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

No. 10029 Chancery

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2496

That we, Wade D. Ward, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of --Twenty Eight Thousand----- ($28,000.) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500.000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 12th day of January, 1977.

WHEREAS, the above bounden Wade D. Ward

by virtue of the power contained in a mortgage from F.L. Stone Electrical Contractors Inc. and Frances L. & Bonnie C. Stone
to Eastern Shore National Bank, Crisfield, Md.

bearing date the 25th day of February 1974 and recorded among

the mortgage records of Somerset County, Maryland

in Liber _____ No. _____ Folio _____

and Wade D. Ward
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Wade D. Ward

do and shall well and truly and faithfully perform the trust reposed in _____ under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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 Crisfield, Maryland

As to Principal

Donna M. Heckman

X Wade Ward
Principal

As to Surety

D. Dywall

C. Larson

Principal

WESTERN SURETY COMPANY

By M. Stratton
M. Stratton, Ass't. Sec'y.

Countersigned by Philip W. Tawes Maryland Resident Agent

THE WITHIN BOND APPROVED.

PER: J. Theodore Phelps, CLERK.

FILED
JAN 13 1 39 PM '77

RECORDED IN TM
LIBER NO. 10 FOLIO 355
J. THEODORE PHELPS, CLK. CT. CT.
BY _____ DEPUTY

BOOK 010 PAGE 355

BOOK 046 PAGE 415

1268

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from F. L. Stone
Electrical Contractors, Inc.,
and Francis L. Stone and Bonnie
C. Stone, his wife, and then by
assignment to Wade D. Ward for
foreclosure and collection.

No. 10029 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 Francis L. Stone and Bonnie C. Stone, his wife, and F. L. Stone Electrical Contractors, Inc., to the Eastern Shore National Bank, a United States Banking Corporation, dated February 25, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 278 folio 643, 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 thepayment 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, one in each of three successive weeks before the day of sale, he did, pursuant to said notice, attend on the Courthouse steps in Princess Anne, Maryland, on Tuesday, January 18, 1977, at 2:00 p.m. then and there proceeded to sell the property described in said mortgage to wit:

PARCEL ONE: All that lot or parcel of land situate, as aforesaid, bounded on the west by the county road known as Crisfield Lane which leads in a northerly direction from Maryland Route 363 known as the Deal Island Road to Maryland Route 362 known as the Mt. Vernon Road, bounded on the north by a public road known as Juniper Drive which leads in an easterly direction from Crisfield Lane to a certain 50 foot service road, and bounded on the south by land to be conveyed to F. L. Stone Electrical Contractors, Inc., by the said Leonid Hansin and Nadia Hansin, his wife, and being more particularly described as follows: Beginning for the same at a point on the east side of Crisfield Lane at its intersection with the south side of Juniper Drive; thence (1) South 88° 21' East by and with the south side of Juniper Drive a distance of 457 feet to intersect the west side of a 50 foot service road (see plat by G. Oliver Morrell, dated November 27, 1961 and recorded in Plat Book No. 5, folio 68 and deed recorded in Liber G.J.B. No. 209 folio 100), thence in a southerly direction by and with the west side of said 50 foot service road and with a curve, the radius of which is 3039.79 feet and the length of which is approximately 100 feet, to a point; thence (3) North 88° 21' West a distance of approximately 465 feet, to a point on the east side of Crisfield Lane which lies South 2° 25' East a distance of 100 feet from the place of beginning; thence (4) North 2° 25' West by and with the east side of Crisfield Lane a distance of 100 feet to the place of beginning; containing approximately one acre, and being that property conveyed unto Francis L. Stone and Bonnie C. Stone, his wife, by deed recorded in Liber I.T.P. No. 278 folio 633 and by Confirmatory deed dated June 7, 1974, and duly recorded in Liber I.T.P. No. 280 folio 630.

And the said property was sold to the Eastern Shore National Bank, a United States Banking Corporation, and it being then and there the highest bidders therefor, at and for the sum of Twenty-Five Thousand Dollars ($25,000.00) and the purchaser has complied with the terms of sale.

PARCEL TWO: All that lot or parcel of land situate, as aforesaid, lying and being described in 1969 as follows: "All that lot or parcel of land situate and being located on the east side of Crisfield Lane, and beginning at the southwest corner of the lands of Robert Laird and Crisfield Lane; thence S 88° 21' E a distance of 200 feet to a point; thence N 2° 25' W a distance of 300.75 feet by and with said Robert Laird property to a point and proposed Maple Street; thence S 88° 21' E a distance of 258.25 feet to a service road and thence running by and with said service road a distance of 794.04 feet; thence S 14° 15' E a distance of 103.66 feet by and with said service road to a point; thence by and with the corner of Edge Hill Terrace to a point; thence S 89° 16' W by and with Edge Hill Terrace, a distance of 209.65 feet to the lands of Roland Morgan, Jr.; thence N 0° 44' W a distance of 150 feet to a point; thence S 89° 16' West a distance of 150 feet by and with said Morgan property to a point; thence S 0° 44' E by and with said Morgan property a distance of 150 feet to a point; thence S 89° 16' W by and with the property of Fred Roberts a distance of 152.94 feet to Crisfield Lane; thence N 2° 25' W by and with Crisfield Lane a distance of 200.08 feet, to a proposed Mimosa Drive; thence 50.02 feet which consists of the proposed Mimosa Drive; thence continuing N 2° 25' W by and with Crisfield Lane a distance of 50.13 feet which consists of the wider of Juniper Street to the place of beginning:, containing 7.985 acres as laid down and described on a plat prepared by W. Ballard Miles, Registered Surveyor, dated February 24, 1969, and recorded among the Land Records of Somerset County, Maryland, in Plat Book I.T.P. No. 7 folio 83; and being a part of the land described on another plat by W. Ballard Miles, dated October 10, 1953 and recorded among the aforesaid land records in Plat Book B.L.B. No. 3 folio 68, the street described on said plats as Maple Stree, Juniper Drive, Mimosa Drive and Edge Hill Terrace,

having been conveyed unto the County Commissioners of Somerset County for use as public streets by deed dated March 14, 1961 and recorded in Liber G.J.B. No. 203 folio 54; and being that property conveyed unto F. L. Stone Electrical Contractors, Inc., a Maryland Corporation, by deed from Leonid Hansin and Nadia Hansin, and recorded in Liber I.T.P. No. 278 folio 640 and by confirmatory deed dated and duly recorded in Liber I.T.P. No. 280 folio 635, except that property conveyed by previous deeds namely I.T.P. No. 286 folio 504, I.T.P. No. 286 folio 499 and Liber I.T.P. No. 290 folio 718, Liber I.T.P. No. 286 folio 387, Liber I.T.P. No. 287 folio 414, Liber I.T.P. No. 279 folio 627.

And the said property was sold to the Eastern Shore National Bank, a United States Banking Corporation, it being then and there the highest bidders therefor, at and for the sum of Fourteen Thousand Dollars ($14,000.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Wade D. Ward

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosre and Collection
under power contained in a
mortgage from F. L. Stone
Electrical Contractors, Inc.,
and Francis L. Stone and Bonnie
C. Stone, his wife, and then by
assignment to Wade D. Ward for
foreclosure and collection.

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of 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 22nd day of Feb., 1977, 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 14th day of Feb., 1977.

The report states the amount of sale for Parcel First being Twenty-Five Thousand Dollars ($25,000.00) and Parcel Second being Fourteen Thousand Dollars ($14,000.00).

DATED: Jan. 19, 1977

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

In the Matter of
Wade D. Ward, Assignee
of a Mortgage From F. L.
Stone Electrical Contractors,
Inc., and Francis L. Stone
and Bonnie C. Stone, his wife,
to Eastern Shore National Bank

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of Maryland

CLAIM FOR SURPLUS OF PROCEEDS OF SALE

The Eastern Shore National Bank, pursuant to Rule W 75 of the Maryland Rules of Procedures, claims an interest in the equity of redemption of F. L. Stone Electrical Contractors, Inc. and Francis L. Stone and Bonnie C. Stone, his wife, in the property filed herein for foreclosure and does hereby apply to this Court to have the surplus of the proceeds of sale, if any, after payment to the Mortgagees of their claim and expenses, paid over to them, or so much thereof as will satisfy their claim and for grounds therefor states:

THAT the Eastern Shore National Bank obtained a mortgage in the Circuit Court for Somerset County which said mortgage is duly recorded in Liber I.T.P. No. 278 folio 643, against the said F. L. Stone Electrical Contractors, Inc. and Francis L. Stone and Bonnie C. Stone, his wife, mortgagors herein, in the amount of $20,000.00 with interest from March 26, 1976, plus court costs as appears of record in said Court.

Robert Lee Tawes, Jr.
Executive Vice President
Crisfield, Maryland

FOR MORTGAGE SEE LIBER I.T.P. No. 278, FOLIO 643.

In the Matter of
Wade D. Ward, Assignee
of a Mortgage from F. L.
Stone Electrical Contractors,
Inc., and Francis L. Stone
and Bonnie C. Stone, his wife,
to Eastern Shore National Bank

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of Maryland

ORDER

Upon consideration of the Claim for Surplus of Proceeds of Sale filed herein by the Eastern Shore National Bank, pursuant to Rule W 75, it is this 16 day of ~~January~~ MARCH, 1977, by the Circuit Court of Somerset County, Maryland,

ORDERED, that the surplus of the proceeds of the foreclosure sale herein, after payment to the Mortgagees of their claim and expenses to be paid to the Eastern Shore National Bank, as aforesaid, to satisfy the mortgage obtained on their behalf against F. L. Stone Electrical Contractors, Inc., Francis L. Stone and Bonnie C. Stone, his wife, among the Land Reco s of Somerset County, Maryland, in Liber I.T.P. No. 278 folio 643, according to the priority of the lien as the same may be determined.

Lloyd L. Simpkins
Judge

In the Matter of
Wade D. Ward, Assignee
of a Mortgage from F. L.
Stone Electrical Contractors,
Inc., and Francis L. Stone
and Bonnie C. Stone, his wife,
to the Eastern Shore National
Bank

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of Maryland

CLAIM FOR SURPLOUS OF PROCEEDS OF SALE

The Eastern Shore National Bank, pursuant to Rule W 75 of the Maryland Rules of Procedures, claims an interest in the equity of redemption of F. L. Stone Electrical Contractors, Inc., and Francis L. Stone and Bonnie C. Stone, his wife, in the property filed herein for foreclosure and does hereby apply to this Court to have the surplus of the proceeds of sale, if any, after payment to the Mortgagees of their claim and expenses, paid over to them or so much thereof as will satisfy their claim and for grounds therefor states:

THAT the Eastern Shore National Bank, obtained a mortgage in the Circuit Court for Somerset County which said mortgage is duly recorded in Liber I.T.P. No. 278 folio 647, against the said F. L. Stone Electrical Contractors, Inc. and Francis L. Stone and Bonnie C. Stone, his wife, mortgagors herein, in the amount of Ten Thousand Dollars ($10,000.00) with interest from March 26, 1976 plus court costs as appears of record in said Court.

Robert Lee Tawes, Jr.
Executive Vice President
Crisfield, Maryland

FOR MORTGAGE SEE LIBER I.T.P. No. 278, FOLIO 647.

In the Matter of
Wade D. Ward, Assignee
of a Mortgage from F. L.
Stone Electrical Contractors,
Inc., and Francis L. Stone
and Bonnie C. Stone, his wife,
to Eastern Shore National Bank

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of Maryland

ORDER

Upon consideration of the Claim for Surplus of Proceeds of Sale filed herein by the Eastern Shore National Bank, pursuant to Rule W 75, it is this 16th day of March, 1977, by the Circuit Court of Somerset County, Maryland,

ORDERED, that the surplus of the proceeds of the foreclosure sale herein, after payment to the Mortgagees of their claim and expenses to be paid to the Eastern Shore National Bank, as aforesaid, to satisfy the mortgage obtained on their behalf against F. L. Stone Electrical Contractors, Inc., Francis L. Stone and Bonnie C. Stone, his wife, among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 278 folio 647, according to the priority of the lien as the same may be determined.

Lloyd L. Simpkins
Judge

In the Matter of
Wade D. Ward, Assignee
of a Mortgage From F. L.
Stone Electrical Contractors,
Inc., and Francis L. Stone
and Bonnie C. Stone, his wife,
to Eastern Shore National Bank .

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of Maryland

PRINCESS ANNE, MD., Feb. 21 19 77

This is to certify that the annexed Public 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 Public Sale

Dates Inserted Dec. 30, 1976, Jan. 06, 13, 1977

Business Manager MARYLANDER and HERALD

Maryland, on Tuesday,

WADE D. WARD
Solicitor

PUBLIC SALE

Tuesday
January 18, 1977

Of
VALUABLE PROPERTY

By virtue of the power and authority contained in a mortage from Francis L. Stone and Bonnie C. Stone, his wife and F. L. Stone Electrical Contractors, Inc., to the Eastern Shore National Bank, a United States Banking Corporation, dated February 25, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I. T. P. No. 2778 folio 043 which said mortage has been duly assigned to the undersigned by the said Eastern Shore National Bank, by assignment dated November 5, 1976, and recorded among the land records of Somerset County, Maryland, for the purpose of foreclosure and collection, default having occured under the conditions of said mortage. I will sell at public auction on the Courthouse steps, Princess Anne, Maryland, on Tuesday, at or about the hour of 2:00 p.m.; all those lots or parcels of land situate, lying and being in West Princess Anne Election District, Somerset County, State of Maryland, and more particularly described as follows:

PARCEL ONE: All that lot or parcel of land situate, as aforesiad, bounded on the west by the county road known as Crisfiled Lane which leads in a northerly direction from Maryland Route 363 known as Deal Island Road to Maryland Route 362 known as Mt. Vernon road, bounded on the north by a public road known as Juniper Drive which leads in an easterly direction from Crisfield Lane to a certain 50 foot service road, bounded on the east by the said 50 foot service road, and bounded on the south by land to be conveyed to F. L. Stone Electrical Contractors, Inc., by the said Leonid Hansin and Nadia Hansin, his wife, and being more particularly describeed as follows: Beginning for the same at a point on the east side of Crisfield Lane at its intersection with the south side of Juniper Drive, thenco (1) South 88°21' East by and with the south side of Juniper Drive a distance of 457 feet to intersect the west side of a 50 foot service road (see plat by G. Oliver Morrell, dated November 27, 1961 and recorded in Plat Book No. 5 folio 68 and deed recorded in Liber G.J.B. No. 209 folio 100), thence in a southerly direction by and with the west side of said 50 foot service road and with a curve, the radius of which is 3039.79 feet and the length of which is approximatley 100 feet, to a point, ((3) North 88°21' West a distance of approximately 465 feet to a point on the east side of Crisfield Lane which lies South 2°25' East a distance of 100 feet from the place of beginning, thence

(4) North 2°25' West by and with the east side of Crisfield Lane a distance of 100 feet to the place of beginning, containing approximately 1 acre, and being that property conveyed unto Francis L. Stone and Bonnie C. Stone, his wife, by deed recorded in Liber I. T. P. No. 278 folio 633 and by Confirmatory deed dated June 7, 1974, and duly recorded in Liber I. T. P. No. 280 folio 630.

PARCEL TWO. All that lot or parcel of land situate, lying and being as aforesaid described in 1969 as follows: "all that lot or parcel of land situate and being located on the east side of Crisfield Lane, and beginning at the soutwest corner of the lands of Robert Laird and Crisfield Lane; thence S 88°21' E a distance of 200 feet to a point; thence N2°25' W a distance of 300.75 feet by and with said Robert Laird property to a point and proposed Maple Street; thence S 88°21' E a distance of 258.25 feet to a service road; thence running by and with said service road a distance of 794.04 feet; thence S 14°15' E a distance of 103.66 feet by and with said service road to a point; thence by and with the corner of Edge Hill Terrace to a point; thence S 89°16' w by and with Edge Hill Terrace, a distance of 209.65 feet to the lands of Roland Morgan, Jr.; thence N 0°44' W a distance of 150 feet to a point; thence S89°16' West a distance of 150 feet by and with said Morgan property a distance of 150 feet to a point; thence S 89°16' W by and with the property of Fred Roberts a distance of 152.94 feet to Crisfield Lane, thence N2°25' W by and with Crisfield Lane a distance of 200.08 feet to a proposed Mimosa Drive; thence 50.02 feet which consists of the proposed Mimosa Drive; thence continuing N 2°25' W by and with Crisfield Land a distance of 243.777 feet to Juniper Street; thence by and with Crisfiled Land a distance of 50.13 feet which consists of the wider of Juniper Street to the place of beginning", containing 7.985 acres as laid down and described on a plat prepared by W. Balard Miles, Registered Surveyor, dated February 24, 1969, and recorded among the Land Records of Somerset County, Maryland, in Plat Book I. T. P. No. 7 folio 83; and being a part of the land described on another plat by W. Ballard Miles, dated October 10, 1953 and recorded among the aforesaid land records in Plat Book B. L. B. No. 3 folio 68, the street described on said plats as Maple Street, Juniper Drive, Mimosa Drive and Edgehill Terrace, having been conveyed unto the County Commissioners of Somerset County for use as public streets by deed dated March 14, 1961 and recorded in Liber G.J.B.No. 203 folio 54 and being that property conveyed unto F. L. Stone Electrical Contractors, Inc., a Maryland Corportion, by deed from Leonid Hansin and Nadia Hansin, and recorded in Liber I.T.P. No. 278 folio 640 and by confirmatory deed dated and duly recorded in Liber I.T.P. No. 280 folio 635, except that property conveyed by previous deeds namely I.T.P.No. 286 folio 504, I.T.P. No. 286 folio 499 and Liber I.T.P.No. 290 folio 713.

The property is improved with the dweelling in excellent condition.

TERMS OF SLAE:

One third cash on day of sale, and the balance to be paid upon final ratification of said sale by the Circuit Court for Somerset County; the unpaid portion to bear interest at the rate of eight percent (8%) per annum. Taxes, assessments, and revenues stamps, and costs of recording at the expense of purchaser or purchasers.

Wade D. Ward
Attorney
Assignee
12/30-1/6-1/13

BOOK 046 PAGE 425

No. 437574

RECEIPT FOR CERTIFIED MAIL

SENT TO
Mr. Mrs. Francis Stone
STREET AND NO.
Crisfield Md
P.O., STATE AND ZIP CODE
Princess Anne Md 21853

OPTIONAL SERVICES FOR ADDITIONAL FEES
RETURN RECEIPT SERVICES
1. Shows to whom and date delivered
With restricted delivery
2. Shows to whom, date and where delivered
With restricted delivery
RESTRICTED DELIVERY
SPECIAL DELIVERY (extra fee required)

CONSULT POSTMASTER FOR FEES

POSTMARK OR DATE
CRISFIELD MD
JAN 7 1977
USPO

PS Form 3800 Jan. 1976 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)
☆ GPO: 1975—O-591-452

BOOK 046 PAGE 426

No. 437573

RECEIPT FOR CERTIFIED MAIL

SENT TO
The Stone Electrical Contractors Inc
STREET AND NO.
Eastern Shore Crisfield Md
P.O., STATE AND ZIP CODE
Princess Anne Md 21853

OPTIONAL SERVICES FOR ADDITIONAL FEES
RETURN RECEIPT SERVICES
1. Shows to whom and date delivered
With restricted delivery
2. Shows to whom, date and where delivered
With restricted delivery
RESTRICTED DELIVERY
SPECIAL DELIVERY (extra fee required)

CONSULT POSTMASTER FOR FEES

POSTMARK OR DATE
CRISFIELD MD
JAN 7 1977
USPO

PS Form 3800 Jan. 1976 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)
☆ GPO: 1975—O-591-452

ORDER NISI

WADE D. WARD
Assignee Ex Parte
for the purpose of
Foreclosure and Collection
under power contained
in a mortage from
F. L. Stone
Electrical Contractors, Inc.,
and Francis L. Stone
and Bonnie C. Stone,
his wife, and then by
assignment to
Wade D. Ward
for foreclosure and collection.

No. 10029 Chancery
In the Circuit Court
For Somerset County
State of 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 22nd day of February, 1977, 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 14th day of February, 1977.

The report states the amount of sale for Parcel First being Twenty-five Thousand Dollars ($25,000.00) and Parcel Second being Fourteen Thousand ($14,000.00).

L. Theodore Pheobus
Clerk

Jan. 27, Feb 3, 10-3tc

PRINCESS ANNE, MD., Feb. 21 19 77

This is to certify that the annexed Order of 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 Nisi

Dates Inserted: Jan. 27, Feb. 03, 10, 1977

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

In the Matter of
Wade D. Ward, Assignee
of a mortgage from F. L.
Stone Electrical Contractors,
Inc., and Francis L. Stone,
and Bonnie C. Stone, his wife,
to the Eastern Shore National Bank.

No. 10029 Chancery
In the Circuit Court
For Somerset County
State of Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 14 day of March, 1977, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney, and Assignee, of the foreclosure of F. L. Stone Electrical Contractors, Inc. and Francis L. Stone and Bonnie C. Stone, his wife, and he made oath that he mailed a certified U. S. Postage prepaid letter to F. L. Stone Electrical Contractors, Inc. and Francis L. Stone and Bonnie C. Stone, his wife, Crisfield Lane, Princess Anne, Maryland, and copies of the receipts are attached hereto.

As witness my hand and seal the day and year first above written.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO. MD.

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO. MD.

BOOK 046 PAGE 428

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage from F. L. Stone Electrical Contractors and Francis L. Stone and Bonnie C. Stone, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

Chancery No. 10629

In the Circuit Court

For Somerset County

State of Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 16th day of March, 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, a United States Banking Corporation, he being the duly authorized agent for said Bank in making this affidavit, it being the purchaser of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone but the Eastern Shore National Bank.

2. That other interest in said purchase as principal is none.

3. That he did not directly or indirectly discourage anyone from bidding for said property.

As witness my hand seal the day and year first above written.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN • NOTARY PUBLIC • SOMERSET CO.

Wade D. Ward, Assignee for
the purpose of foreclosure
and collection under power
contained in a mortgage from
F. L. Stone Electrical Contractors,
Inc., and Francis L. Stone and
Bonnie C. Stone, his wife, to
Eastern Shore National Bank

No. 10029 Chancery

In the Circuit Court

For Somerset County

State of Maryland

FINAL ORDER

Ordered by this Court this 16TH day of MARCH 1977, 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.

Lloyd L. Simpson
Judge

Wade D. Ward, Assignee for the purpose of foreclosure and collection under power contained in a mortgage from F. L. Stone Electrical Contractors, Inc., and Francis L. Stone and Bonnie C. Stone, his wife, to Eastern Shore National Bank	*	NO. 10029 CHANCERY
	*	In the Circuit Court
	*	For Somerset County
	*	State of Maryland
	*	In Equity

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 therein, state the following Account:

Amount of Sale (Date of Sale 1/18/77)			$39,000.00
Expenses, Costs & Fees:			
I. T. Phoebus, Clerk of Court		$110.00	
Marylander & Herald		215.00	
Advertising Sale	$190.00		
Order Nisi	25.00		
Auctioneer - E. B. Muir		75.00	
Carlos Bozman, Taxes		699.20	
Somerset County Sanitary District		690.97	
Tawes Insurance Agency - Bond		84.00	
Wade D. Ward - Appearance Fee		10.00	
Wade D. Ward - Fee per Mortgage		75.00	
Trustee's Commission 10% of $3,000.00 5% of $36,000.00		2100.00	
Donna Hickman - Notary Fees		4.00	
Auditors Fee		45.00	
Total Expenses, Costs & Fees		$4108.17	
Balance for Distribution			$34,891.83
Eastern Shore National Bank Mortgage Debt to 12/22/76	$27,418.43		
Interest from 12/22/76 to 3/18/77 (87 days at $6.67/day)	580.29		
Total Debt			$27,998.72
Excess to Eastern Shore National Bank to be credited to Second Mortgage			$6,893.11

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

1/1

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

Wade D. Ward, Esquire
Crisfield, Maryland 21817

Francis L. Stone
Princess Anne, Maryland 21853

Bonnie Stone
Princess Anne, Maryland 21853

Date of Filing: June 22, 1977

Logan C. Widdowson
Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

TRUST
TRANSFER TAX
PAID
BOOK 940 PAGE 402

BOOK 046 PAGE 432

No. 10029 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 22nd day of June, 19 77 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 July, 19 77.

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 8th day of March, 19 78 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

EXD.
APR. 6 1978

SEP -7-77 B 92 548 *****10.00
SEP -7-77 B 92 547 *****40.00

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Lycurgus Dickinson
and Jeanette Dickinson, his wife,
and then by assignment to Wade
D. Ward, for foreclosure and
collection.

No. 16200 Chancery

In the Circuit Court

For Somerset County

State of Maryland

Mr. Clerk:

Please file the attached mortgage and non-military service affidavit and enter the appearance of Wade D. Ward for the purpose of foreclosure and collection.

Wade D. Ward, Attorney
Assignee

FOR ORIGINAL MORTGAGE SEE LIBER I.T.P.281, FOLIO 100

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Lycurgus Dickinson
and Jeanette Dickinson, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 10260 Chancery

In the Circuit Court

For Somerset County

State of Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this day of September, 1977, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, and he made oath in due form of law, that he knows the Defendants herein and that to the best of his knowledge, information and belief:

(1) Said Defendants are not in the Military Service of the United States of America.

(2) Said Defendants are not in the Military Service of any National allied with the United States of America.

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act.

(4) Said Defendants are not a member of the Enlisted Reserve Corps who have been orded to report for Military Service.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN
NOTARY PUBLIC
SOMERSET CO., MD.

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Lycurgus Dickinson
and Jeanette Dickinson, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 10200 Chancery

In the Circuit Court

For Somerset County, Maryland

STATEMENT OF MORTGAGE DEBT

Original amount of mortgage	$	2,300.00
Less - amount paid on principal		554.86
Amount owed on principal	$	1,745.14
Plus interest to 10/13/77		150.52
	$	1,895.66

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 13th day of October, 1977, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President, of the Eastern Shore National Bank, a United States Banking Corporation, the plaintiff in the above entitled cause, and made oath that the foregoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN · NOTARY PUBLIC · SOMERSET COUNTY

BOOK 046 PAGE 435

Maryland

BOOK 046 PAGE 436

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

No. 10200 Chancery Case

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM-2498

That we, WADE D. WARD, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Two Thousand and no/100 ($ 2,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500.000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 17th day of October, 19 77.

WHEREAS, the above bounden WADE D. WARD

by virtue of the power contained in a mortgage from Lycurgus Dickinson & Jeanette Dickinson

to Eastern Shore National Bank

bearing date the 21st. day of June, 1974 and recorded among

the mortgage records of Somerset County, Maryland

in Liber I.T.P. No. 281 Folio 100

and WADE D. WARD

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

WADE D. WARD

do and shall well and truly and faithfully perform the trust reposed in Him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Donna H. Hickman

Wade D. Ward
Principal

As to Surety

D. Duvall

C. Larson

Principal

WESTERN SURETY COMPANY

By M. Stratton
M. Stratton, Ass't. Sec'y.

Countersigned by Philip W. Tawes Maryland Resident Agent

FILED

THE WITHIN BOND APPROVED.

PER: I. Theodore Phoebus, CLERK.

OCT 18 1 17 PM '77

RECORDED IN ITP
LIBER NO 10 FOLIO 381
I. THEODORE PHOEBUS, CLK.CT.CT.
BY DEPUTY

LIBER 010 PAGE 381

1268

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Lycurgus Dickinson
and Jeanette Dickinson, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 10200 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 Lycurgus Dickinson and Jeanette Dickinson, his wife, to the Eastern Shore National Bank, a United States Banking Corporation, dated June 21, 1974, and recorded among the Land Records of Somerset County, Maryland, in LiberI.T.P. No. 281 folio 100, 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 Crisfield Times, once in each of three successive weeks before the day of sale, he did, pursuant to said notice, attend on the Post Office steps in Crisfield, Maryland, on Tuesday, October 18, 1977, at 2:00 p.m. then and there proceeded to sell the property described in said mortgage, to wit:

All that lot or parcel of land situate, as aforesaid, binding on the south side of First Street and described in a deed from William P. Horsey, et al., to Lottie T. Lawson and Lola H. Lawson dated February 1, 1946 and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 135 folio 403, as fronting 45 feet on South First Street, and being bound on the west by the lands of Annie V. Powell, on the south by the lands of Edward R. Dize and on the east by the reserve land of said Horsey's, and all being the same land conveyed unto James R. Shores by Wallace Q. Moore, et al. by deed dated June 14, 1966 and being the same and all that property conveyed to Eugene D. Olah and Linda L. Olah, his wife, by deed from James R. Shores, widower, dated September 11, 1967 and recorded in Liber I.T.P. No. 241 folio 91; and being the same and all that property conveyed to Lycurgus Dickinson and Jeanette Dickinson, his wife, by deed from Eugene D. Olah and Linda L. Olah, his wife, by deed dated January 22, 1974 and recorded in Liber I.T.P. No. 278 folio 631.

And the said property was sold to the Eastern Shore National Bank, a United States Banking Corporation, it being then and there the highest bidder therefor, at and for the sum of Twenty-Eight Hundred Seventy-Five Dollars ($2,875.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Wade D. Ward

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Lycurgus Dickinson
and Jeanette Dickinson, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 10200 Chancery

In the Circuit Court

For Somerset County

State of 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 21st day of November, 1977, 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 14th day of November, 1977.

The report states the amount of sale being Twenty-Eight Hundred Seventy-Five Dollars ($2,875.00).

Dated: Oct. 19, 1977.

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 Lycurgus Dickinson
and Jeanette Dickinson, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 10200 Chancery

In the Circuit Court

For Somerset County, Maryland

BOOK 046 PAGE 440

Wade D. Ward
Solicitor

PUBLIC SALE OF VALUABLE PROPERTY

By virtue of the power and authority contained in a mortgage from Lycurgus Dickinson and Jeanette Dickinson, his wife, to the Eastern Shore National Bank, a United States Banking Corporation, dated June 21, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 281 folio 100 which said mortgage has been duly assigned to the undersigned by the said Eastern Shore National Bank, by assignment dated September 7, 1977, and recorded among the Land Records of Somerset County, Maryland, for the purpose of foreclosure and collection, default having occurred under the conditions of said mortgage, I will sell at public auction on the steps of the Post Office in Crisfield, Maryland, on Tuesday,

OCTOBER 18, 1977

at or about the hour of 2:00 P.M., all that lot or parcel of land situate lying and being in the Crisfield Election District, Somerset County, State of Maryland, and more particularly described as follows:

All that lot or parcel of land situate, as aforesaid, binding on the south side of First Street and described in a deed from William P. Horsey, et. al., to Lottie T. Lawson and Lois H. Lawson dated February 1, 1946, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 135 folio 403, as fronting 45 feet on South First Street and being bound on the west by the lands of Annie V. Powell, on the south by the lands of Edward R. Dize and on the east by the reserve land of said Horsey's and being the same land conveyed unto James R. Shores by Wallace Q. Moore, et. al. by deed dated June 14, 1966; and being the same and all that property conveyed to the said Eugene D. Olah and Linda L. Olah, his wife, by deed from James R. Shores, widower, dated September 11, 1967 and recorded among the aforesaid land records in Liber I.T.P. No. 241 folio 91; and being the same and all that property conveyed unto Lycurgus Dickinson and Jeanette Dickinson, his wife, from Eugene D. Olah and Linda L. Olah, his wife, by deed dated January 22, 1974, and recorded among the aforesaid land records in Liber I.T.P. No. 278 folio 631.

The above property is improved by a building.

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 for Somerset County,; the unpaid portion to bear interest at the rate of eight per centum (8%) per annum.

Taxes, assessments and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, and cost of recording at the expense of purchaser or purchasers.

Wade D. Ward
Attorney
Assignee of said Mortgage
9-30-3t

CRISFIELD, MD. November 18, 19 77

THIS is to certify that the annexed Property 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 Property Sale for 3 weeks beginning with the issue of September 30, 19 77 and ending October 14, 19 77.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S. C. Rogers

Wade D. Ward
Attorney
Crisfield, Md. 21817

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mortgage from Lycurgus Dickinson and Jeanette Dickinson, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

-0-0-0-0-

No. 10200 Chancery. In the Circuit Court for Somerset County, State of 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 21st day of November, 1977, 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 14th day of November, 1977.

The report states the amount of sale being Twenty-Eight Hundred Seventy-Five Dollars ($2,875.00).

Dated October 18, 1977.

I. Theodore Phoebus
Clerk

True Copy, Test:
I. Theodore Phoebus, Clerk.

10-28-3t

CRISFIELD, MD. November 21, 19 77

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 October 28, 19 77 and ending November 11, 19 77.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S.C. Lessin

BOOK 046 PAGE 441

BOOK 046 PAGE 442

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage from Lycurgus Dickinson and Jeanette Dickinson, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

No. 10,200 Chancery

In the Circuit Court

For Somerset County

State of Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 21st day of November, 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, he being the duly authorized agent of the Eastern Shore National Bank in acknowledging it being the purchaser of the real estate in the above entitled proceedings and 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 he 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.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO. MD.

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Lycurgus Dickinson
and Jeanette Dickinson, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection.

No. 10,200 Chancery

In the Circuit Court

For Somerset County

State of Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 28th day of November, 1977, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney and Assignee, of the foreclosure of Lycurgus Dickinson and Jeanette Dickinson, his wife, and he made oath that he mailed a certified U.S. Postage prepaid letter to Lycurgus Dickinson, First Street, Crisfield, Maryland 21817 and a certified U.S. Postage prepaid letter to Jeanette Dickinson, First Street, Crisfield, Maryland 21817, and copies of the receipts are attached hereto.

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

Donna H. Hickman
Notary Public

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO., MD.

No. 539032
RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Jeanette Dickinson
STREET AND NO. First Street
P.O., STATE AND ZIP CODE Crisfield, Md. 21817
POSTAGE $ .13
CERTIFIED FEE 60¢
TOTAL POSTAGE AND FEES $
POSTMARK OR DATE
FILED OCT 11 1977 CLERK

PS Form 3800, Apr. 1976

No. 539031
RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Lycurgus Dickinson
STREET AND NO. First Street
P.O., STATE AND ZIP CODE Crisfield, Md. 21817
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY ¢
TOTAL POSTAGE AND FEES $
POSTMARK OR DATE
OCT 11 1977 CLERK

PS Form 3800, Apr. 1976

BOOK 046 PAGE 444

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Lycurgus Dickinson
and Jeanette Dickinson, his wife,
and then by assignment to Wade D.
Ward for foreclosure and collection.

No. 10,200 Equity

In the Circuit Court

For Somerset County

State of Maryland

FINAL ORDER

Ordered by this Court this 20th day of December 1977, 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.

R. Ch. Dorsey
Judge

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mortgage from Lycurgus Dickinson and Jeanette Dickinson, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	* * * * *	No. 10,200 Equity 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 therein, state the following Account:

Amount of Sale		$2,875.00
Costs, Expenses & Fees:		
I. Theodore Phoebus, Clerk of Court	$ 99.00	
Crisfield Times	84.00	
Auctioneer	50.00	
P. W. Tawes, Bond Premium	20.00	
Carlos Bozman, State & County Taxes	116.20	
City of Crisfield - Taxes and Water and Sewer Charge	287.87	
Attorney's fee per Mortgage	75.00	
Commission per Rules	287.50	
Logan C. Widdowson - Auditor's Fee	45.00	
Total Costs, Expenses & Fees		1,064.57
Amount for Distribution		1,810.43
Statement of Mortgage Debt as of October 13, 1977		1,895.66
Deficiency plus interest from date of sale		$85.23

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing of the date of the filing of the Audit, notice of this report to the following

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

parties by regular U.S. Mail, postage prepaid:

Wade D. Ward, Esquire
946 West Main Street
Crisfield, Maryland 21817

Lycurgus Dickinson
First Street
Crisfield, Maryland 21817

Jeanette Dickinson
First Street
Crisfield, Maryland 21817

Date of Filing: January 19, 1978

Logan C. Widdowson, Auditor

LCW/jd
1-19-78
#62

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

No. 10200 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 19th day of January, 19 78, 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 February, 1978.

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 8th day of March, 19 78, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Phoebus
CLERK

EXD.

APR. 6 1978

BOOK 046 PAGE 448

MAR 15-78 B 025444D*****10.00
MAR 15-78 B 025443D*****40.00

In the Foreclosure of a Mortgage from William Dicey and Evelyn Dicey Ex Parte	:	No. 10307 Chancery
	:	In the Circuit Court
	:	for Somerset County
	:	State of Maryland

: : : : : : : : :

ORDER TO DOCKET

MR. CLERK:

Please docket suit as above, file the attached mortgage and Affidavit of Debt and Notice to Mortgagors.

Thomas J. Spain

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FOR MORTGAGE SEE I.T.P. LIBER 298 PAGE 312.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MARYLAND 21853

TELEPHONE 651-1400

THOMAS J. SPAIN
ASSOCIATE

March 15, 1978

Mr. & Mrs. William Dicey
110 Maryland Ave.
Crisfield, Md. 21817

Dear Mr. & Mrs. Dicey:

Your mortgage to Joseph and Charline Campbell, dated 25 January 1977 and recorded in Liber 298 at folio 312, has been delivered to me for foreclosure and collection.

Action is being instituted in the Circuit Court for Somerset County to foreclose and you will find enclosed herewith an affidavit of the balance due. Should you wish to redeem the mortgage, your prompt action will keep expenses to a minimum.

Very truly yours,

Thomas J. Spain

TJS:kc

BOOK 046 PAGE 450

In the Foreclosure of a Mortgage from Dicey & Dicey	:	No. _____ Chancery
	:	In the Circuit Court
Ex Parte	:	for Somerset County
	:	State of Maryland

: : : : : : : :

AFFIDAVIT

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, SS:

I HEREBY CERTIFY that on this 6th day of March, 1978, personally appeared before me, Joseph F. Campbell and Charline Campbell, owners of the mortgage from William Dicey and Evelyn Dicey dated 25 January 1977 and recorded among the Land Records of Somerset County, Maryland, in Liber 298 at folio 312, who being duly sworn according to law deposes and say that there is justly due and owing on said mortgage the sum of $5,601.23 principal, with interest thereon from 25 June 1977 at the rate of 9 1/2% per annum and court costs and attorney's fees as provided in said mortgage.

AS WITNESS my hand and Notarial Seal.

OFFICIAL SEAL
NANCY J. SMITH
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
My comm. expires OCT 3, 1978

Nancy J. Smith
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from William Dicey and Evelyn Dicey, his wife	:	No. 10307 Chancery
	:	In the Circuit Court
	:	For Somerset County
	:	State of Maryland

: : : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

Thomas J. Spain, being duly sworn deposes and says:

That on the 16th day of June, 1978, he did mail an exact copy of the advertisement of sale to Mr. & Mrs. William Dicey, 110 Maryland Ave., Crisfield, Md. 21817, by certified mail as required by Rule W74(b).

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

FOR BOND SEE I.T.P. BOOK 010
PAGE 418.

PS Form 3811, Jan. 1975 — RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- [x] Show to whom and date delivered..... 75¢
- [ ] Show to whom, date, & address of delivery.. 35¢
- [x] RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
- [ ] RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Mr. & Mrs. William Dicey
110 Maryland Ave.
Crisfield, Md. 21817

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	394131	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE [x] Addressee [ ] Authorized agent
Evelyn E. Dicey

4. DATE OF DELIVERY 6-20-78

POSTMARK CRISFIELD, MD. JUN 20 1978 USPC

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO: 1975 -O-568-047

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

Maryland

BOOK 046 PAGE 452

Ro 10308 Chancery

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2992

That we, Thomas J. Spain, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Seven Thousand and no/100 ($ 7,000) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 23rd day of June, 19 78.

WHEREAS, the above bounden Thomas J. Spain

by virtue of the power contained in a mortgage from William Dicey & Evelyn Dicey

to Joseph Campbell and CHarline Campbell

bearing date the 25th day of January, 1977 and recorded among

the mortgage records of Somerset County, Maryland

in Liber _____ No. 298 Folio 312

and Thomas J. Spain

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

_____

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Thomas J Spain
Principal

Principal

As to Surety

WESTERN SURETY COMPANY

By M Stratton
M. Stratton, Ass't. Sec'y.

Countersigned by Donald L Henderson Maryland Resident Agent

FILED

THE WITHIN BOND APPROVED.

PER: L. Theodore Phebus, CLERK JUN 29 10 39 AM '78

RECORDED IN IMP
LIBER NO 10 FOLIO 418
L. THEODORE PHEBUS, CLK. CI. CT.
BY _____ DEPUTY

BOOK 010 PAGE 413

1268

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

In the Foreclosure of a Mortgage from William Dicey and Evelyn Dicey Ex Parte	:	No. 10307 Chancery
	:	In the Circuit Court
	:	for Somerset County
	:	State of Maryland

: : : : : : : : : :

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Thomas J. Spain, Solicitor in the above captioned cause, duly qualified after filing his approved bond, hereby reports:

That he did on Friday, July 30, 1978, at 1:30 P.M., after having given due notice as required by law, sell the land described in these proceedings at public auction, unto Joseph F. Campbell, for the sum of Twenty-nine Hundred Dollars ($2,900.00), that being the highest bid therefor.

Respectfully submitted,

Thomas J. Spain

STATE OF MARYLAND, COUNTY OF SOMERSET:

I Hereby Certify, that on this 6 day of July, 1978, before me, the undersigned, a Notary Public in and for the state and county aforesaid, personally appeared Thomas J. Spain, personally known to me, and after being duly sworn by me according to law, deposes and says: that he was duly appointed and qualified to sell the land in the above proceedings and that he did sell this land as hereinbefore set forth, that the sale was fairly conducted and that the Report of Sale is true and correct to the best of his knowledge and belief.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

THOMAS J. SPAIN
Attorney at Law
Princess Anne, Maryland

IN THE FORECLOSURE OF A MORTGAGE

FROM

WILLIAM DICEY & EVELYN DICEY, HIS WIFE

Chancery No. 10307

In the Circuit Court for Somerset County

ORDER NISI

ORDERED, BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, THIS 6th DAY OF July, 1978, THAT THE SALE OF THE PROPERTY MENTIONED IN THESE PROCEEDINGS, MADE AND REPORTED BY THOMAS J. SPAIN, ATTORNEY, BE RATIFIED AND CONFIRMED UNLESS CAUSE TO THE CONTRARY THEREOF BE SHOWN ON OR BEFORE THE 7th DAY OF August, 1978; PROVIDED A COPY OF THIS ORDER BE INSERTED IN SOME NEWSPAPER PUBLISHED IN SOMERSET COUNTY, MARYLAND, ONCE IN EACH OF THREE CONSECUTIVE WEEKS BEFORE THE 31st DAY OF July, 1978.

THE REPORT STATES THE AMOUNT OF SALE TO BE A TOTAL OF $2,900.00.

I. Theodore Phoebus
I. Theodore Phoebus, Clerk

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

In the Foreclosure of a Mortgage from William Dicey and Evelyn Dicey	:	No. 10307 Chancery
	:	In the Circuit Court
Ex Parte	:	for Somerset County
	:	State of Maryland

: : : : : : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET:

I Hereby Certify, that on this 6 day of July, 1978, before me, the undersigned, a Notary Public in and for the state and county aforesaid, personally appeared Logan C. Widdowson, and after being duly sworn by me according to law, deposes and says: 1. That he, as agent for Joseph F. Campbell, was the purchaser at the Public Auction of the property in these proceedings held on July 30, 1978, at 1:30 P.M., for the sum of $2,900.00.

2. That no others are interested as principals.

3. That he did not directly or indirectly discourage anyone from bidding for the said property.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Thomas J. Spain
Attorney At Law
Princess Anne, Maryland

Mortgage Foreclosure Sale Of Valuable Residential Property In Crisfield, Maryland

Under and by virtue of the Power of Sale contained in a Mortgage from William Dicey and Evelyn Dicey to Joseph Campbell and Charline Campbell, dated 25, January 1977, and recorded among the Land Records of Somerset County, Maryland in Liber 298, folio 312, default having occurred therein, I hereby give notice that I will on

Friday, June 30, 1978
At 1:30 P.M. O'Clock
at the Door of the Somerset County Courthouse, Princess Anne, Maryland

offer the following land and improvements thereon for sale at public auction to the highest bidder therefor:

All that lot or parcel of land situate as aforesaid, located on the west side of Maryland Avenue and bound on the south by Walnut Street; on the west by the lands owned or formerly owned by Margaret Landon; on the north by the lands owned or formerly owned by Royce Ford; on the east by said Maryland Avenue.

IMPROVEMENTS: Said real estate is improved by an eight room, wood frame dwelling with a screened porch.

TERMS OF SALE: 20% cash on day of sale, balance upon ratification, unpaid portion to bear interest at the rate of 8% per annum, taxes and public assessments adjusted to date of sale, all title papers, revenue stamps and recording costs at the expense of the purchasers.

6-16-3t

CRISFIELD, MD. June 29, 19 78

THIS is to certify that the annexed Mortgage Foreclosure has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Mortgage Foreclosure Sale for 3 weeks beginning with the issue of June 16, 19 78 and ending June 30, 19 78.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S. C. Rogers

In the Matter of the Foreclosure of a Mortgage from William Dicey & Evelyn Dicey	:	No. 10307 Chancery
	:	In the Circuit Court For
	:	Somerset County
	:	State of Maryland

: : : : : : : :

ORDER OF RATIFICATION

Upon the Report of Sale, Affidavit and Order NISI which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, IT IS this 1st day of ~~August~~ July, 1978, ORDERED and DECREED by the Circuit Court for Somerset County, Maryland, in No. 10307 Chancery that the sale of the property mentioned in these proceedings BE and IT hereby IS RATIFIED AND CONFIRMED.

Richard M. Pollitt
Judge

Thomas J. Spain
Attorney At Law
Princess Anne, Maryland

In The Foreclosure
Of A Mortgage From
William Dicey And
Evelyn Dicey, His wife

Chancery No. 10307

In The Circuit Court
For Somerset County

ORDER NISI

Ordered, by the Circuit Court for Somerset County, Maryland, this 6th day of July, 1978, that the sale of the property mentioned in these proceedings, made and reported by Thomas J. Spain, Attorney, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day of August, 1978; Provided a copy of this order be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 31st day of July, 1978.

The report states the amount of sale to be a total of $2,900.00.

I. Theodore Phoebus
Clerk

7-14-3t

CRISFIELD, MD. 8-9- 78 19

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 14, 19 78 and ending July 28, 19 78.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

BOOK 046 PAGE 457

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

BOOK 046 PAGE 458

In the Matter of the Foreclosure of a Mortgage from William Dicey & Evelyn Dicey	:	No. 10307
	:	In the Circuit Court for
	:	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 therein, states the following Account:

Amount of Sale		$2900.00
Costs, Expenses and Fees		
I. Theodore Phoebus, Clerk	$ 99.00	
The Crisfield Times	117.88	
Advertising		
Order Nisi		
Auctioneer, E. B. Muir	50.00	
Attorney's Fee per Mortgage	30.00	
Henderson Insurance Co.	21.00	
Trustee's Commission	290.00	
10% of first $3000.00		
Notary Fee	5.00	
Thomas S. Simpkins, postage & phone	4.65	
Carlos Bozman, State & County Taxes	7.00	
City of Crisfield		
Taxes	72.10	
Front Foot Assessment	6.00	
Auditor's Fee	45.00	
Total Costs, Expenses and Fees		827.63
Balance for Distribution		2072.37
Statement of Mortgage Debt as of March 6, 1978		5601.23
*Plus interest since June 25, 1977 Deficiency		3528.86

ALL EXCEPTIONS to said report must be field within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U. S. Mail, postage prepaid:

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
11 N. SOMERSET AVENUE
PRINCESS ANNE, MD.
21853
651-3800

Thomas J. Spain Esquire
N. Somerset Avenue
Princess Anne, Maryland 21853

William Dicey
110 Maryland Avenue
Crisfield, Maryland 21817

Evelyn Dicey
110 Maryland Avenue
Crisfield, Maryland 21817

Date of Filing: September, 29, 1978

Logan C. Widdowson, Auditor

pdh
9/29/78
#69

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
11 N. SOMERSET AVENUE
PRINCESS ANNE, MD.
21853
651-3800

No. 10307 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 29th day of September, 19 78 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 October, 19 78.

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 15th day of May, 19 79 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

CLERK

EXD.

MAY 23 1979

Philip C. Widdowson, Assignee, Ex Parte	:	No. 10317 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Robert S. Taylor and Donna S. Taylor,	:	Somerset County, Maryland
his wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard	:	

MAR 22-78 B 525558 *****10.00
MAR 22 78 B 525557 *****40.00

Mr. Clerk:

Please record the assignment of the above entitled mortgage, docket the above entitled suit and file the original mortgage among the papers therein.

Philip C. Widdowson

Philip C. Widdowson
Princess Anne, Maryland 21853
Telephone: 651-3800

FOR MORTGAGE SEE LIBER I.T.P. NO. 298 PAGE 710.

FOR BOND SEE LIBER I.T.P. BOOK 010 PAGE 405.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Philip C. Widdowson, Assignee, Ex Parte	:	No. 10317 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Robert S. Taylor and Donna S. Taylor	:	Somerset County, Maryland
his wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard	:	

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 22nd day of March, 1978, before me, the undersigned officer, personally appeared Logan C. Widdowson and Jimmie Lee Howard, and each made oath in due form of law as follows: The principal amount owing on the above mortgage is $4,359.00 with interest from October 5, 1976, 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.

Karen J. Nelson
Notary Public

My Commission Expires: July 1, 1978

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

Maryland

No. 10317 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM-2991

That we, Philip C. Widdowson, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Five Thousand and no/100 ($ 5,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 28 th day of March, 19 78.

WHEREAS, the above bounden Philip C. Widdowson

by virtue of the power contained in a mortgage from Robert S. Taylor & Donna S. Taylor

to Logan C. Widdowson & Jimmy Lee Howard

bearing date the 5 th day of October, 1976 and recorded among

the mortgage records of Somerset County, Maryland

in Liber _____ No. 298 Folio 710

and Philip C. Widdowson
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Philip C. Widdowson

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid; and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Philip C. Widdowson
Principal

Principal

As to Surety

WESTERN SURETY COMPANY

By M. Stratton
M. Stratton, Ass't. Sec'y.

Countersigned by Donald R. Henderson Maryland Resident Agent

FILED

THE WITHIN BOND APPROVED.

PER: L. Theodore Shuba, CLERK.

MAR 30 11 50 AM '78

RECORDED IN THE ... FOLIO 405
... CLERK OF CT.
BY ... DEPUTY

BOOK 010 PAGE 405

BOOK 046 PAGE 463

1268

Philip C. Widdowson, Assignee, Ex Parte	:	No. 10317 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Robert S. Taylor and Donna S. Taylor,	:	Somerset County, Maryland
his wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard	:	

To the Honorable, the Judge of said Court:

The report of sales of Philip C. Widdowson, Assignee of a mortgage made and executed by Robert S. Taylor and Donna S. Taylor, his wife, to Logan C. Widdowson and Jimmie Lee Howard dated October 5, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 298, page 710, 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 reposed in him as Assignee of said mortgage, and as required by law, and giving more than fifteen 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 Court House door, in Princess Anne, Maryland, on the 25th day of April, 1978, at one o'clock P.M., and then and there proceed to sell the property described in said mortgage, to wit:

All that lot or parcel of land situate in the East Princess Anne Election District of Somerset County, State of Maryland, and more particularly described as follows: Beginning for the outlines of the same at a point on the northeasterly side of a dirt road, thence (1) South 34° 50' 50" East a distance of 733.04 feet to a point; thence by and with the centerline of a ditch the following four courses and distances: (2) South 84° 53' 34" West a distance of 332.793 feet to a point, thence (3) North 59° 49' 54"

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

West a distance of 127.336 feet to a point, thence (4) North 44° 17' 08" West a distance of 176.972 feet to a point; thence (5) North 37° 56' 19" West a distance of 254.195 feet to a point or the southeasterly side of the aforementioned dirt road, thence (6) North 42° 37' 52" East by and with said dirt road a distance of 394.48 feet to the place of beginning; containing 4.859 acres and being accurately laid down and described on a plat prepared by Herman Lloyd Purnell, III, Surveyor, entitled "Lot No. 1 - Wildwood Manor" dated September 13, 1976, as attached to a deed hereinafter referred to; and being the same and all the land which was conveyed unto the said Robert S. Taylor and Donna S. Taylor, his wife, by Logan C. Widdowson by deed dated October 5, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 296, page 375; SUBJECT TO certain covenants, agreements, conditions, restrictions and charges set forth in the aforesaid deed, and sold the same to Logan C. Widdowson, he being then and there the highest bidder therfor, at and for the sum of one hundred fifty dollars ($150.00), and the purchaser has complied with the terms of sale.

Respectfully submitted,

Philip C. Widdowson

Philip C. Widdowson, Assignee

STATE OF MARYLAND,
COUNTY OF SOMERSET,
TO WIT:

I hereby certify, that on this 25th day of April, in the year nineteen hundred and seventy-eight, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Philip C. Widdowson, Assignee 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 first above written.

Helen S. Nelson

Notary Public

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Philip C. Widdowson, Assignee, Ex Parte	:	No. 10317 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Robert S. Taylor and Donna S. Taylor,	:	Somerset County, Maryland
his wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard	:	

PURCHASER'S AFFIDAVIT

State of Maryland, County of Somerset, To Wit:

I hereby certify, that on this 25th day of April, 1978, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Logan C. Widdowson, 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 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 the said property.

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

Karen O. Nelson
Notary Public

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

ORDER NISI

Philip C. Widdowson, Assignee, Ex Parte	:	No. 10317 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Robert S. Taylor and Donna S. Taylor,	:	Somerset County, Maryland
his wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard		

ORDERED by the Circuit Court for Somerset County this 25th day of April, in the year nineteen hundred and seventy-eight, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Philip C. Widdowson, Assignee of the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 26th day of May, 1978, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 22nd day of May, 1978.

Clerk of Circuit Court for
Somerset County, Maryland

Philip C. Widdowson, Assignee, Ex Parte	:	No. 10317 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Robert S. Taylor and Donna S. Taylor	:	Somerset County, Maryland
his wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard	:	

ORDERED by the Circuit Court for Somerset County, in Equity, this 7th day of June, in the year nineteen hundred and seventy-eight, that the sale of the real estate mentioned in these proceedings made and reported by Philip C. Widdowson, Assignee of said mortgage, and the distribution of the proceeds therein, be and the same in 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

LAW OFFICE
GAN C. WIDDOWSON
ORTH SOMERSET AVE.
INCESS ANNE, MD. 21853
651-3800

BOOK 046 PAGE 468

PRINCESS ANNE, MD., April 27 1978

This is to certify that the annexed Notice 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: Apr 6, 13, 20 1978

Business Manager MARYLANDER and HERALD

PHILIP C. WIDDOWSON
ATTORNEY AT LAW

ASSIGNEE'S SALE

OF VALUABLE

RESIDENTIAL PROPERTY

Under and by virtue of the power of sale contained in a mortgage from Robert S. Taylor and Donna S. Taylor, his wife, recorded March 2, 1977 among the Land Records of Somerset County in Liber I.T.P. No. 298, page 710, default having occured in said mortgage,. the undersigned as assignee for the purpose of foreclosure of said mortgage, will offer at public sale in front of the Courthouse door in Princess Anne, Somerset County, Maryland on

TUESDAY, APRIL 25, 1978

at or about the hour of 1 o'clock, P.M.

all that lot or parcel of land situate in the East Princess Anne Election District of Somerset County, State of Maryland, and more particularly described as follows: Beginning for the outlines of the same at a point on the northeasterly side of a dirt road, thence (1) South 34 degrees 50' 50" East a distance of 733.04 feet to a point, thence by and with the centerline of a ditch the following four courses and distances: (2) South 84 degrees 53' 34" West a distance of 332.793 feet to a point, thence (3) North 59 degrees 49' 54" West a distance of 127.336 feet to a point, thence (4) North 44 degrees 17' 08" West a distance of 176.972 feet to a point, thence (5) North 37 degrees 56' 19" West a distance of 254.195 feet to a point or the southeasterly side of the aforementioned dirt road, thence (6) North 42 degrees 37' 52" East by and with said dirt road a distance of 394.48 feet to the place of beginning; containing 4.859 acres and being accurately laid down and described on a plat prepared by Herman Lloyd Purnell, III, Surveyor, entitled "Lot No. 1 — Wildwood Manor", dated September 13, 1976, as attached to a deed hereinafter referred to; and being the same and all the land which was conveyed unto the said Robert S. Taylor and Donna S. Taylor, his wife, by Logan C. Widdowson by deed dated October 5, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 296, page 375; SUBJECT TO certain convenants, agreements, conditions, restrictions and charges set forth in the aforesaid deed.

This property is unimproved.

TERMS OF SALE: Twenty-five percent (25%) of purchase price payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned assignee, payable prior to ratification of said sale by the Circuit Court, with interest from date of sale at the rate of six percent (6%) per annum.

All public taxes and assessments will be prorated to date of sale. Title papers, documentary stamps, transfer tax and recording costs at expense of the purchaser or purchasers.

PHILIP C. WIDDOWSON, Assignee
47 North Somerset Avenue
Princess Anne, Maryland 21853
Telephone: 651-3800

2tc—4/6, 4/13 & 4/20

Philip C. Widdowson, Assignee, Ex Parte	:	No. 10317 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Robert S. Taylor and Donna S. Taylor,	:	Somerset County, Maryland
his wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard	:	

ATTORNEY'S AFFIDAVIT AS TO NOTICE TO MORTGAGOR

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 3rd day of May, in the year nineteen hundred seventy-eight, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Philip C. Widdowson, 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 assignee for foreclosure and collection of the mortgage in the above entitled proceeding filed for foreclosure and collection, that on April 12, 1978 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Mr. Robert S. Taylor, Princess Anne, Maryland 21853 (Post Office Receipt No. 394098) by certified mail, and that the letter was returned to him by the Post Office Department marked "Unclaimed"; and the same to Mrs. Donna S. Taylor, c/o Charlotte Adams, Princess Anne Townehouses, Princess Anne, Maryland 21853 (Post Office Receipt No. 394099) by certified mail, and that the letter was received.

The aforesaid post office receipts, returned letter and copy of letter are attached hereto to be filed in this proceeding.

Philip C. Widdowson
Philip C. Widdowson

Ellen T. Nelson
Notary Public

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

LOGAN C. WIDDOWSON
ATTORNEY AT LAW

ASSOCIATE
PHILIP C. WIDDOWSON

NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
TELEPHONE: 651-3600

BOOK 046 PAGE 470

April 12, 1978

Mr. Robert S. Taylor
Princess Anne, Maryland 21853

Mrs. Donna S. Taylor
c/o Charlotte Adams
Princess Anne Townehouses
Princess Anne, Maryland 21853

Dear Mr. and Mrs. Taylor:

Pursuant to Rule W-74 a 2 (a) (ii) (b), this is to inform you that proceedings have been filed in No. 10317 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from Robert S. Taylor and Donna S. Taylor to Logan C. Widdowson and Jimmie Lee Howard recorded among the Land Records of Somerset County in Liber I.T.P. No. 298, page 710. The foreclosure sale is currently being advertised in the Marylander & Herald, a newspaper published in Princess Anne, Somerset County, Maryland. The property described in the mortgage will be offered for sale at 1:00 o'clock P.M., on Tuesday, April 25, 1978 in front of the Court House door in Princess Anne, Maryland. Terms of Sale: Twenty-five percent of purchase price payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned assignee, payable prior to ratification of sale by the Circuit Court, with interest from date of sale at the rate of six percent per annum. A copy of the advertisement is attached to this letter for your convenience.

Very truly yours,

Philip C. Widdowson
Assignee for Foreclosure and Collection

PCW:knt

Certified Mail - Return Receipt Requested

COPY

PHILIP C. WIDDOWSON
ATTORNEY AT LAW

ASSIGNEE'S SALE

OF VALUABLE

RESIDENTIAL PROPERTY

Under and by virtue of the power of sale contained in a mortgage from Robert S. Taylor and Donna S. Taylor, his wife, recorded March 2, 1977 among the Land Records of Somerset County in Liber I.T.P. No. 298, page 710, default having occured in said mortgage, the undersigned as assignee for the purpose of foreclosure of said mortgage, will offer at public sale in front of the Courthouse door in Princess Anne, Somerset County, Maryland on

TUESDAY, APRIL 25, 1978

at or about the hour of 1 o'clock, P.M.

all that lot or parcel of land situate in the East Princess Anne Election District of Somerset County, State of Maryland, and more particularly described as follows: Beginning for the outlines of the same at a point on the northeasterly side of a dirt road, thence (1) South 34 degrees 50' 50" East a distance of 733.04 feet to a point, thence by and with the centerline of a ditch the following four courses and distances: (2) South 84 degrees 53' 34" West a distance of 332.793 feet to a point, thence (3) North 59 degrees 49' 54" West a distance of 127.233 feet to a point, thence (4) North 44 degrees 17' 08" West a distance of 176.972 feet to a point, thence (5) North 37 degrees 56' 19" West a distance of 254.195 feet to a point on the southeasterly side of the aforementioned dirt road, thence (6) North 42 degrees 37' 52" East by and with said dirt road a distance of 394.48 feet to the place of beginning; containing 4.859 acres and being accurately laid down and described on a plat prepared by Herman Lloyd Purnell, III, Surveyor, entitled "Lot No. 1 — Wildwood Manor", dated September 13, 1976, as attached to a deed hereinafter referred to; and being the same and all the land which was conveyed unto the said Robert S. Taylor and Donna S. Taylor, his wife, by Logan C. Widdowson by deed dated October 5, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 296, page 375; SUBJECT TO certain convenants, agreements, conditions, restrictions and charges set forth in the aforesaid deed.

This property is unimproved.

TERMS OF SALE: Twenty-five percent (25%) of purchase price payable in cash at the time of sale and the balance to be secured to the satisfaction of the undersigned assignee, payable prior to ratification of said sale by the Circuit Court, with interest from date of sale at the rate of six percent (6%) per annum.

All public taxes and assessments will be prorated to date of sale. Title papers, documentary stamps, transfer tax and recording costs at expense of the purchaser or purchasers.

PHILIP C. WIDDOWSON, Assignee
47 North Somerset Avenue
Princess Anne, Maryland 21853
Telephone: 651-3300

2tc—4/6, 4/13 & 4/20

BOOK 0046 PAGE 472

LAW OFFICE

LOGAN C. WIDDOWSON
N. SOMERSET AVENUE
PRINCESS ANNE, MD. 21853

4-12-78
4-18-78
4-27-78

Mr. Robert S. Taylor
Princess Anne, Maryland 21853

CERTIFIED
No. 394098
MAIL

No. 394098

RECEIPT FOR CERTIFIED MAIL

SENT TO
Mr. Robert S. Taylor

STREET AND NO.

P.O., STATE AND ZIP CODE
Princess Anne, Maryland 21853

POSTMARK OR DATE
4/12/78

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered
With restricted delivery
2. Shows to whom, date and where delivered
With restricted delivery

CONSULT POSTMASTER FOR FEES

RESTRICTED DELIVERY

SPECIAL DELIVERY (extra fee required)

PS Form Jan. 1976 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

☆ GPO: 1975—O-591-452

No. 394099

RECEIPT FOR CERTIFIED MAIL

SENT TO
Mrs. Donna S. Taylor

STREET AND NO.
c/o Charlotte Adams
Princess Anne Townehouses

P.O., STATE AND ZIP CODE
Princess Anne, Maryland 21853

POSTMARK OR DATE
4/12/78

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered
With restricted delivery
2. Shows to whom, date and where delivered
With restricted delivery

CONSULT POSTMASTER FOR FEES

RESTRICTED DELIVERY

SPECIAL DELIVERY (extra fee required)

PS Form Jan. 1976 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

☆ GPO: 1975—O-591-452

ORDER NISI

Philip C. Widdowson, Assignee, Ex Parte	:	No. 10317 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Robert S. Taylor and Donna S. Taylor,	:	Somerset County, Maryland
his wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard	:	

ORDERED by the Circuit Court for Somerset County this 24th day of May, in the year nineteen hundred and seventy-eight, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Philip C. Widdowson, Assignee of the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 5th day of ~~May~~ June, 1978, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 2nd day of June, 1978.

Clerk of Circuit Court for
Somerset County, Maryland

LAW OFFICE
GAN C. WIDDOWSON
ORTH SOMERSET AVE.
INCESS ANNE, MD. 21853
651-3800

BOOK 046 PAGE 474

PRINCESS ANNE, MD., May 26 1978

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 Nisi

Dates Inserted: May 11, 18, 25 - 1978

Business Manager MARYLANDER and HERALD

ORDER NISI

Philip C. Widdowson, Assignee, Ex Parte under power contained in Mortgage from Robert S. Taylor and Donna S. Taylor, his wife, to Logan C. Widdowson and Jimmie Lee Howard

NO. 10317
CHANCERY

In the Circuit Court for Somerset County, Md.

ORDERED by the Circuit Court for Somerset County this 4th day of May, in the year nineteen hundred and seventy-eight, that the sale of the property mentioned in these proceedings and the distribution of the proceeds therein made and reported by Philip C. Widdowson, Assignee of the above mortgage, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 5th day of June, 1978, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 2nd day of June, 1978.

I. THEODORE PHOEBUS.
Clerk of Circuit Court for
Somerset County, Maryland
3tc—5/11, 5/18 & 5/25

Philip C. Widdowson, Assignee,	:	No. 10317 Chancery
Ex Parte under power contained	:	In the Circuit Court for
in Mortgage from Robert S.	:	Somerset County, Maryland
Taylor and Donna S. Taylor, his	:	
wife, to Logan C. Widdowson and	:	
Jimmie Lee Howard	:	

PETITION FOR REFERRAL TO SPECIAL AUDITOR

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Philip C. Widdowson, Assignee, named in the above-captioned proceedings, respectfully represents:

1. That the property referred to in the above-entitled cause has been sold and the proceedings 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 Petitioner requests the appointment of a Special Auditor to file an audit in these proceedings.

Philip C. Widdowson

Philip C. Widdowson

ORDER OF COURT

The aforegoing Petition having been read and considered, it is, thereupon this 9th day of June, 1978 by the Circuit Court for Somerset County, Maryland, ORDERED and DECREED that Karen N. Thomas 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.

Lloyd L. Simpkins

Judge

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

Philip C. Widdowson, Assignee, Ex Parte under power contained in Mortgage from Robert S. Taylor and Donna S. Taylor, his wife, to Logan C. Widdowson and Jimmie Lee Howard	:	No. 10317 Chancery In the Circuit Court for Somerset County, Maryland

FIRST AND FINAL AUDITOR'S REPORT

Karen N. Thomas, Special Auditor, duly appointed by this Court, reports that she has made an examination of the proceedings in the above entitled cause and from them and the list of expenses furnished her therein, states the following Account:

Amount of Sale			$ 150.00
Costs, Expenses and Fees:			
I. Theodore Phoebus, Clerk		$111.00	
Marylander & Herald		112.49	
Advertising	$87.49		
Order Nisi	25.00		
Edwin B. Muir, Auctioneer		15.00	
Henderson Insurance Agency, Bond		20.00	
Carlos Bozman, Treasurer			
St. & Co. Real Estate Taxes		4.41	
Tax Ditch Assessment		2.45	
Attorneys Fee per Mortgage		75.00	
Trustees Commission		15.00	
Auditor's Fee		45.00	
Notary Fees		6.00	
Total Costs, Expenses and Fees			406.35
Deficiency			$ 256.35
Statement of Mortgage as of May 19, 1978			4,914.09
*Total Deficiency			$5,170.44

*Plus interest since May 19, 1978

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.

YOUR SPECIAL AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Philip C. Widdowson, Esquire
47 North Somerset Avenue
Princess Anne, Maryland 21853

Mr. Robert S. Taylor
Princess Anne, Maryland 21853

Mrs. Donna S. Taylor
c/o Charlotte Adams
Princess Anne Townehouses
Princess Anne, Maryland 21853

Date of Filing: June 12, 1978

Karen N. Thomas

Karen N. Thomas, Special Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853

651-3800

BOOK 046 PAGE 478

No. 10317 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 12th day of June, 19 78, 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 27th day of June, 19 78.

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 29th day of June, 19 78, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

Theodore Shockley
CLERK

EXD.
MAY 23 1979

G. DONALD SMITH, Assignee for the purpose of foreclosure and collection of a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc.

EX PARTE

* NO. 10338 CHANCERY
* IN THE CIRCUIT COURT
* FOR SOMERSET COUNTY
* AND STATE OF MARYLAND

* * * * * * * * * *

APR 19-78 B 026224D*****10.00
APR 19-78 B 026223D*****40.00

ORDER TO FILE MORTGAGE FOR FORECLOSURE

MR. CLERK:

Please docket suit as above, file for foreclosure the mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc., dated January 24, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber No. I.T.P. 278, Folio 539, the Note secured thereby, Statement of Mortgage Debt and Military Affidavit, and Certificate of Merger of Miles Homes of Maryland, Inc. into Insilco Corporation.

G. Donald Smith
G. Donald Smith, Assignee for purpose of foreclosure and collection

FOR MORTGAGE SEE I.T.P. NO. 278 FOLIO 539.

LAW OFFICES
ONALD SMITH
SUITE 308
OWNTOWN PLAZA
DURY, MD. 21801
742-0445

G. DONALD SMITH, Assignee for Purpose of Foreclosure and Collection of a mortgage from Rudolph Carter and Joyce Carter, to Insilco Corporation, a Connecticut corporation, successor to Miles Homes of Maryland, Inc.	:	NO. _____ CHANCERY IN THE CIRCUIT COURT FOR SOMERSET COUNTY
EX PARTE	:	STATE OF MARYLAND

* * * * * * * *

STATEMENT OF MORTGAGE DEBT
AND
MILITARY AFFIDAVIT

STATE OF MINNESOTA
COUNTY OF SHERBURNE:

ON THIS, the 5th day of April, 1978, before me, the undersigned officer, personally appeared John Zubrzycki, Vice President of Miles Homes Division of Insilco Corporation, a Connecticut corporation, successor to Miles Homes of Maryland, Inc., and made oath in due form of law that there is due and owing on said mortgage the principal sum of Twenty-two Thousand Four Hundred Seventeen Dollars and Seventy-one Cents ($22,417.71), together with interest at the rate of seven and one-half per centum (7½%) per annum from May 3, 1974 through April 5, 1978, with a per diem rate of $3.48 per day, and said John Zubrzycki did further make oath in due form of law that he has personal knowledge that the said Rudolph Carter and Joyce Carter, the Mortgagors in the above entitled cause, are not in military service of the United States of America and that they have not been in military service of the United States of America during the thirty (30) day period immediately preceding the making of this affidavit.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Candice Robertson
Notary Public

CANDICE ROBERTSON
NOTARY PUBLIC - MINNESOTA
SHERBURNE COUNTY
My Commission Expires March 2, 1984.

My Commission Expires:
March 2, 1984

MORTGAGE NOTE

$ 18,715.00

January 24, 19 74

FOR VALUE RECEIVED, I jointly and severally promise to pay to the order of MILES HOMES OF MARYLAND, INC.

under the laws of the State of Maryland the principal sum of $ 18,715.00 with interest on said principal sum of $ 18,715.00 at the rate of 7½ % per annum from date hereof until said principal sum is paid in full. The mortgage note is payable in monthly installments of $ 124.00, or more, per month commencing on January 15 1974 and continuing on the 15th day of each and every month thereafter until the 15th day of January, 1977 when the remaining unpaid balance of this mortgage note shall be due and payable.

Privilege is reserved to prepay at any time, without premium or fee, the entire indebtedness or any part thereof. Both principal and interest shall be payable at MILES HOMES OF MARYLAND, INC. 4500 Lyndale Avenue North, Minneapolis, Minnesota 55412, or at such other place as the holder herein may designate in writing, and such payments shall be in lawful money of the United States of America and first applied to the principal sum and then to interest computed as provided aforesaid on the principal sum.

If default be made in the payments specified aforesaid, or any of them, the entire principal sum then remaining unpaid, with interest accrued, shall become due and payable immediately, without notice, at the option of the legal holder of this note. Failure to exercise this option shall not constitute a waiver of the right to exercise the same in the event of any subsequent default.

The undersigned, whether principal, surety, guarantor, endorser, or other party hereto, agrees to be jointly and severally bound, and hereby waive any homestead exemption right against said debt and waive demand, protest and notice of demand, protest and non-payment and expressly agree that this note may be extended from time to time without affecting the liability of the makers, endorsers, sureties, guarantors or other party hereto.

The makers, endorsers, guarantors and other parties hereto agree to pay a reasonable collection or attorney's fee, if suit is brought hereon, or if said note is placed in a collector's hands when in default.

This note is secured by a mortgage of even date executed by the undersigned on certain property described therein and represents payment as and for materials and services used in the improvement, alteration and repair of the property described in said mortgage.

BOOK 046 PAGE 481

x Rudolph Carter
Rudolph Carter (Signature of maker)

x Joyce Carter
Joyce Carter (Signature of wife or husband)

Sandra L. Marvin
Princess Anne, Md. 21853
MY COMMISSION EXPIRES JULY 1, 1974

BOOK 046 PAGE 482

STATE OF MARYLAND

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION
301 WEST PRESTON STREET
BALTIMORE 21201

THIS IS TO CERTIFY THAT the within instrument is a true copy of the

ARTICLES OF MERGER

MERGING

MILES HOMES OF MARYLAND, INC. (MD. CORP.)

INTO

INSILCO CORPORATION (CONN. CORP.) Survivor

as approved and received for record by the State Department of Assessments and Taxation of Maryland, December 10, 1976 at 10:30 o'clock A. M.

AS WITNESS my hand and official Seal of the said Department at Baltimore this 28th day of March, 1977.

William J. Simmons
Charter Specialist, II

546

CERTIFICATE OF MERGER
OF
MILES HOMES OF MARYLAND, INC.
a Maryland corporation,
into INSILCO CORPORATION,
the surviving Connecticut corporation

The undersigned corporation by its duly authorized officers does hereby certify that:

FIRST: The name of the merging corporation is MILES HOMES OF MARYLAND, INC. (hereinafter MILES), which is a corporation of the State of Maryland, and which is to be the terminating corporation, and INSILCO CORPORATION (hereinafter INSILCO), which is a corporation of the State of Connecticut, and which is to be the surviving corporation pursuant to the provisions of the Connecticut Stock Corporation Act.

SECOND: The surviving corporation owns all of the outstanding shares of the terminating corporation.

THIRD: The laws of the jurisdiction of incorporation of the terminating corporation permit a merger of the kind herein certified and contain no provisions prohibiting such a merger.

FOURTH: The Certificate of Incorporation of the surviving corporation does not prohibit a merger of the kind herein certified and does not require the approval of its shareholders to authorize such a merger.

FIFTH: The Certificate of Incorporation of the surviving corporation will not be changed by reason of this merger herein certified.

SIXTH: The Plan of Merger, which has been duly approved by resolution adopted by the Board of Directors of each of the merging corporations, is as set forth on Exhibit A, attached.

The undersigned do hereby declare under the penalties of false statement that the statements contained in the foregoing Certificate of Merger are true insofar as they pertain to INSILCO and do hereby sign said Certificate on behalf of said corporation at Meriden, Connecticut, on November 29, 1976.

INSILCO CORPORATION

By G E Peterson
George E. Peterson, Jr.
Vice President

By A J Mainella
Anthony J. Mainella
Assistant Secretary

The undersigned do hereby declare under the penalties of false statement that the statements contained in the foregoing Certificate of Merger are true insofar as they pertain to MILES and do hereby sign said Certificate on behalf of said corporation at Meriden, Connecticut, on November 29, 1976.

By G E Peterson
George E. Peterson, Jr.
Vice President

By A J Mainella
Anthony J. Mainella
Assistant Secretary

CX 00 PAGE 001

547

ARTICLES OF MERGER

MERGING

MILES HOMES OF MARYLAND, INC. (MD. CORP.)

INTO

INSILCO CORPORATION (CONN. CORP.) Survivor

approved and received for record by the State Department of Assessments and Taxation of Maryland December 10, 1976 at 10:30 o'clock A. M. as in conformity with law and ordered recorded.

721

A 58923

Recorded in Liber 2370, folio 542, one of the Charter Records of the State Department of Assessments and Taxation of Maryland.

Bonus tax paid $_____ Recording fee paid $ 15.00

To the clerk of the Superior Court of Baltimore City

IT IS HEREBY CERTIFIED, that the within instrument, together with all indorsements thereon, has been received, approved and recorded by the State Department of Assessments and Taxation of Maryland.

AS WITNESS my hand and seal of the said Department at Baltimore.

STATE DEPARTMENT OF ASSESSMENTS AND TAXATION · OF MARYLAND ·

RECEIVED

DEC 10 3 30 PM

Judicial 13—Maryland—Mortgagee's or Att's Bond (1-55)

IN THE CIRCUIT COURT OF Somerset County

STATE OF MARYLAND

G. Donald Smith, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Rudolph Carter and Joyce Carter, His Wife, to Miles Homes of Maryland, Inc.

No. 10338 Chancery

BOND OF Mortgage Foreclosure

~~To Sell~~

KNOW ALL MEN BY THESE PRESENTS: That we, G. Donald Smith, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Rudolph Carter and Joyce Carter, His Wife, to Miles Homes of Maryland, Inc.

as Principal ,

and UNITED STATES FIDELITY AND GUARANTY COMPANY, a body corporate under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland in the full and just sum of Twenty-Two Thousand, Five Hundred Dollars and No Cents ---------- Dollars ($ 22,500.00), to be paid to the said State or its certain Attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators, successors or assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 23rd day of May , in the year of our Lord, nineteen hundred and seventy-eight.

WHEREAS, the above bounden G. Donald Smith, Assignee for the Purpose of Foreclosure and Collection

by virtue of the power contained in a mortgage from Rudolph Carter and Joyce Carter, His Wife to Miles Homes of Maryland, Inc. bearing date the 24th day of January , 19 74 and recorded among the Land Records of Somerset County in Liber No. I.T.P.278 Folio 539 and G. Donald Smith, Assignee for the Purpose of Foreclosure and Collection

is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that if the above bounden G. Donald Smith, Assignee for the Purpose of Foreclosure and Collection of a Mortgage from Rudolph Carter and Joyce Carter, His Wife, to Miles Homes of Maryland, Inc. do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

G. DONALD SMITH, ASSIGNEE

Signed, sealed and delivered

in the presence of

G. Donald Smith (SEAL)

Theresa A. Mason

(SEAL)

UNITED STATES FIDELITY AND GUARANTY COMPANY

THE WITHIN BOND APPROVED.

PER: Theodore Phelps, CLERK.

By H. Walter Jones
H. Walter Jones, Attorney-in-Fact

BOOK 046 PAGE 485

BOOK 010 PAGE 410

(CERTIFIED COPY)

POWER OF ATTORNEY

No.....79260..... BOOK 046 PAGE 486

Know all Men by these Presents:

That UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation organized and existing under the laws of the State of Maryland, having its principal office at the City of Baltimore, in the State of Maryland, does hereby constitute and appoint

H. Walter Jones

of the City of Salisbury State of Maryland, its true and lawful attorney in and for the State of Maryland for the following purposes, to wit:

To sign its name as surety to, and to execute, seal and acknowledge any and all stipulations, bonds and/or undertakings, and to respectively do and perform any and all acts and things set forth in the resolution of the Board of Directors of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, a certified copy of which is hereto annexed and made a part of this power of attorney; and the said UNITED STATES FIDELITY AND GUARANTY COMPANY, through us, its Board of Directors, hereby ratifies and confirms all and whatsoever the said

H. Walter Jones

may lawfully do in the premises by virtue of these presents.

In Witness Whereof, the said UNITED STATES FIDELITY AND GUARANTY COMPANY has caused this instrument to be sealed with its corporate seal, duly attested by the signatures of its Vice-President and Assistant Secretary, this 26th day of June, A. D. 1968.

UNITED STATES FIDELITY AND GUARANTY COMPANY

(Signed) By Wilbur F. Smith
Vice-President.

(SEAL)

(Signed) Richard D. Reinhardt
Assistant Secretary.

STATE OF MARYLAND, }
CITY OF BALTIMORE, } ss:

On this 26th day of June A. D. 1968, before me personally came Wilbur F. Smith Vice-President of UNITED STATES FIDELITY AND GUARANTY COMPANY, and Richard D. Reinhardt, Assistant Secretary of said Company, with both of whom I am personally acquainted, who being by me severally duly sworn, said that they resided in the City of Baltimore, Maryland, that they, the said Wilbur F. Smith and Richard D. Reinhardt were respectively the Vice-President and Assistant Secretary of the said UNITED STATES FIDELITY AND GUARANTY COMPANY, the corporation described in and which executed the foregoing power of attorney; that they each knew the seal of said corporation; that the seal affixed to said power of attorney was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order as Vice-President and Assistant Secretary, respectively of the Company.

My commission expires the first day in July, A. D. 19 69.

(SEAL) (Signed) Herbert J. Aull
Notary Public.

STATE OF MARYLAND, }
CITY OF BALTIMORE, } ss:

I, Robert H. Bouse Clerk of Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that Herbert J. Aull, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed h name, was, at the time of so doing a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and sworn and authorized by law to administer oaths, take acknowledgments, or proof of deeds to be recorded therein. I further certify that I am acquainted with the handwriting of the said Notary and verily believe the signature to be h genuine signature.

In Testimony Whereof, I hereto set my hand and affix the seal of the Superior Court of Baltimore City, the same being a Court of Record, this 26th day of June A. D. 1968

(SEAL) (Signed) Robert H. Bouse
Clerk of the Superior Court of Baltimore City.

FILED
MAY 29 1969
REC. FOLIO
LIBER NO.
A. THEODORE PHOEBUS, CLK. CT. CT.
BY DEPUTY

FS 17 9-67

BOOK 010 PAGE 411

COPY OF RESOLUTION

BOOK 010 PAGE 411

That Whereas, it is necessary for the effectual transaction of business that this Company appoint agents and attorneys with power and authority to act for it and in its name in the State of Maryland and in States other than Maryland, and in the Territories of the United States and in the Provinces of the Dominion of Canada and in the Colony of Newfoundland.

Therefore, be it Resolved, that this Company do, and it hereby does, authorize and empower its President or either of its Vice-Presidents in conjunction with its Secretary or one of its Assistant Secretaries, under its corporate seal, to appoint any person or persons as attorney or attorneys-in-fact, or agent or agents of said Company, in its name and as its act, to execute, and deliver any and all contracts guaranteeing the fidelity of persons holding positions of public or private trust, guaranteeing the performance of contracts other than insurance policies and executing or guaranteeing bonds and undertakings, required or permitted in all actions or proceedings, or by law allowed, and

Also, in its name and as its attorney or attorneys-in-fact, or agent or agents to execute and guarantee the conditions of any and all bonds, recognizances, obligations, stipulations, undertakings or anything in the nature of either of the same, which are or may by law, municipal or otherwise, or by any Statute of the United States or of any State or Territory of the United States or of the Provinces of the Dominion of Canada or of the Colony of Newfoundland, or by the rules, regulations, orders, customs, practice or discretion of any board, body, organization, office or officer, local, municipal or otherwise be allowed, required or permitted to be executed, made, taken, given, tendered, accepted, filed or recorded, for the security or protection of, by or for any person or persons, corporation, body, office interest, municipality or other association or organization whatsoever, in any and all capacities whatsoever, conditioned for the doing or not doing of anything or any conditions which may be provided for in any such bond, recognizance, obligation, stipulation, or undertaking, or anything in the nature of either of the same.

I, Charles O. Mullennix, Assistant Secretary of UNITED STATES FIDELITY AND GUARANTY COMPANY, hereby certify that at a special meeting of the Board of Directors of said Company, duly called and held at the office of the Company, at the City of Baltimore, on the 25th day of February, A. D. 1916, at which was present a quorum of said Directors, duly authorized to act in the premises, resolutions were passed and entered on the minutes of said Company, of which resolutions the foregoing is a true copy and of the whole thereof.

And I do further certify that the above and foregoing is a full, true and correct copy of the original power of attorney given by said Company to H. Walter Jones of Salisbury, Maryland, authorizing and empowering him to sign bonds as therein set forth, and that the said Power of Attorney is still in full force and effect as of this date.

Given under my hand and the seal of said Company, at Baltimore, Maryland, this 23rd day of May, A. D. 19 78.

Assistant Secretary.

BOOK 010 PAGE 412

BOOK 046 PAGE 487

FILED

MAY 23 3 42 PM '78

RECORDED IN LIBER NO. 10 FOLIO 410
I. THEODORE PROCTOR CLK. CT.
BY DEPL

BOOK 046 PAGE 488

CERTIFICATE OF PUBLICATION

Salisbury, Md. May 17, 1978

We hereby certify that the annexed Assignee's Sale

was published in

THE DAILY TIMES on 5/10, 17/78

Brenda Wilson

Thomson Newspapers, Inc.
Publishers of The Daily Times

G. DONALD SMITH
Attorney at Law
Salisbury, Maryland
21801

ASSIGNEE'S SALE

OF VALUABLE LOT AND PARTIALLY COMPLETED HOME

IN "JO-JE-MA ESTATES"
EAST PRINCESS ANNE ELECTION DISTRICT SOMERSET COUNTY, MARYLAND

Under and by virtue of the power of sale contained in a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc. dated January 24, 1974, and recorded among the Land Records of Somerset Couny, Maryland, in Liber I.T.P. No. 278, Folio 539, and duly assigned unto the undersigned Assignee for the purpose of foreclosure and collection, default having occurred therein, said Assignee will offer for sale at public auction at the front door of the Somerset County Courthouse in Princess Anne, Maryland, on

TUESDAY, MAY 23, 1978
AT 2:00 O'CLOCK P.M.

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying on the south side of but not adjacent to the old county road leading from Princess Anne to Salisbury, known as the "Backbone Road", and more particularly described as follows: Beginning for the same at a point on the south side of a road indicated on the plat hereinafter referred to as Williams Road, which said point of beginning marks the extreme northeast corner of Lot No. 14 herein described and conveyed and the extreme northwest corner of Lot No. 13 on said plat, thence (1) South 23 degrees 7' 30" East by and with the west line of Lot No. 13 a distance of 154.24 feet, thence (2) South 54 degrees 38' West a distance of 43.05 feet to a point, thence (3) South 70 degrees 17' West 65.10 feet to a point, thence (4) South 50 degrees 5' West a distance of 36.50 feet to a point which marks the extreme southwest corner of Lot No. 14 herein described and conveyed and the extreme south east corner of Lot No. 15, thence (5) North 23 degrees 7' 30" West by and with the east line of Lot No. 15 a distance of 161.95 feet to a point on the south side of Williams Road which marks the extreme northeast corner of Lot No. 15 and the extreme northwest corner of Lot No. 14 herein described and conveyed, thence (6) North 60 degrees 12' East by and with the south side of Williams Road a distance of 116.69 feet to a concrete post, thence (7) North 78 degrees 42' East by and with the south side of Williams Road a distance of 26.67 feet to the place of beginning, accurately laid down and described as Lot No. 14 on a plat prepared by G. Oliver Morrell, Registered Surveyor, dated August 1965, known as the "Plat of JO-JE-MA Estates" recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, Folio 86, and being a part only of the land which was conveyed unto Blanche Scott by Blanche Scott, Personal Representative of the Estate of John T. Williams by deed dated February 22, 1972, and recorded among the aforesaid Land Records in Liber I.T.P. No. 264, Folio 465, and being all and the same land that was conveyed unto Rudolph Carter and Joyce G. Carter, his wife, as tenants by the entireties, by William P. Hytche, Attorney in Fact, by deed dated January 31,1974, and recorded among the aforesaid Land Records in Liber I.T.P. No. 278, Folio 87; SUBJECT, NEVERTHELESS, to the covenants, agreements, conditions, restrictions and charges, contained in the aforesaid deed to Rudolph Carter and Joyce G. Carter, his wife.

This property is improved by a partially completed split level, single family dwelling. Said residence to be conveyed as is and to be completed at the Buyers expense.

TERMS OF SALE: A deposit of Five Thousand Dollars ($5,000.00) cash or certified check will be required of the purchaser at the time of sale; balance in cash upon final settlement, interest to be paid on the unpaid purchase money at the rate of eight per centum (8 percent) per annum from date of sale to date of settlement. All taxes to be adjusted as of the date of sale. Costs of title examination, documentary stamps, transfer taxes and preparation of title papers to be purchasers expense.

G. DONALD SMITH, Assignee
Suite 305
106 Downtown Plaza
Salisbury, Maryland
21801
Telephone: (301) 742-0445

5-10, 5-17

G. DONALD SMITH
Attorney at Law
Salisbury, Maryland 21801

ASSIGNEE'S SALE

OF VALUABLE LOT AND PARTIALLY COMPLETED HOME IN "JO-JE-MA ESTATES" EAST PRINCESS ANNE ELECTION DISTRICT SOMERSET COUNTY, MARYLAND

Under and by virtue of the power of sale contained in a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc. dated January 24, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 278, Folio 539, and duly assigned unto the undersigned Assignee for the purpose of foreclosure and collection, default having occurred therein, said Assignee will offer for sale at public auction at the front door of the Somerset County Courthouse in Princess Anne, Maryland, on

Tuesday, May 23, 1978

AT 2:00 O'CLOCK P.M.

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying on the south side of but not adjacent to the old county road leading from Princess Anne to Salisbury, known as the "Backbone Road," and more particularly described as follows: Beginning for the same at a point on the south side of a road indicated on the plat hereinafter referred to as Williams Road, which said point of beginning marks the extreme northeast corner of Lot No. 14 herein described and conveyed and the extreme northwest corner of Lot No. 13 on said plat, thence (1) South 23 degrees 7' 30" East by and with the west line of Lot No. 13 a distance of 154.24 feet, thence (2) South 54 degrees 38' West a distance of 43.05 feet to a point, thence (3) South 70 degrees 17' West 65.10 feet to a point, thence (4) South 50 degrees 5' West a distance of 36.50 feet to a point which marks the extreme southwest corner of Lot No. 14 herein described and conveyed and the extreme south east corner of Lot No. 15, thence (5) North 23 degrees 7' 30" West by and with the east line of Lot No. 15 a distance of 161.95 feet to a point on the south side of Williams Road which marks the extreme northeast corner of Lot No. 15 and the extreme northwest corner of Lot No. 14 herein described and conveyed, thence (6) North 60 degrees 12' East by and with the south side of Williams Road a distance of 116.69 feet to a concrete post, thence (7) North 78 degrees 42' East by and with the south side of Williams Road a distance of 26.67 feet to the place of beginning, accurately laid down and described as Lot No. 14 on a plat prepared by G. Oliver Morrell, Registered Surveyor, dated August 1965, known as the "Plat of JO-JE-MA Estates" recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, Folio 86, and being a part only of the land which was conveyed unto Blanche Scott by Blanche Scott, Personal Representative of the Estate of John T. Williams by deed dated February 22, 1972, and recorded among the aforesaid Land Records in Liber I.T.P. No. 264, Folio 465, and being all and the same land that was conveyed unto Rudolph Carter and Joyce G. Carter, his wife, as tenants by the entireties, by William P. Hytche, Attorney in Fact, by deed dated January 31, 1974, and recorded among the aforesaid Land Records in Liber I.T.P. No. 278, Folio 87; SUBJECT, NEVERTHELESS, to the convenants, agreements, conditions, restrictions and charges contained in the aforesaid deed to Rudolph Carter and Joyce G. Carter, his wife.

This property is improved by a partially completed split level, single family dwelling. Said residence to be conveyed as is and to be completed at the Buyers expense.

TERMS OF SALE: A deposit of Five Thousand Dollars ($5,000.00) cash or certified check will be required of the purchaser at the time of sale; balance in cash upon final settlement, interest to be paid on the unpaid purchase money at the rate of eight per centum (8%) per annum from date of sale to date of settlement. All taxes to be adjusted as of the date of sale. Costs of title examination, documentary stamps, transfer taxes and preparation of title papers to be purchaser's expense.

G. DONALD SMITH, Assignee
Suite 305, 106 Downtown Plaza
Salisbury, Maryland 21801
Telephone: (301) 742-0445

3tc—5/4, 5/11 & 5/18

PRINCESS ANNE, MD., May 11, 1978

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 Notice

Dates Inserted: May 4, 11, 18 - 1978

J. Bryan Ryan
Business Manager MARYLANDER and HERALD

LAW OFFICES
G. DONALD SMITH
SUITE 305
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

BOOK 046 PAGE 489

FILED

MAY 23 1 43 PM '78

RECORDED IN
LIBER NO. ____ FOLIO ____
THEODORE PRIDEMOS, CLK. CT. CT.
BY ____ DEPUTY

LAW OFFICES
G. DONALD SMITH
106 DOWNTOWN PLAZA, SUITE 305
SALISBURY, MARYLAND 21801
742-0445

BOOK 046 PAGE 490

May 8, 1978

Mr. Rudolph Carter
P. O. Box 275
Princess Anne, Maryland 21853

Dear Mr. Carter:

In accordance with the Maryland Rules of Procedure, this letter is to notify you that your property located on Backbone Road, East Princess Anne Election District, Somerset County, Maryland, will be sold at public auction on Tuesday, May 23, 1978, at 2:00 o'clock P.M., at the Court House door in Princess Anne, Maryland, to satisfy the mortgage against the same held by Miles Homes of Maryland, Inc.

I am enclosing herewith a copy of the legal advertisement which will appear in the Marylander & Herald on May 11 and 18, 1978. This advertisement will give you a description of the property being sold as well as the time, place and terms of sale.

Yours truly,

G. Donald Smith

GDS/tam
Enclosure

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

FOR BOND SEE I.T.P. BOOK 010 PAGE 410.

LAW OFFICES
G. DONALD SMITH
106 DOWNTOWN PLAZA, SUITE 305
SALISBURY, MARYLAND 21801
742-0446

May 8, 1978

Mrs. Joyce Gates Carter
P. O. Box 235
Princess Anne, Maryland 21853

Dear Mrs. Carter:

In accordance with the Maryland Rules of Procedure, this letter is to notify you that your property located on Backbone Road, East Princess Anne Election District, Somerset County, Maryland, will be sold at public auction on Tuesday, May 23, 1978, at 2:00 o'clock P.M., at the Court House door in Princess Anne, Maryland, to satisfy the mortgage against the same held by Miles Homes of Maryland, Inc.

I am enclosing herewith a copy of the legal advertisement which will appear in the Marylander & Herald on May 11 and 18, 1978. This advertisement will give you a description of the property being sold as well as the time, place and terms of sale.

Yours truly,

G. Donald Smith

GDS/tam
Enclosure

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

G. DONALD SMITH
Attorney at Law
Salisbury, Maryland 21801

ASSIGNEE'S SALE OF VALUABLE LOT AND
PARTIALLY COMPLETED HOME IN "JO-JE-MA ESTATES"
EAST PRINCESS ANNE ELECTION DISTRICT
SOMERSET COUNTY, MARYLAND

Under and by virtue of the power of sale contained in a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc. dated January 24, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 278, Folio 539, and duly assigned unto the undersigned Assignee for the purpose of foreclosure and collection, default having occurred therein, said Assignee will offer for sale at public auction at the front door of the Somerset County Courthouse in Princess Anne, Maryland, on

TUESDAY, MAY 23, 1978
AT 2:00 O'CLOCK P.M.

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying on the south side of but not adjacent to the old county road leading from Princess Anne to Salisbury, known as the "Backbone Road", and more particularly described as follows: Beginning for the same at a point on the south side of a road indicated on the plat hereinafter referred to as Williams Road, which said point of beginning marks the extreme northeast corner of Lot No. 14 herein described and conveyed and the extreme northwest corner of Lot No. 13 on said plat, thence (1) South 23° 7' 30" East by and with the west line of Lot No. 13 a distance of 154.24 feet, thence (2) South 54° 38' West a distance of 43.05 feet to a point, thence (3) South 70° 17' West 65.10 feet to a point, thence (4) South 50° 5' West a distance of 36.50 feet to a point which marks the extreme southwest corner of Lot No. 14 herein described and conveyed and the extreme south east corner of Lot No. 15, thence (5) North 23° 7' 30" West by and with the east line of Lot No. 15 a distance of 161.95 feet to a point on the south side of Williams Road which marks the extreme northeast corner of Lot No. 15 and the extreme northwest corner of Lot No. 14 herein described and conveyed, thence (6) North 60° 12' East by and with the south side of Williams Road a distance of 116.69 feet to a concrete post, thence (7) North 78° 42' East by and with the south side of Williams Road a distance of 26.67 feet to the place of beginning,

LAW OFFICES
G. DONALD SMITH
SUITE 308
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

accurately laid down and described as Lot No. 14 on a plat prepared by G. Oliver Morrell, Registered Surveyor, dated August 1965, known as the "Plat of JO-JE-MA Estates"recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, Folio 86, and being a part only of the land which was conveyed unto Blanche Scott by Blanche Scott, Personal Representative of the Estate of John T. Williams by deed dated February 22, 1972, and recorded among the aforesaid Land Records in Liber I.T.P. No. 264, Folio 465, and being all and the same land that was conveyed unto Rudolph Carter and Joyce G. Carter, his wife, as tenants by the entireties, by William P. Hytche, Attorney in Fact, by deed dated January 31, 1974, and recorded among the aforesaid Land Records in Liber I.T.P. No. 278, Folio 87; SUBJECT, NEVERTHELESS, to the covenants, agreements, conditions, restrictions and charges contained in the aforesaid deed to Rudolph Carter and Joyce G. Carter, his wife.

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G. DONALD SMITH, Assignee
Suite 305, 106 Downtown Plaza
Salisbury, Maryland 21801
Telephone: (301) 742-0445

PUBLISH: May 4th, 11th and 18th, 1978 (Maryland Herald)

LAW OFFICES
G. DONALD SMITH
SUITE 305
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

G. DONALD SMITH
Attorney at Law
Salisbury, Maryland 21801

ASSIGNEE'S SALE OF VALUABLE LOT AND
PARTIALLY COMPLETED HOME IN "JO-JE-MA ESTATES"
EAST PRINCESS ANNE ELECTION DISTRICT
SOMERSET COUNTY, MARYLAND

Under and by virtue of the power of sale contained in a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc. dated January 24, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 278, Folio 539, and duly assigned unto the undersigned Assignee for the purpose of foreclosure and collection, default having occurred therein, said Assignee will offer for sale at public auction at the front door of the Somerset County Courthouse in Princess Anne, Maryland, on

TUESDAY, MAY 23, 1978
AT 2:00 O'CLOCK P.M.

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying on the south side of but not adjacent to the old county road leading from Princess Anne to Salisbury, known as the "Backbone Road", and more particularly described as follows: Beginning for the same at a point on the south side of a road indicated on the plat hereinafter referred to as Williams Road, which said point of beginning marks the extreme northeast corner of Lot No. 14 herein described and conveyed and the extreme northwest corner of Lot No. 13 on said plat, thence (1) South 23° 7' 30" East by and with the west line of Lot No. 13 a distance of 154.24 feet, thence (2) South 54° 38' West a distance of 43.05 feet to a point, thence (3) South 70° 17' West 65.10 feet to a point, thence (4) South 50° 5' West a distance of 36.50 feet to a point which marks the extreme southwest corner of Lot No. 14 herein described and conveyed and the extreme south east corner of Lot No. 15, thence (5) North 23° 7' 30" West by and with the east line of Lot No. 15 a distance of 161.95 feet to a point on the south side of Williams Road which marks the extreme northeast corner of Lot No. 15 and the extreme northwest corner of Lot No. 14 herein described and conveyed, thence (6) North 60° 12' East by and with the south side of Williams Road a distance of 116.69 feet to a concrete post, thence (7) North 78° 42' East by and with the south side of Williams Road a distance of 26.67 feet to the place of beginning,

LAW OFFICES
G. DONALD SMITH
SUITE 306
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SALISBURY, MD. 21801
742-0445

accurately laid down and described as Lot No. 14 on a plat prepared by G. Oliver Morrell, Registered Surveyor, dated August 1965, known as the "Plat of JO-JE-MA Estates"recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, Folio 86, and being a part only of the land which was conveyed unto Blanche Scott by Blanche Scott, Personal Representative of the Estate of John T. Williams by deed dated February 22, 1972, and recorded among the aforesaid Land Records in Liber I.T.P. No. 264, Folio 465, and being all and the same land that was conveyed unto Rudolph Carter and Joyce G. Carter, his wife, as tenants by the entireties, by William P. Hytche, Attorney in Fact, by deed dated January 31, 1974, and recorded among the aforesaid Land Records in Liber I.T.P. No. 278, Folio 87; SUBJECT, NEVERTHELESS, to the covenants, agreements, conditions, restrictions and charges contained in the aforesaid deed to Rudolph Carter and Joyce G. Carter, his wife.

This property is improved by a partially completed split level, single family dwelling. Said residence to be conveyed as is and to be completed at the Buyers expense.

TERMS OF SALE: A deposit of Five Thousand Dollars ($5,000.00) cash or certified check will be required of the purchaser at the time of sale; balance in cash upon final settlement, interest to be paid on the unpaid purchase money at the rate of eight per centum (8%) per annum from date of sale to date of settlement. All taxes to be adjusted as of the date of sale. Costs of title examination, documentary stamps, transfer taxes and preparation of title papers to be purchasers expense.

G. DONALD SMITH, Assignee
Suite 305, 106 Downtown Plaza
Salisbury, Maryland 21801
Telephone: (301) 742-0445

PUBLISH: May 10th and 17th, 1978 (Daily Times)

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SUITE 305
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

BOOK 046 PAGE 496

No. 166117

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO
Mrs. Joyce Gates Carter

STREET AND NO.
P.O. Box 235

P.O., STATE AND ZIP CODE
Princess Anne, Maryland 21853

FILED
MAY 23 4 43 PM '78

POSTMARK OR DATE
PRINCESS ANNE, MARYLAND 21853 MAY 8 1978

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 3800 Apr. 1971

NO INSURANCE COVERAGE PROVIDED—NOT FOR INTERNATIONAL MAIL

(See other side)

☆ GPO : 1974 O - 551-454

No. 166116

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO
Mr. Rudolph Carter

STREET AND NO.
P. O. Box 275

P.O., STATE AND ZIP CODE
Princess Anne, Maryland 21853

FILED
MAY 23 4 43 PM '78

POSTMARK OR DATE
PRINCESS ANNE, MARYLAND 21853 MAY 8 1978

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 3800 Apr. 1971

NO INSURANCE COVERAGE PROVIDED—NOT FOR INTERNATIONAL MAIL

(See other side)

☆ GPO : 1974 O - 551-454

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered. . . . . ¢
☐ Show to whom, date, and address of delivery. . ¢
XX RESTRICTED DELIVERY
Show to whom and date delivered. . . . . ¢
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery. $
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. Rudolph Carter
P. O. Box 275
Princess Anne, Maryland 21853

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	166116	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Rudolph Carter

4. DATE OF DELIVERY
5-11-78

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO : 1977—O-234-337

G. DONALD SMITH, Assignee for the purpose of foreclosure and collection of a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc.	*	NO. 10,338 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	AND STATE OF MARYLAND
EX PARTE	*	

* * * * * * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT of G. Donald Smith, Assignee for the purpose of foreclosure and collection of a mortgage, under and by virtue of the power of sale contained in a mortgage made and executed by Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc. dated January 24, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 278, Folio 539, default having been made in the payment thereof, whereby the entire mortgage debt has become due and demandable, respectfully shows:

That after having given 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 power contained in said mortgage, and after having given notice of the time, place, manner and terms of sale by advertisement in the Marylander and Herald, a weekly newspaper published in Somerset County, Maryland, for at least twenty (20) days before the day of sale, as will appear by reference to the Certificate of Publication filed herein, he did, pursuant to said notice of sale, attend at the front door of the Courthouse in Princess Anne, Maryland, on Tuesday, May 23, 1978, at 2:00 o'clock P.M., and then and there proceeded to sell the real estate mentioned in said mortgage in the manner following, that is to say:

Your Assignee offered at public auction to the highest bidder the real estate mentioned in said mortgage, same being described as follows:

All that lot or parcel of land situate in East Princess Anne Election District, Somerset County, Maryland, lying on the

LAW OFFICES
G. DONALD SMITH
SUITE 305
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

south side of but not adjacent to the old county road leading from Princess Anne to Salisbury, known as the "Backbone Road", and more particularly described as follows: Beginning for the same at a point on the south side of a road indicated on the plat hereinafter referred to as Williams Road, which said point of beginning marks the extreme northeast corner of Lot No. 14 herein described and conveyed and the extreme northwest corner of Lot No. 13 on said plat, thence (1) South 23° 7' 30" East by and with the west line of Lot No. 13 a distance of 154.24 feet, thence (2) South 54° 38' West a distance of 43.05 feet to a point, thence (3) South 70° 17' West 65.10 feet to a point, thence (4) South 50° 5' West a distance of 36.50 feet to a point which marks the extreme southwest corner of Lot No. 14 herein described and conveyed and the extreme southeast corner of Lot No. 15, thence (5) North 23° 7' 30" West by and with the east line of Lot No. 15 a distance of 161.95 feet to a point on the south side of Williams Road which marks the extreme northeast corner of Lot No. 15 and the extreme northwest corner of Lot No. 14 herein described and conveyed, thence (6) North 60° 12' East by and with the south side of Williams Road a distance of 116.69 feet to a concrete post, thence (7) North 78° 42' East by and with the south side of Williams Road a distance of 26.67 feet to the place of beginning, accurately laid down and described as Lot No. 14 on a plat prepared by G. Oliver Morrell, Registered Surveyor, dated August 1965, known as the "Plat of JO-JE-MA Estates" recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, Folio 86; and being a part only of the land which was conveyed unto Blanche Scott by Blanche Scott, Personal Representative of the Estate of John T. Williams by deed dated February 22, 1972, and recorded among the aforesaid Land Records in Liber I.T.P. No. 264, Folio 465, and being all and the same land that was conveyed unto Rudolph Carter and Joyce Carter, his wife, as tenants by the entireties, by William P. Hytche, Attorney in Fact, by deed dated January 31, 1974, and recorded among the aforesaid Land Records in Liber I.T.P. No. 278, Folio 87; SUBJECT, NEVERTHELESS, to the covenants, agreements, conditions, restrictions and charges contained in the aforesaid deed to Rudolph Carter and Joyce G. Carter, his wife.

AND the said G. Donald Smith, Assignee, under and by virtue of the said power of sale, sold the above described land unto G. Donald Smith, Agent for Miles Homes Division of Insilco Corporation, at and for the sum of TWENTY-TWO THOUSAND SIX HUNDRED DOLLARS ($22,600.00), he being at that sum the highest bidder therefor, and the said purchaser has complied with the terms of the sale.

AND the said G. Donald Smith, Assignee, further reports and prays ratification of the distribution of the funds in his hands arising from said sale as follows:

RECEIPTS:

Proceeds of Sale as Reported	$22,600.00

DISBURSEMENTS:

State and County taxes, 7/1/76 - 6/30/78	38.70
Interest through 6/30/78	.72

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SALISBURY, MD. 21801
742-0445

Taxes on drainage ditch, 7/1/76 - 6/30/78		$ 2.03
Interest through 6/30/78		.06
I. Theodore Phoebus, Clerk, Court costs		
Filing fee		55.00
Future costs		65.00*
Advertising Costs:		
Marylander and Herald		142.50
The Daily Times		104.00
Avery W. Hall Insurance, bond premium		90.00
G. Donald Smith, Assignee's commission		1,280.00
Logan Widdowson, Auditor's fee		45.00
Edwin B. Muir, Auctioneer's fee		60.00
G. Donald Smith, counsel fee per mortgage		150.00
Insilco Corporation, mortgage debt		
Principal & Interest to 4/5/78	$22,417.71	
Interest to 5/23/78	167.04	
		22,584.75
Total Disbursements		$24,617.76

*Estimated

AND the said Assignee as aforesaid reports and prays ratification of said sale as above reported.

Respectfully submitted,

G. Donald Smith

G. Donald Smith, Assignee

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY that on this 23rd day of May, A.D. 1978, before me, the subscriber, a Notary Public of the State of Maryland in and for Wicomico County aforesaid, personally appeared G. Donald Smith, Assignee as aforesaid, and made oath in due form of law that the matters and facts set forth in the aforegoing Report of Sale 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.

Theresa A. Mason

Notary Public

THERESA A. MASON
NOTARY PUBLIC
WICOMICO CO., MD.

My commission expires:
July 1, 1978

LAW OFFICES
G. DONALD SMITH
SUITE 305
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

LAW OFFICES
G. DONALD SMITH
106 DOWNTOWN PLAZA, SUITE 305
SALISBURY, MARYLAND 21801

C-1

1st Notice 5-9-78
2nd Notice 5-15-78
Return 5-24-78

SALISBURY, MD 21801 PM 8 MAY 1978

"Restricted Delivery"

CERTIFIED
No. 166117
MAIL

Mrs. Joyce Gates Carter
P. O. Box 235
Princess Anne, Maryland 21853

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
DELIVER TO ADDRESSEE ONLY

RETURN RECEIPT
REQUESTED

BOOK 046 PAGE 500

A F F I D A V I T

STATE OF MARYLAND, SOMERSET COUNTY, to-wit:

I HEREBY CERTIFY, That on this 23rd day of May, A.D. 1978, before me, the subscriber, a Notary Public of the State of Maryland in and for Somerset County aforesaid, personally appeared G. Donald Smith, Agent for Miles Homes Division of Insilco Corp., the purchaser named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, G. Donald Smith, attended the sale on the property described in the mortgage filed in these proceedings held in Princess Anne, Somerset County, Maryland, on Tuesday, May 23, 1978, and purchased the same for Miles Homes Division of Insilco Corporation, at and for the sum of TWENTY-TWO THOUSAND SIX HUNDRED DOLLARS ($22,600.00).

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That I nor any of my agents, attorneys or representatives have directly or indirectly discouraged anyone from bidding on said property.

G. Donald Smith
Affiant
G. Donald Smith, Agent for Miles Homes Division of Insilco Corp.

SUBSCRIBED AND SWORN TO, before me, this 23rd day of May, A.D. 1978.

Theresa A. Mason
Notary Public

THERESA A. MASON
NOTARY PUBLIC
WICOMICO CO., MD.

My commission expires:
July 1, 1978

LAW OFFICES
G. DONALD SMITH
SUITE 305
108 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

BOOK 046 PAGE 502

G. DONALD SMITH, Assignee for the purpose of foreclosure and collection of a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc.	*	NO. 10,338 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	AND STATE OF MARYLAND
EX PARTE	*	

* * * * * * * * * *

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 31st day of May, A.D. 1978, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared G. Donald Smith, Assignee named in said mortgage, and made oath in due form of law that in compliance with the Maryland Rules of Procedures, notice was given to the within Mortgagors at their last known address of the sale of said property by certified mail as evidenced by the return attached hereto and made a part hereof, and by the return and receipts nos. 116116 and 116117 filed herein.

AS WITNESS my hand and Notarial Seal.

Theresa A. Mason
Notary Public

My commission expires:
July 1, 1978

THERESA A. MASON
NOTARY PUBLIC
WICOMICO CO., MD.

LAW OFFICES
HAMILTON P. FOX
106 WEST MAIN STREET
P. O. BOX 212
SALISBURY, MD. 21801
749-9040

G. DONALD SMITH, Assignee for the purpose of foreclosure and collection of a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc.	*	NO. 10,338 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
	*	
EX PARTE		
	*	

* * * * * * * * * * *

ORDER NISI

ORDERED by the Circuit Court for Somerset County and State of Maryland, in Equity, this 1st day of June, A.D. 1978, that the sale of the property mentioned in these proceedings and the distribution of the funds arising from said sale, made and reported by G. Donald Smith, Assignee, be ratified and confirmed, unless cause to the contrary be shown on or before the 5th day of July, A.D. 1978, 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 26th day of June, A.D. 1978.

The Report states the amount of sale to be TWENTY-TWO THOUSAND SIX HUNDRED DOLLARS ($22,600.00).

L. Theodore Shockley
Clerk

LAW OFFICES
G. DONALD SMITH
SUITE 305
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

BOOK 046 PAGE 504

PRINCESS ANNE, MD., June 27 1978

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 Nisi

Dates Inserted: June 8, 15, 22 1978

Business Manager MARYLANDER and HERALD

ORDER NISI

G. DONALD SMITH, Assignee for the purpose of foreclosure and collection of a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc.

EX PARTE

No. 10,338 Chancery
In the Circuit Court
For Somerset County

ORDER NISI

ORDERED by the Circuit Court for Somerset County and State of Maryland, in Equity, this 1st day of June, A.D. 1978, that the sale of the property mentioned in these proceedings and the distributions of the funds arising from said sale, made and reported by G. Donald Smith, Assignee, be ratified and confirmed, unless cause to the contrary be shown on or before the 5th day of July, A.D. 1978, 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 26th day of June, A.D. 1978.

The report states the amount of sale to be TWENTY-TWO THOUSAND SIX HUNDRED DOLLARS ($22,600.00). ($22,600.00).

I. Thoedore Phoebus
CLERK

TRUE COPY, TEST:
I. Thoedore Phoebus
Clerk
3tc—6/8, 15 & 22

G. DONALD SMITH, Assignee for the purpose of foreclosure and collection of a mortgage from Rudolph Carter and Joyce Carter, his wife, to Miles Homes of Maryland, Inc.

EX PARTE

* NO. 10,338 CHANCERY

* IN THE CIRCUIT COURT

* FOR SOMERSET COUNTY

* AND STATE OF MARYLAND

*

* * * * * * * * * * *

FINAL ORDER OF RATIFICATION

ORDERED, this 12 th day of July, A.D. 1978, by the Circuit Court for Somerset County, Maryland, in Equity, that the sale made and reported by G. Donald Smith, Assignee for the purpose of foreclosure and collection of a mortgage, 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 be referred to the Court Auditor to state an account therein.

Lloyd L. Simpkins
Judge

LAW OFFICES
G. DONALD SMITH
SUITE 305
106 DOWNTOWN PLAZA
SALISBURY, MD. 21801
742-0445

BOOK 046 PAGE 506

G. DONALD SMITH, Assignee for the purpose of foreclosure and collection of a mortgage from Rudolph Carter and Joyce Carter his wife, to Miles Homes of Maryland, Inc.	*	NO. 10,338 CHANCERY
	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
EX PARTE	*	AND 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 therein, states the following Account:

Amount of Sale			$ 22,600.00
Costs, Expenses, and Fees:			
G. Donald Smith, Attorney's Fee per mortgage		$ 150.00	
G. Donald Smith, Commissions per Rules of Court			
10% of $ 3,000.00	$ 300.00		
5% of $19,600.00	980.00	1,280.00	
G. Donald Smith, Reim. Costs			
Notary Public Fee	$ 3.00		
Reg. Mail	3.16	6.16	
Edwin B. Muir, Auctioneer		60.00	
Avery W. Hall Insurance Agency, Inc., Bond Premium		90.00	
State and County Real Estate Taxes			
1976-1978	$ 40.04		
Interest	3.35	43.39	
I. Theodore Phoebus, Clerk			
Filing Foreclosure	$ 55.00		
Additional Costs	64.00	119.00	
Logan C. Widdowson, Auditor's Fee		45.00	
Daily Times, Advertising and Order Nisi		104.00	
Marylander & Herald, Advertising and Order Nisi		142.50	
Miles Homes Division of Insilco Corp.,			
Mortgage debt			
Principal and interest to 4/5/78	$22,417.71		
Interest to 5/23/78	167.04	22,584.75	
Total Costs, Expenses and Fees			24,624.80
Deficiency			$ 2,024.80

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.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#68

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid:

G. Donald Smith, Esquire
106 Downtown Plaza, Suite 305
Salisbury, Maryland 21801

Mr. Rudolph Carter
P.O. Box 275
Princess Anne, Maryland 21853

Mrs. Joyce Carter
P.O. Box 235
Princess Anne, Maryland 21853

Date of Filing: August 18, 1978

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

#68

No. 10338 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 18th day of August, 19 78 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 78.

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 8th day of September, 19 78 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

EXD.
MAY 23 1979

STATEMENT OF MORTGAGE C' 'M

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.

vs.

LEONARD F. WILLIAMS and

ANNA J. WILLIAMS, his wife

IN THE

CIRCUIT COURT ~~No. 2~~

—OF—

No. 10403 CHANCERY CASE

~~BALTIMORE CITY~~
SOMERSET COUNTY

STATEMENT OF MORTGAGE DEBT

Original amount of mortgage	7,500.00
Less - amount paid on principal	643.89
	6,856.11
Plus interest to 7-1-78	171.39
	7,027.50
Plus late charges and attorney letter	53.69
	7,081.19
Less escrow account	76.24
	7,004.95

FOR MORTGAGE SEE I.T.P. LIBER 300 PAGE 251.

STATE OF MARYLAND, ~~CITY~~ County OF ~~BALTIMORE~~ Carroll, Sct.

I HEREBY CERTIFY, That on this 24th day of July in the year nineteen hundred and 78, before me, a Notary Public of the State of Maryland, in and for said ~~CITY~~ County of ~~BALTIMORE~~ Carroll personally appeared Jack W. Stollof, Vice - President of Fairfax Savings and Loan Association, Inc.

the plaintiff in the above entitled cause, and made oath that the foregoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

BOOK 046 PAGE 509

As witness my hand and Notarial Seal,

Robert C. Ness

Robert C. Ness *Notary Public.*

My Commission Expires July 1, 1982

Military Affidavit under Soldiers' and Sailors' Civil Relief Act of 1940 and Amendment thereto of October 6, 1942

BOOK 046 PAGE 510

Fairfax Savings and Loan Assoc., Inc. *vs.* LEONARD F. WILLIAMS and ANNA J. WILLIAMS, his wife	IN THE **CIRCUIT COURT** ~~XXXXXX~~ OF ~~XXXXXXXXXXXXXXXX~~ ~~BALTIMORE CITY~~ SOMERSET COUNTY Docket ..... Folio ..... Case No. 10403 CHANCERY Filed .....

Military Affidavit

STATE OF MARYLAND, ~~CITY~~ County OF ~~BALTIMORE~~ Carroll, TO WIT:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State, in and for said City, personally appeared Jack W. Stollof, Vice-President of Fairfax Savings and Loan Association, Inc. and made oath in due form of law that he (~~XXX~~) knows the defendant herein, and that to the best of his (~~XXX~~) information, knowledge and belief

(1) said defendant is not in the military service of the United States,

(2) said defendant is not in the military service of any nation allied with the United States,

(3) said defendant has not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended,

(4) said defendant is not a member of the Enlisted Reserve Corps who has been ordered to report for military service.

Jack W. Stollof, *Affiant.*

Subscribed and sworn to before me

this 27th day of July 1982

Robert C. Ness

Notary Public Robert C. Ness

My Commission Expires July 1, 1982

FAIRFAX SAVINGS and LOAN ASSOCIATION, INC.

vs.

LEONARD F. WILLIAMS and

ANNA J. WILLIAMS, his wife

Docket ..... Folio .....

Case No. 10403 CHANCERY

Filed .....

IN THE

Cirruit Court

—OF—

SOMERSET COUNTY

To the Honorable, the Judge of said Court:

The petition of the plaintiff respectfully represent

That on the 24th day of July A.D. 1977 the defendant executed and delivered to Fairfax Savings and Loan Association, Inc.

a mortgage upon certain fee simple property in the City of Baltimore, therein described, to secure the payment of the mortgage debt of $ 7,500.00 and interest as therein mentioned, wherein said mortgagor assented to the passage of a decree for the sale of said mortgaged property, to take place at any time after any default in any covenant or condition of said mortgage; all which will appear from said mortgage, marked "Petitioner's Exhibit No. 1," and filed herewith as part of this petition.

Said mortgage being in default.

And your petitioner pray that a decree may be passed for the sale of said property in accordance with the terms of said mortgage.

And as in duty, &c.

Robert C. Ness

Robert C. Ness *Attorney for Plaintiff*
2516 N. Charles Street
Baltimore, Maryland 21218

235-5525

BOOK 046 PAGE 512

DECREE FOR SALE OF MORTGAGED PREMISES

$ 029184D*****10.00
JUL 25-78 B 029183D*****50.00

DOCKET ..... FOLIO .....
CASE No. 10403 CHANCERY
FILED .....

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.

vs.

LEONARD F. WILLIAMS and

ANNA J. WILLIAMS, his wife

IN THE

CIRCUIT COURT ~~No. 2~~

—OF—

~~BALTIMORE CITY~~
SOMERSET COUNTY

.....TERM, 19.....

The Petition and Exhibit in the above cause having been submitted, the proceedings therein were by the Court read and considered:

It, is, Thereupon, This .....25th..... day of ..July..... in the year nineteen hundred and ~~seventy-eight~~....., by the Circuit Court ~~No. 2 of Baltimore City~~ SOMERSET County, ADJUDGED, ORDERED and DECREED, that the Mortgaged property in the proceedings mentioned be sold, at or after any of the periods limited in the mortgage filed for the forfeiture of said mortgage; that ....Jack W. Stollof..... be and he ...is..... hereby appointed Trustee to make said sale, and that the course and manner of his proceedings shall be as follows: he shall file with the Clerk of this Court, a Bond to the State of Maryland, executed by himsel and a corporate surety or sureties to be approved by this Court, or by the Clerk thereof, in the penalty of .....7,004.95..... Dollars, 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, having given notice at least once in each week for three successive weeks, the first such publication to be not less than fifteen days prior to sale and the last such publication to be not more than one week prior to sale by advertisement, inserted in such daily newspaper or newspapers published in the City of Baltimore, as he shall think proper, of the time, place, manner and terms of sale, which shall be cash, deposit of $1,000.00..... at time of sale, balance in cash upon final ratification of sale by the Court, the credit payment to bear interest from the day of sale; and as soon as may be convenient after any such sale or sales, the said Trustee shall return to this Court a full particular account of .....his..... proceedings relative to the 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 payment of the whole purchase money (and not before), the said Trustee 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 .....personal..representatives..and..assigns....., the property and estate to him, her or them sold, free, clear and discharged from all claim of the parties hereto, Petitioner and Mortgagor 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 cost 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; provided, that before the sale herein before decreed shall be made, a statement of the mortgage claim, duly verified by affidavit, as required by law, be filed in said cause.

Approximate value of property $10,000.00.....

Lloyd L. Simpson
Judge.

FOR BOND SEE I.T.P. BOOK 010 PAGE 422.

INSURANCE COMPANY OF NORTH AMERICA

1600 ARCH STREET
PHILADELPHIA
PENNSYLVANIA

BOOK 010 PAGE 422
No. 10403 Chancery

Ref: Case: 10403 Chancery

Know All Men by These Presents:

That we, Jack W. Stollof, as Principal

and INSURANCE COMPANY OF NORTH AMERICA, A BODY CORPORATE, duly incorporated under the laws of the Commonwealth of Pennsylvania, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Ten Thousand and 00/100---------- Dollars ($10,000.00), 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 and administrators, jointly and severally, firmly by these presents.

SEALED with our seals and dated this 18th day of September, in the year of our Lord, one-thousand, nine-hundred and seventy-eight.

WHEREAS, the above bounden Jack W. Stollof

by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County

has been appointed (Trustee to sell) ~~(Guardian)~~ P.O. Box 39
Dames Quarter, Maryland

mentioned in the proceedings in the case of Fairfax Savings & Loan Assn., Inc.
vs.
Leonard F. Williams & Anna J., h/w

now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Jack W. Stollof do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any further decree or order in the premises, 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:

By: Jack W. Stollof

Witness: Stephen W. Freeman

INSURANCE COMPANY OF NORTH AMERICA

By: Katherine Reid, Attorney-In-Fact

THE WITHIN BOND APPROVED.

PER: Theodore Sherbert, CLERK.

BS-2922 PTD. IN U.S.A.

BOOK 046 PAGE 513

POWER OF ATTORNEY

INA INSURANCE COMPANY OF NORTH AMERICA

PHILADELPHIA, PA.

BOOK 046 PAGE 514

Know all men by these presents: That INSURANCE COMPANY OF NORTH AMERICA, a corporation of the Commonwealth of Pennsylvania, having its principal office in the City of Philadelphia, Pennsylvania, pursuant to the following Resolution adopted by the Board of Directors of the said Company on May 28, 1975, to wit:

"RESOLVED, pursuant to Articles 3.6 and 5.1 of the By-Laws, the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the nature thereof:

(1) That the President, or any Vice-President, Assistant Vice-President, Resident Vice-President or Attorney-in-Fact, may execute for and in behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof, the same to be attested when necessary by the Secretary, an Assistant Secretary or a Resident Assistant Secretary and the seal of the Company affixed thereto; and that the President or any Vice-President may appoint and authorize Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact to so execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company thereto.

(2) Any such writing executed in accordance with these Rules shall be as binding upon the Company in any case as though signed by the President and attested by the Secretary.

(3) The signature of the President or a Vice-President and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution, and the signature of a certifying officer and the seal of the Company may be affixed by facsimile to any certificate of any such power, and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company.

(4) Such Resident Officers and Attorneys-in-Fact shall have authority to certify or verify copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties.

(5) The passage of this Resolution does not revoke any earlier authority granted by Resolution of the Board of Directors on June 9, 1953."

does hereby nominate, constitute and appoint KENNETH G. BENNETT, WILLIAM R. BISHOP, D. VAN NORMAN, JR., GARY A. PYNE, STEPHEN W. FREEMAN and KATHERINE REID, all of the City of Baltimore, State of Maryland

, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof. And the execution of such writings in pursuance of these presents, shall be as binding upon said Company, as fully and amply as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, the said C. DANIEL DRAKE, Vice-President, has hereunto subscribed his name and affixed the corporate seal of the said **INSURANCE COMPANY OF NORTH AMERICA** this 26th day of August 19 77.

(SEAL)

INSURANCE COMPANY OF NORTH AMERICA

by C. DANIEL DRAKE
Vice-President

STATE OF PENNSYLVANIA
COUNTY OF PHILADELPHIA } ss.

On this 26th day of August, A. D. 19 77, before me, a Notary Public of the Commonwealth of Pennsylvania, in and for the County of Philadelphia, came C. DANIEL DRAKE, Vice-President of the **INSURANCE COMPANY OF NORTH AMERICA** to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same; that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia, the day and year first above written.

FILED

MAUREEN SCHELL
Notary Public.

(SEAL)

My commission expires August 13, 1979

SEP 13 8 02 AM '78

I, the undersigned, Assistant Secretary of **INSURANCE COMPANY OF NORTH AMERICA**, do hereby certify that the POWER OF ATTORNEY, of which the foregoing is a full, true and correct copy, is in full force and effect. In witness whereof, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of the corporation, this 18th day of Sept 19 78

(SEAL)

Liber 1 Folio 422

Assistant Secretary

SB-1C 7/75 Printed in U.S.A.

BOOK 010 PAGE 423

REPORT OF SALE

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.

vs.

LEONARD F. WILLIAMS and

ANNA J. WILLIAMS, his wife

Docket..... Folio.....

Case No. .....

Filed .....

IN THE

Circuit Court No. 2

— OF —

~~BALTIMORE CITY~~

SOMERSET COUNTY

Equity 10403

To the Honorable, the Judge of said Court:

The Report of Sale of Jack W. Stollof

Trustee appointed by the decree in the above entitled cause, to make sale of the fee simple property known as P.O. Box 39, State Highway, Dames Quarter, Md.

in the proceedings in said cause mentioned, respectfully shows, that after giving bond with security for the faithful discharge of his **trust as prescribed by said decree, which was duly approved, and having given notice of the time, place, manner and terms of sale, by advertisements inserted in**

The Marylander & Herald

~~Somerset County~~

daily newspapers . published in ~~Baltimore City~~ for more than three successive weeks preceding the day of sale, said Trustee did pursuant to said notice on Monday **the** 18th **day of** September **, 19** 78 **at** 11:30 **o'clock** A **M. attend on the premises and then and there sold**

to Jack W. Stollof, Trustee for Fairfax Savings and Loan Association, said fee simple property in Somerset County, in the proceedings mentioned and described in the attached advertisement of sale, at and for the sum of Nine Thousand Dollars ($9,000.00), said purchaser being then and there the highest bidder.

Jack W. Stollof, Trustee

State of Maryland, ~~City of Baltimore~~ County of Carroll, Sct:

I HEREBY CERTIFY, That on this 9 TH **day of** October **19**78 **before me, the subscriber, a Notary Public of the State of Maryland, in and for the ~~City~~ County of ~~Baltimore~~ aforesaid, personally appeared** Jack W. Stollof **Trustee , and made Oath that the facts stated in the foregoing Report of Sale are true, as therein set forth, and that the sale thereby reported was fairly made.**

As witness my hand and Notarial Seal,

BOOK 046 PAGE 515 **My Commission Expires July 1, 1982** Robert C. Ness *Notary Public.*

BOOK 046 PAGE 516

ROBERT C. NESS, SOLICITOR
JACK W. STOLLOF, TRUSTEE
2516 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21218

vs.

P O BOX 39
STATE HIGHWAY
DAMES QUARTER, MARYLAND

IN THE

CIRCUIT COURT

OF

~~BALTIMORE CITY~~
SOMERSET COUNTY

****

AUCTIONEER'S AFFIDAVIT

We, the undersigned, do hereby certify that the annexed bill or statement of the fees and sums due us, set forth in detail, are all and singular of the fees and sums due us, and that we have not paid or will not pay, directly or indirectly, any sum or consideration to anyone for employing us or aiding us to be employed to make the sale for which the annexed bill or statement was rendered.

HARVEY WEST, AUCTIONEER

By Harvey West

Subscribed and sworn to before me, a Notary Public in and for Baltimore County by HARVEY WEST

this 18TH day of SEPTEMBER, 19 78.

Myra Wolk West
Notary Public

MYRA WOLK WEST NOTARY PUBLIC BALTIMORE COUNTY, MD.

SARATOGA 7-4046

Harvey West

AUCTIONEER AND APPRAISER

KNICKERBOCKER BUILDING • 218 E. LEXINGTON STREET • BALTIMORE 2, MARYLAND

REAL ESTATE SALES
JUDICIAL SALES
LIQUIDATIONS
MERCHANDISE
APPRAISALS

REPORT OF SALE

PROPERTY: P. O. BOX 39, STATE HIGHWAY, DAMES QUARTER, MARYLAND

SOLD TO: JACK STOLLOF, AGENT FOR FAIRFAX SAVINGS & LOAN, ASSN

ADDRESS: 1101 REISTERSTOWN ROAD, PIKESVILLE, MARYLAND 21208

AMOUNT OF SALE: $ 9,000.00

DEPOSIT: --

DATE OF SALE: SEPTEMBER 18, 1978

ADVERTISING: MARYLANDER & HERALD $ 127.50

AUCTIONEER'S FEE: $ 350.00

Harvey West

HARVEY WEST
Auctioneer

SARATOGA 7-4047

Harvey West

AUCTIONEER AND APPRAISER

KNICKERBOCKER BUILDING • 218 E. LEXINGTON STREET • BALTIMORE, MARYLAND 21202

REAL ESTATE SALES
JUDICIAL SALES
LIQUIDATIONS
MERCHANDISE
APPRAISALS

STATE OF MARYLAND, COUNTY OF BALTIMORE, SCT:

I HEREBY CERTIFY, that on this 18TH day of SEPTEMBER, 1978, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Baltimore aforesaid, personally appeared JACK STOLLOF, AGENT FOR FAIRFAX S&L, ASSN, purchaser at the foreclosure sale in this cause, and made oath in due form of law that he is the purchaser and purchased same as principal and not as an agent for anyone, and that he has not directly or indirectly discouraged anyone from bidding for the said property P. O. BOX 39, STATE HIGHWAY, DAMES QUARTER, MARYLAND mentioned in the said Report of Sale.

Purchaser (Seal) (Place)

HARVEY WEST NOTARY PUBLIC BALTIMORE CO., MD.

Notary Public

Purchaser

Purchaser

JACK W. STOLLOF, TRUSTEE
2516 N. Charles Street
Baltimore, Md. 21218

September 5, 1978

Mr. and Mrs. Leonard Williams
P.O. Box 39
Dames Quarter, Md. 21820

Re; Fairfax Savings and Loan Association, Inc.
vs.
Leonard Williams, et ux

Dear Mr. and Mrs. Williams:

Please be advised that sale of P.O. Box 39, Dames Quarter, Maryland will be held on the premises on Monday, September, 18, 1978 at 11:30 O'Clock A.M.

The Terms of Sale: Cash or certified check deposit of $1,000.00 at time of sale, balance in cash upon final ratification of sale by the Circuit Court of Somerset County, interest to be paid on unpaid purchase money at the rate of 10% from the date of sale to date of settlement. Taxes, water rent, to be adjusted to date of sale. All other public charges and assessments, payable on an annual basis, including sanitary and/or metropolitan district charges to be adjusted for the current year to date of sale and assumed thereafter by the purchaser. Cost of all documentary stamps and transfer taxes shall be borne by the purchaser.

Sincerely,

JACK W. STOLLOF, TRUSTEE

COPY

BOOK 046 PAGE 520

JACK W. STOLLOF, TRUSTEE
2516 N. Charles Street
Baltimore, Md. 21218

Returned No Notice
Left P.M.

REASON CHECKED
Unknown
Unknown
Refused
Insufficient address
No such office in state
Not called for
Not known at this address
Moved, left no address
Refused to sign
Refused to pay

CERTIFIED
No. 582814
MAIL

United States 13c

USA 15c
HOME OF THE BRAVE

Mr. and Mrs. Leonard Williams
P.O. Box 39
Dames Quarter, Md. 21820

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
vs.	*	Equity 10403
LEONARD F. WILLIAMS, and ANNA J. WILLIAMS, his wife	*	
	*	

ORDER NISI ON SALE

ORDERED, this 23rd day of October, 1978 that the sale of the property mentioned in these proceedings _____.

_____

made and reported by JACK W. STOLLOF, TRUSTEE be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of November next;

Provided a copy of this order be inserted in some newspaper published and printed in Somerset County once in each of 3 successive weeks before the 13th day of November, 1978.

The report states the amount of sales to be $ 9000.00.

Lloyd L. Griffin
Judge

BOOK 046 PAGE 522

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
vs.	*	Equity 10403
LEONARD F. WILLIAMS and ANNA J. WILLIAMS, his wife	*	
	*	

PETITION TO SUBSTITUTE A PURCHASER

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Jack W. Stollof, Trustee, respectfully represents unto your honor:

1. That your Petitioner, by his Report of Sale filed in these proceedings, sold to Jack W. Stollof, Trustee for Fairfax Savings and Loan Association, Inc. on the 18th day of September, 1978 certain fee simple property situated in Somerset County, known as P.O. Box 39, Dames Quarter, Maryland and described in these proceedings.

2. That the said Fairfax Savings and Loan Association has requested your Petitioner to substitute as purchaser in its place and stead, Larry Alvin Jones his successors. and assigns, who have requested to be so substituted.

WHEREFORE YOUR PETITIONER PRAYS that this Honorable Court pass an order substituting Larry Alvin Jones his successors and assigns as purchasers in the place and stead of Jack W. Stollof, Trustee.

Jack W. Stollof, Trustee for
Fairfax Savings and Loan
Association, Inc.

A S S E N T

We hereby assent to the relief prayed in the aforegoing Petition.

Jack W. Stollof, Trustee for
Fairfax Savings and Loan
Association, Inc.

Larry Alvin Jones

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
vs.	*	Equity 10403
LEONARD F. WILLIAMS and ANNA J. WILLIAMS, his wife	*	
	*	

ORDER

Upon the foregoing Petition and Assent, it is hereby this 23rd day of Oct., 1978,

ORDERED by the Circuit Court for Somerset County that Larry Alvin Jones his successors and assigns, be and they are hereby substituted as purchasers of the property mentioned in these proceedings, known as P.O. Box 39, Dames Quarter, Maryland, in the place of Jack W. Stollof, trustee for Fairfax Savings and Loan Association, Inc.

Lloyd L. Simpkins
Judge

ROBERT C. NESS
Attorney at Law
2516 N. Charles St.
Baltimore, Maryland 21218

Telephone 235-5525

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.

vs.

LEONARD F. WILLIAMS, and ANNA J. WILLIAMS, his wife

****

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
Equity 10403

****

ORDER NISI
ON SALE

ORDERED, this 23rd day of October, 1978 that the sale of the property mentioned in these proceedings made and reported by JACK W. STOLLOF, TRUSTEE be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 24th day of November next;

Provided a copy of this order be inserted in some newspaper published and printed in Somerset County once in each of 3 successive weeks before the 13th day of November, 1978.

The report states the amount of sales to be $9,000.00.

LLOYD L. SIMPKINS
Judge

TRUE COPY, TEST:
I. Thoedore Phoebus
Clerk

3tc—10/26, 11/2 & 11/9

PRINCESS ANNE, MD., Nov 18 1978

This is to certify that the annexed Notice 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 Oct 26 Nov 2, 9 1978

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

BOOK 046 PAGE 525

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
vs.	*	Equity 10403
LEONARD F. WILLIAMS and ANNA J. WILLIAMS, his wife ***		

FINAL ORDER OF RATIFICATION

ORDERED this 27th day of November, 1978 by the Circuit Court for Somerset County, Sitting in Equity, 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 allowed the usual commissions and such proper expenses as he shall produce vouchers for to the Auditor.

Alfred E. Smith Jr.
JUDGE

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.	*	IN THE CIRCUIT COURT
vs.	*	FOR SOMERSET COUNTY
LEONARD F. WILLIAMS and ANNA J. WILLIAMS, his wife	*	Equity 10403

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 therein, states the following Account:

Amount of Sale			$ 9,000.00
Fees, Costs and Expenses:			
I. Theodore Phoebus, Clerk		$ 127.00	
Marylander & Herald		37.50	
R. Patrick Hayman, Examination of Title		25.00	
Harvey West, Auctioneer		477.50	
Bond		40.00	
Title Guarantee, judgment statement		10.00	
Robert C. Ness, Attorney, travel expenses		135.72	
Attorney's Commission			
10% on first $3,000.00	$300.00		
5% on remaining $6,000.00	300.00		
Regular Commission	$600.00		
One-half regular commission per mortgage		300.00	
Counsel Fees per mortgage		250.00	
Carlos Bozman, Treasurer		17.48	
Auditor's Fee		45.00	
Total Fees, Costs and Expenses			1,465.00
Balance to be distributed			$ 7,534.80
Mortgage Debt as of November 29, 1978			9,172.50
*Deficiency			$ 1,637.70
*Plus interest from November 29, 1978			

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid.

LAW OFFICE
GAN C. WIDDOWSON
ORTH SOMERSET AVE.
NCESS ANNE, MD. 21853
651-3800

#73

Robert C. Ness, Esquire
2516 N. Charles Street
Baltimore, Maryland 21218

Mr. Leonard Williams
P.O. Box 39
Dames Quarter, Maryland 21820

Mrs. Anna J. Williams
P.O. Box 39
Dames Quarter, Maryland 21820

Date of Filing: December 11, 1978

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

#73

No. 10403 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 11th day of December, 19 78 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 78.

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 _____ day of _____, 19_____ that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

_____
CLERK

FAIRFAX SAVINGS AND LOAN ASSOCIATION, INC.	*	IN THE CIRCUIT COURT
	*	FOR SOMERSET COUNTY
vs.	*	Equity 10403
LEONARD F. WILLIAMS and ANNA J. WILLIAMS, his wife	*	

CORRECTION OF
FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he amends and corrects the First And Final Auditor's Report filed herein on December 11, 1978 as follows:

He improperly stated Attorney's Commission as $300.00. When, in fact, the mortgage states in part

> "(1) to repayment of all expenses incident to said sale, including a counsel fee of Two Hundred Fifty Dollars ($250.00) for conducting the proceedings if without contest, but if legal services be rendered to the Mortgagee or to the Trustee or party selling under the power of sale in connection with any contested matter in the proceedings, then such additional counsel fees and expenses shall be allowed out of the proceeds of sale as the Court may deem proper; and a commission to the party making the sale of said property equal to the commission allowed Trustees for making sale of property by virtue of a decree of a Court having equity jurisdiction in the State of Maryland"

Therefore, the proper Trustees Commission should be $600.00.

Amount of Sale	$9,000.00
Total Fees, Costs and Expenses per correction	1,765.20
Balance to be Distributed	$7,234.80
Mortgage Debt as of November 29, 1978	9,172.50
*Deficiency	$1,937.70
*Plus interest from November 29, 1978	

ALL EXCEPTIONS to said amended report must be filed within fifteen (15) days of the date of filing; if no exceptions are filed, the Account may be ratified.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the amended audit notice of this report to the following parties by regular U.S. Mail, postage prepaid.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

Amendment to
#73

Robert C. Ness, Esquire
2516 N. Charles Street
Baltimore, Maryland 21218

Mr. Leonard Williams
P.O. Box 39
Dames Quarter, Maryland 21820

Mrs. Anna J. Williams
P.O. Box 39
Dames Quarter, Maryland 21820

Date of Filing: December 13, 1978

Logan C. Widdowson, Auditor

LAW OFFICE
OGAN C. WIDDOWSON
NORTH SOMERSET AVE.
INCESS ANNE, MD. 21853
651-3600

Amendment to
#73

No. 10403 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 13th day of December, 19 78 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 28th day of December, 19 78.

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 8th day of January, 19 79 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

Exd.
MAY 23 1979

Kendall L. Wilson and
Kendall L. Wilson, Jr.
Marion Station, Maryland,

Plaintiffs

vs

Herbert C. Ragan and
Pauline H. Ragan
Kingston, Maryland,
Defendants

In Equity No. 10424

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 Herbert C. Ragan and Pauline H. Ragan, his wife, to Kendall L. Wilson and Kendall L. Wilson, Jr., dated December 22, 1972, in the sum of $10,000.00, recorded on January 5, 1973, in Liber 272 page 50.

Lionel Bennett
Attorney for Plaintiffs
945 Main Street
Crisfield, Maryland 21817
Phone: (301) 968-1166

FOR MORTGAGE SEE I.T.P. LIBER 272 PAGE 50.

BOOK 046 PAGE 534

AUG 25-78 B 029973D*****10.00
AUG 25-78 B 029972D*****50.00

Kendall L. Wilson and
Kendall L. Wilson, Jr.
Marion Station, Maryland,

Plaintiffs

vs

Herbert C. Ragan and
Pauline H. Ragan,
Kingston, Maryland,
Defendants

In Equity No. 10424

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 24th day of August, 1978, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Kendall L. Wilson, one of the mortgagees in this proceeding, who made oath in due form of law that the mortgage debt remaining due and payable is $10,000.00 with interest from May 22, 1978.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Notary Public

FOR BOND SEE I.T.P. BOOK 010 PAGE 422.

Maryland

BOOK 010 PAGE 422

No. 10424 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2647

That we, Lionel Bennett, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Eleven Thousand and----------no/100($ 11,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 25th day of August, 19 78.

WHEREAS, the above bounden Lionel Bennett

by virtue of the power contained in a mortgage from Herbert C. Ragan & Pauline H. Ragan

to Kendall L. Wilson and Kendall L. Wilson, Jr.

bearing date the 22nd day of December, 1972 and recorded among

the mortgage records of Somerset County, Maryland

in Liber 272 No. _____ Folio 50

and Lionel Bennett
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Lionel Bennett

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Lionel Bennett
Principal

As to Surety

Principal

WESTERN SURETY COMPANY

By W. Berentschot
W. Berentschot, Asst. Sec'y.

Countersigned by Lionel Bennett
Maryland Resident Agent

FILED

THE WITHIN BOND APPROVED.

AUG 25 2 33 PM '78

PER: J. Thorton Shockley, CLERK.

ITP
LIBER 10 FOLIO 422
CLERK OF CIRCUIT CT.
BY ACW DEPUTY

1268

BOOK 046 PAGE 535

BOOK 046 PAGE 536

LIONEL BENNETT
ATTORNEY AT LAW
945 Main Street
Crisfield, Maryland
21817

No. 10424 Chy.

ATTORNEY'S
SALE
of
REAL ESTATE

Under and by virtue of a power of sale contained in a certain Mortgage from Herbert C. Ragan and Pauline H. Ragan, his wife, dated December 22, 1972, and duly recorded among the Land Records of Somerset County, Maryland, in Liber 272 page 50, default having been made in the terms, covenants and conditions thereof, the undersigned as Attorney for the purpose of foreclosure and collection, will offer for sale at public auction on the steps of the Post Office in Crisfield, Maryland, on

SATURDAY, SEPTEMBER 23, 1978
AT 2:00 O'CLOCK P.M.

all of the following described property:

ALL that lot of land in Lawson's Election District, Somerset County, Maryland, containing 3 acres, more or less, formerly the Nellie A. Marshall land, lying and binding on the west side of the public road leading from Marion to St. Paul's Church know as White's Road, adjoining the land now or formerly of George P. Parsons and George Byrd, and being the first parcel of land conveyed to Louise A. Pusey by deed dated June 10, 1936, and recorded in Liber 110 folio 499; being the same premises conveyed to the mortgagors by deed dated and recorded with said mortgage.

The above property is improved by a building.

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 for Somerset County, the unpaid portion to bear interest at the rate of 8% per annum.

Taxes, assessments and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and cost of recording at the expense of purchaser or purchasers.

Lionel Bennett, Attorney
named in said mortgage

September 1,8,15,22

STATE OF MARYLAND, Somerset County:

I hereby certify that on September 5, 1978 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 on September 5, 1978 he mailed a copy of this notice of sale to Herbert C. Ragan and Pauline H. Ragan at Kingston, Maryland 21834, the mortgagors herein by certified mail.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Notary Public

BOOK 046 PAGE 538

CRISFIELD, MD. Sept. 15, 19 78

THIS is to certify that the annexed Attorney 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 Attorney Sale for 3 weeks beginning with the issue of September 1, 19 78 and ending September 15, 19 78.

WilliamA. Martin Jr.

Publisher, THE CRISFIELD TIMES

By S. C. Pi

Lionel Bennett
Attorney At Law
945 Main Street
Crisfield, Maryland
21817

Attorney's Sale Of Real Estate

Under and by virtue of a power of sale contained in a certain Mortgage from Herbert C. Ragan and Pauline H. Ragan, his wife, dated Dece er 22, 1972, and duly recorded among the Land Records of Somerset County, Maryland, in Liber 272 page 50, default having been made in the terms, covenants and conditions thereof, the undersigned as Attorney for the purpose of foreclosure and collection, will offer for sale at public auction on the steps of the Post Office in Crisfield, Maryland, on

Saturday,
September 23, 1978
At 2:00 O'clock P.M.

all of the following described property:

ALL that lot of land in Lawson's Election District, Somerset County, Maryland, containing 3 acres, more or less, formerly the Nellie A. Marshall land, lying and binding on the west side of the public road leading from Marion to St. Paul's Church know as White's Road, adjoining the land now or formerly of George P. Parsons and George Byrd, and being the first parcel of land conveyed to Louise A. Pusey by deed dated June 10, 1936, and recorded in Liber 110 folio 499; being tbe same premises conveyed to the mortgagors by deed dated and recorded with said mortgage.

The above property is improved by a building.

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 for Somerset County, the unpaid portion to bear interest at the rate of 8% per annum.

Taxes, assessments and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and cost of recording at the expense of purchaser or purchasers.

Lionel Bennett
Attorney
Named in said Mortgage

9-1-4t

Kendall L. Wilson, et al.,
Plaintiffs

vs.

Herbert C. Ragan, et al.,
Defendants

In Equity No. 10424
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 Herbert C. Ragan and Pauline H. Ragan, his wife, to Kendall L. Wilson and Kendall L. Wilson, Jr. dated December 22, 1972, and recorded among the land records of Somerset County, Maryland in Liber 272 page 50, 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 to your Honors, 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 twenty 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 the 23rd day of September, 1978 at 2:00 p.m. and then and there proceeded to sell the property described in said mortgage, the proceeds of which are insufficient to satisfy the claim of the mortgagee herein.

ALL that lot of land in Lawson's Election District, Somerset County, Maryland, containing 3 acres, more or less, formerly the Nellie A. Marshall land, lying and binding on the west side of the

public road leading from Marion to St. Paul's Church known as White's Road, adjoining the land now or formerly of George P. Parsons and George Byrd, and being the first parcel of land conveyed to Louise A. Pusey by deed dated June 10, 1936, and recorded in Liber 110 folio 499.

And sold the same to Calvin Jones, Jr. and Dorothy Lee Jones, his wife, Crisfield, Maryland, they being then and there the highest bidders therefor, at and for the sum of $10,200.00, and the purchasers have complied with the terms of sale.

Respectfully submitted,

Lionel Bennett, Attorney

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 26th day of September, 1978, 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 be 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

Notary Public

CRISFIELD, MD. Sept. 27, 19 78

Notice

THIS is to certify that the annexed Notice 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 for 4 weeks beginning with the issue of September 1, 19 78 and ending Sept. 22, 19 78.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

BOOK 046 PAGE 541

Lionel Bennett
Attorney At Law
945 Main Street
Crisfield, Maryland
21817

Attorney's Sale Of Real Estate

Under and by virtue of a power of sale contained in a certain Mortgage from Herbert C. Ragan and Pauline H. Ragan, his wife, dated Dece er 22, 1972, and duly recorded among the Land Records of Somerset County, Maryland, in Liber 272 page 50, default having been made in the terms, covenants and conditions thereof, the undersigned as Attorney for the purpose of foreclosure and collection, will offer for sale at public auction on the steps of the Post Office in Crisfield, Maryland, on

Saturday,
September 23, 1978
At 2:00 O'clock P.M.

all of the following described property:

ALL that lot of land in Lawson's Election District, Somerset County, Maryland, containing 3 acres, more or less, formerly the Nellie A. Marshall iand, lying and binding on the west side of the public road leading from Marion to St. Paul's Church know as White's Road, adjoining the land now or formerly of George P. Parsons and George Byrd, and being the first parcel of land conveyed to Louise A. Pusey by deed dated June 10, 1936, and recorded in Liber 110 folio 499; being tbe same premises conveyed to the mortgagors by deed dated and recorded with said mortgage.

The above property is improved by a building.

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 for Somerset County, the unpaid portion to bear interest at the rate of 8% per annum.

Taxes, assessments and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and cost of recording at the expense of purchaser or purchasers.

Lionel Bennett
Attorney
Named in said Mortgage
9-1-4t

Kendall L. Wilson, et al.,
Plaintiffs
vs
Herbert C. Ragan, et al.,
Defendants

In Equity No. 10424
In the Circuit Court for
Somerset County, Maryland

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on this 23rd day of September, 1978, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Calvin Jones, Jr., who made oath in due form of law as follows:

1. That in the sale sought to be ratified herein, he was not acting as agent for anyone.

2. That no other person is interested as principal.

3. That he has not directly or indirectly discouraged any one from bidding for the said property.

Witness my hand and notarial seal.

KATHRYN L. WEBB
NOTARY PUBLIC
CRISFIELD, MARYLAND

Kathryn L. Webb
Notary Public

Kendall L. Wilson, et al.,
Plaintiffs

vs

Herbert C. Ragan, et al.,
Defendants

In Equity No. 10424

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 be shown on or before the 30th day of October, 1978, provided a copy of this order be printed in some weekly newspaper in Somerset County one in each of three successive weeks before the 23rd day of October, 1978.

The report states the amount of sale to be $10,200.00.

Dated: Sept. 29, 1978

L. Theodore Thackrah

FINAL ORDER

Ordered by this Court this 13th day of Nov., 1978, 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.

Lloyd L. Simpkins

Kendall L. Wilson, et. al.,
Plaintiffs
vs
Herbert C. Ragan, et al.,
Defendants
In Equity No. 10424
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 be shown on or before the 30th day of October, 1978, provided a copy of this order be printed in some weekly newspaper in Somerset County one in each of three successive weeks before the 23rd day of October, 1978.

The report states the amount of sale to be $10,200.00.

I Theodore Phoebus

10-6-78

CRISFIELD, MD. Oct. 30, 19 78

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 oct. 6, 19 78 and ending 1 Oct. 20, 78 19.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

S.C. Ragan

Kendall L. Wilson and Kendall L. Wilson, Jr. Marion Station, Maryland Plaintiffs	*	In Equity No. 10,424
	*	In the Circuit Court for
vs.	*	Somerset County, Maryland
Herbert C. Ragan and Pauline H. Ragan Kingston, Maryland Defendants	*	

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 therein, states the following Account:

Amount of Sale			$10,200.00
Fees, Costs and Expenses:			
I. Theodore Phoebus, Clerk		$ 109.00	
The Crisfield Times -			
Advertising	$ 67.50	88.50	
Order Nisi	21.00		
Attorney Fee per Mortgage		50.00	
Attorney's Commission		795.00	
Gene N. Ennis, Auctioneer		25.00	
Western Surety Co., Bond		33.00	
Auditor's Fee		45.00	
State and County Real Estate Taxes		208.33	
Total Fees, Costs and Expenses			1,353.83
Balance for Distribution			$ 8,846.17
Statement of Mortgage Debt as of September 23, 1978			10,200.00
*Deficiency			$ 1,353.83

*Plus interest from September 23, 1978.

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid.

LAW OFFICE
AN C. WIDDOWSON
RTH SOMERSET AVE.
CESS ANNE, MD. 21853
651-3600

#72

Kendall L. Wilson
Marion Station, Maryland 21838

Kendall L. Wilson, Jr.
Marion Station, Maryland 21838

Robert C. Ragan
Kingston, Maryland 21834

Pauline H. Ragan
Kingston, Maryland 21834

Lionel Bennett, Esquire
945 Main Street
Crisfield, Maryland 21817

Date of Filing: December 5, 1978

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-2800

#72

No. 10424 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 6 day of Dec, 19 79 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 21 day of Dec, 19 79.

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 22 day of Dec, 19 78 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

CLERK

EXD
MAY 23 1979

BOOK 046 PAGE 548

SEP -1-78 B 02 179D******5.00
SEP -1-78 B 02 178D*****10.00
SEP -1-78 B 02 177D*****50.00

Frederick L. Waters Oriole, Maryland 21848	:	No. 10,430 Chancery
	:	In the Circuit Court for
Ira Waters Route 3 Princess Anne, Maryland 21853	:	Somerset County, Maryland
	:	
Suzanne Bennett Rogers 3112 Beute Lane Richmond, Virginia 23221	:	
	:	
F. Rolan Waters Windham Court Salisbury, Maryland 21801	:	
	:	
Margaret Peggy McAfee 185 Teakwood Lane Springboro, Ohio 45066	:	
Complainants	:	
vs.	:	
Arthur S. Bennett, Jr. Oriole, Maryland 21848	:	
Respondent	:	

To the Clerk of the Circuit Court for Somerset County.

Dear Mr. Clerk:

Please file the within Bill of Complaint for Sale of Land in Lieu of Partition and issue a writ of subpoena for the Respondent named therein.

JONES & JONES

By _____

Attorneys for Complainants
Princess Anne, Maryland 21853
Telephone: 651-2747

Frederick L. Waters Ira Waters Suzanne Bennett Rogers F. Rolan Waters Margaret Peggy McAfee	: : :	No. 10430 Chancery In the Circuit Court for Somerset County, Maryland
vs.	:	
Arthur S. Bennett, Jr.	:	

BILL OF COMPLAINT FOR SALE OF LAND IN LIEU OF PARTITION

To the Honorable, the Judge of said Court:

Your orators, complaining, say:

1. That this Bill of Complaint for Sale of Land in Lieu of Partition is filed pursuant to the provisions of the Real Property Article of the Annotated Code of Maryland, Section 14-107, and pursuant to the Maryland Rules of Procedure.

2. That the said Frederick L. Waters, Ira Waters, Suzanne Bennett Rogers, F. Rolan Waters, and Margaret Peggy McAfee, Complainants, and Arthur S. Bennett, Jr., Respondent, are seized and possessed, as tenants in common, of the hereinafter described real estate in shares hereinafter set forth: all that lot or parcel of land situate in St. Peters Election District, Somerset County, Maryland, lying and binding on the west side of Crab Island County Road near the end thereof and more particularly described as follows: Beginning at a point at the northernmost corner of the land herein described and at a point designated by a cement post at the end of the 47th course of the lands of The Chesapeake Corporation of Virginia shown on a plat by G. Oliver Morrell (File L-327) dated February 1966 and recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, folio 93, thence (1) South 63° 30' East a distance of 552.75 feet by and with the southwesterly side of a road leading to the Harry Walker lands, said road being twenty feet in width, to a point at the easternmost corner of the land herein described, thence (2) South 35° 20' West a distance of 531.50 feet (said course being with a dotted line shown on a plat of the Severn White lands by W. Ballard Miles dated September 3, 1969, File D-441 recorded among the aforesaid Land Records in Plat Book G.J.B. No. 8, folio 2), thence (3) North 63° 30' West a distance of 552.75 feet to a point at the westernmost corner of the land herein described and at the end of the third

course of a plat by W. Ballard Miles dated September 2, 1952 (Filed D-441) entitled "Plat of a Consolidation of The Dr. Henry Hyland Farm and other Tracts surveyed for Norman T. Whittington" and said point being at the end of the 46th course of the aforesaid plat by G. Oliver Morrell, thence (4) reversing the third course of the last mentioned Miles plat and with the 47th course of the aforesaid Morrell plat North 35° 20' East a distance of 531.50 feet to the first mentioned point and place of beginning, containing 6.66 acres, more or less, laid down and described on a plat by G. Oliver Morrell dated February 3, 1978 (File S-1911) entitled "Plat of Property prepared for Thomas Wright and Alma Wright" attached hereto and made a part hereof and being the same and all the land which was conveyed unto Frederick L. Waters, an undivided one-fourth interest; Ira Waters, an undivided one-fourth interest; Arthur S. Bennett, Jr., an undivided one-eighth interest; Suzanne Bennett Rogers, an undivided one-eighth interest; F. Rolan Waters, an undivided one-eighth interest; and Margaret Peggy McAfee, an undivided one-eighth interest by Frederick L. Waters and Ira Waters, Personal Representatives of the Estate of Ada M. Waters, by item Third of a deed dated April 22, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 299, folio 723.

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

4. That your orators, the said Frederick L. Waters, Ira Waters and F. Rolan Waters are residents of the State of Maryland, the said Suzanne Bennett Rogers is a resident of the State of Virginia and the said Margaret Peggy McAfee is a resident of the State of Ohio and the Respondent, Arthur S. Bennett, Jr. is a resident of the State of Maryland, whose addresses are set forth in the titling of this Bill of Complaint.

To the end, therefore,

a. That a decree may be passed by this Court for the appointment of a Trustee 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 and all others entitled to share therein according to their respective rights, after tha allowance of such costs and fees as may be approved by this Court.

b. That your orators may have such other and further relief as their case may require.

May it please your Honor to grant unto your orators the writ of subpoena directed to the said Arthur S. Bennett, Jr., Oriole, Maryland 21848, Respondent herein, commanding him 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.

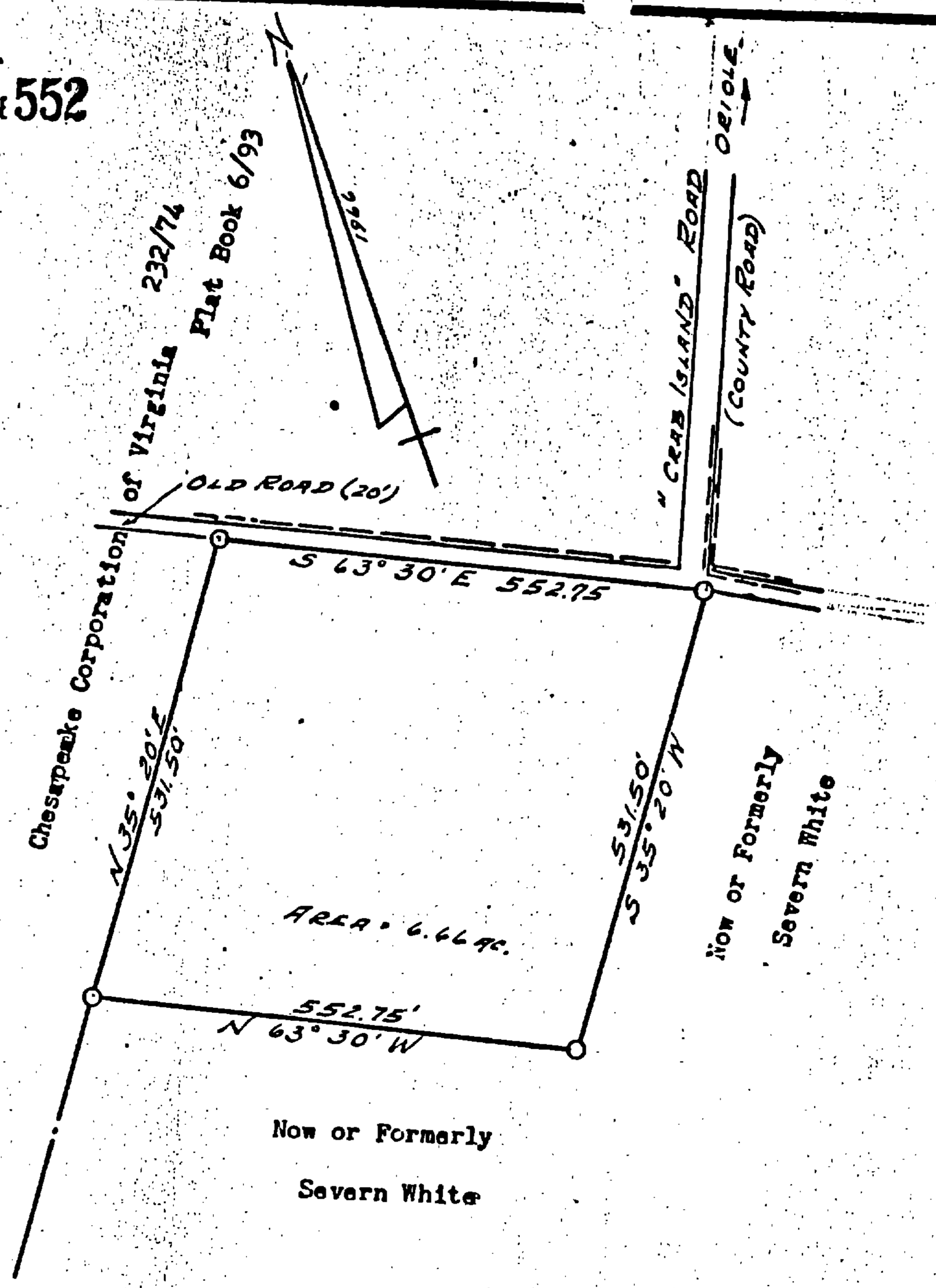
And as in duty bound,

Jones & Jones

By _____

Attorneys for Complainants

BOOK 046 PAGE 552



Deed References: 299/723
3rd Item

STATE OF MARYLAND
G. OLIVER MORRELL
LAND SURVEYOR

PLAT OF PROPERTY

prepared for

THOMAS WRIGHT
ALMA WRIGHT

Feb. 3, 1978 Scale 1" 200'
St. Peters Election District
Location: S. of Oriole

G. OLIVER MORRELL
REGISTERED LAND SURVEYOR

FILE NO. S-1911

HOWARD SUTTON CO., N.Y.C. 38351

No. 10430 Chancery Case

WRIT OF SUBPOENA:

The Circuit Court for Somerset County

Princess Anne, Maryland

The State of Maryland,
Somerset County, to wit:

TO Arthur S. Bennett, Jr.
Oriole, Maryland 21848

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of September next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Frederick L. Waters, Oriole, Maryland, 21848, Ira Waters, Route 3, Princess Anne, Maryland 21853, Suzanne Bennett Rogers, 3112 Beute Lane, Richmond, Virginia 23221, F. Rolan Waters, Windham Court, Salisbury, Maryland 21801 and Margaret Peggy McAfee, 185 Teakwood Lane, Springboro, Ohio 45066

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 Daniel T. Prettyman Chief Judge of the First Judicial Circuit of Maryland.

Issued the 31st day of August, 1978

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 20th day of September, 1978. 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 Alexander G. Jones
Princess Anne, Maryland 21853
Address

S. Theodore Phoebus
Clerk

SHERIFF'S RETURN

Summoned and copy of Titling Instructions, Bill of Complaint for Sale of Land in Lieu of Partition and Order, filed with Arthur Bennett 4 day of Sept, 1978,

Thomas Fofwell
Sheriff.

BOOK 046 PAGE 553

Frederick L. Waters, et al.,
Complainants

vs

Arthur S. Bennett, Jr.,
Respondent

Chancery No. 10,430
In the Circuit Court for
Somerset County, Maryland

ANSWER

Arthur S. Bennett, Jr., Respondent, by his attorney, R. Patrick Hayman, in answer to Complainants' Bill Of Complaint, says:

1. The allegations in paragraphs 1, 2, and 4 are admitted.

2. The allegations in paragraph 3 are denied in that the property in question is vacant land, which may be divided into individual parcels representing the pro-rata share of the parties.

Wherefore, Respondent prays:

1. That a hearing be scheduled.

2. That Respondent may have such other and further relief as his case may require.

R. Patrick Hayman
Attorney for Respondent
Prince William Street
Princess Anne, Md. 21853

I hereby certify that on this 8th day of September, 1978, I mailed a copy of the above Answer to Alexander G. Jones, Esq., Jones & Jones, Attorneys for Complainants, at Princess Anne, Maryland 21853.

R. Patrick Hayman
Attorney for Respondent

OFFICE OF

Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. September 14, 1978

TO: Alexander G. Jones, Esq.
Jones & Jones
Princess Anne, Md. 21853

R. Patrick Hayman, Esq.
Princess Anne, Maryland 21853

RE: No. 10430 Chancery Case - Frederick L. Waters, et al vs. Arthur S. Bennett, Jr.

The above case has been *scheduled* as follows:
Hearing, on Wednesday, November 8, 1978, at 9:30 A.M.

The *Court* has directed me to inform *Counsel* that unless application for postponement of the *Trial* or *Hearing* is made within *five (5)* days after receipt of this notice or an emergency has occurred thereafter, the aforementioned *trial* or *hearing* will be held as scheduled.

Requests for postponements and suggested new date *must* be in writing with copies to all attorneys.

Attention is called to the fact that lack of *notice* is no *excuse* for postponing a *trial or hearing*. It is the duty of the individual attorneys to keep check on their cases.

Counsel will file with the *Clerk* orders for *summonses* of *witnesses* at least *seven* days prior to the date of *trial*.

Please confirm this date by *filling* in the form below and returning it to this office.

Very truly yours,

(Mrs.) Alice C. Webster
Assignment Clerk

RE: No. 10430 Chy - Waters, et al v. Bennett
Receipt of *trial* date is hereby acknowledged for the date of Wed., Nov. 8, 1978, at 9:30 A.M.

DATE _____ ATTORNEY _____

RE: No. 10430 Chy - Waters, et al v. Bennett
Receipt of *trial* date is hereby acknowledged for the date of Wed., Nov. 8, 1978, at 9:30 A.M.

DATE 9/14/78 ATTORNEY [signature]

RE: No. 10430 Chy - Waters, et al v. Bennett
Receipt of *trial* date is hereby acknowledged for the date of Wed., Nov. 8, 1978, at 9:30 A.M.

DATE Sept 14, 1978 ATTORNEY [signature]

DEFENDANT'S EXHIBIT #1

THIS DEED made this 14th day of September, 1978, by Susan Bennett Rogers, of Richmond, Virginia, Grantor.

WITNESSETH that for and in consideration of the love and affection for my brother, Arthur S. Bennett, Jr., the Grantor hereby grants and conveys unto Arthur S. Bennett, Jr., of Oriole, Somerset County, Maryland, all her right, title, and interest in

ALL that lot or parcel of land situate in St. Peters Election District, Somerset County, Maryland, near the road that leads from Oriole to Crab Island, and better described as joining the "Waller Tract" on the southwest, the Old County Road on the east, the land now or formerly of Norman T. Whittington on the North, and the "Annie Holland Farm", now owned by Severn White, on the south; all of the land being woodland, and containing five acres, more or less; described on the 1976 Tax Assessment Maps of Somerset County, Maryland on Map 21, Block 23 as Parcel 126, as lying and binding on the west side of Crab Island Road and on the south side of another road which leads in a westerly direction from Crab Island Road through the lands owned by the Chesapeake Corporation of Virginia (I.T.P. No. 232, folio 74) to other lands owned by The Chesapeake Corporation of Virginia (I.T.P. No. 239, folio 73), said land being bounded on the east by Crab Island Road, on the north by the last mentioned road, and on the west and south by the lands of The Chesapeake Corporation of Virginia (I.T.P. No. 232, folio 74), assessed as containing 5 acres, more or less; being the same and all the land conveyed unto Frederick H. Waters and Ada M. Waters, his wife, as tenants by the entireties, by Norman T. Whittington and Golda Whittington, his wife, by deed dated August 10, 1954, and recorded among the Land Records aforesaid in Liber B.L.B. No. 164, folio 510; upon the death of the said Frederick H. Waters, title to said land vested in the said Ada M. Waters, as surviving spouse and tenant by the entirety; and being the same premises conveyed in Parcel Third of a deed dated April 22,

1977, from Frederick L. Waters and Ira Waters, Personal Representatives of the Estate of Ada M. Waters, unto Frederick L. Waters, et al., and recorded among the aforesaid Land Records in Liber 299, folio 723; and being more fully described in a Plat entitled "Plat of Property Prepared For Thomas and Alma Wright", dated February 3, 1978, drawn by G. Oliver Morrell, Registered Land Surveyor, and recorded among the Chancery Records of Somerset County, Maryland, in Case No. 10,430.

And special reference is here made to the said deeds and plat and all the references therein contained for a more full and accurate description of the lands and premises hereby conveyed.

TOGETHER WITH the buildings and improvements thereupon erected, made or being and 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 Arthur S. Bennett, Jr., his heirs and assigns forever, in fee simple.

AND the Grantor does hereby covenant that she will warrant specially the property hereby granted and conveyed, and that she will execute such further assurances of the said land as may be requisite.

Witness the hand and seal of Grantor.

Witness:

_____ seal
Suzanne Bennett Rogers

STATE OF VIRGINIA, County:

I hereby certify that on this day of September, 1978, before me, the subscriber, a Notary Public of the State and County aforesaid,

personally appeared Suzanne Bennett Rogers, the above named Grantor, and she acknowledged the foregoing deed to be her act and deed.

Witness my hand and Notarial Seal.

Notary Public

No title examination
made or requested.

Frederick L. Waters, et al,
Complainants
vs
Arthur S. Bennett, Jr.,
Respondent

Chancery No. 10,430
In the Circuit Court for
Somerset County, Maryland

Arthur S. Bennett, Jr., Respondent, by his attorney, R. Patrick Hayman, consents to the entry of an Order directing the property to be sold and the naming of R. Patrick Hayman and Alexander G. Jones, as trustees.

R. Patrick Hayman
Attorney for Respondent

I hereby certify that on this 22nd day of November, 1978, I mailed a copy of the above to Alexander G. Jones, Esq., Jones & Jones, at Princess Anne, Maryland 21853.

R. Patrick Hayman
Attorney for Respondent

For Plaintiff's Exhibit #1 see ITP liber 299 page 723.

Frederick L. Waters, et al,	:	No. 10,430 Chancery
Complainants	:	In the Circuit Court for
vs	:	Somerset County, Maryland
Arthur S. Bennett, Jr.,	:	
Respondent	:	

The above entitled matter having been heard in open Court at which hearing counsel for complainants and respondent were present, testimony was taken, exhibits were filed and arguments were heard, and the Court having determined that the property subject of this proceeding cannot be partitioned without material loss and injury to the parties entitled to interest therein, it is therefore:

ORDERED, this 28th day of November, in the year nineteen hundred and seventy-eight, by The Circuit Court for Somerset County, Maryland, that the property mentioned in the proceedings be sold; that Alexander G. Jones and R. Patrick Hayman 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 them, and a surety or sureties to be approved by this Court, in the penalty of $5,000.00, 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, and published elsewhere as they shall think proper, and by the distribution of handbills and other appropriate means of advertisement, of the time, place, manner and terms of sale, which terms shall be one-third cash on day of sale, and the 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 proceedings relative to such sale, with an

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

annexed affidavit of the trustee 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 and clear and discharged from all claims of the parties hereto, plaintiffs and defendant, 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 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.

Lloyd R. Simpkins
Judge

For Bond see Bond Book 010 page 434.

KNOW ALL MEN BY THESE PRESENTS, That we, Alexander G. Jones and R. Patrick Hayman, of Somerset County and State of Maryland, and The Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of five thousand dollars ($5,000.00) current money to be paid to the State of Maryland or its certain attorney, to which payment well and truly to be made and done we bind ourselves and each of us, our and each of our heirs, executors, administrators and assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 26th day of December, in the year nineteen hundred and seventy-nine.

Whereas, the above bounden, Alexander G. Jones and R. Patrick Hayman, by virtue of a decree of the Circuit Court for Somerset County, have been appointed to sell the property mentioned in the proceedings in the case of Frederick L. Waters, et al, vs Arthur S. Bennett, Jr., now pending in said Court, being No. 10,430 Chancery.

Now, the condition of the above obligation is such that if the above bounden, Alexander G. Jones and R. Patrick Hayman, do and shall, well and faithfully perform the trust reposed in them by said decree or order in the premises, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

(SEAL)
Alexander G. Jones

(SEAL)
R. Patrick Hayman

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: _____

By _____
Attorney in Fact

THE WITHIN BOND APPROVED.

PER: _____, CLERK.

FILED

JAN 3 2 49 PM '79

Frederick L. Waters, et al.,
Complainants

vs

Arthur S. Bennett, Jr.,
Respondent

No. 10,430 Chancery
In the Circuit Court for
Somerset County, Maryland

REPORT OF SALE

The report of Alexander G. Jones and R. Patrick Hayman, Trustees appointed by this Court by Order dated November 28, 1978, respectfully represent 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 and 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 in Princess Anne, Maryland, on the 26th day of December, 1978, at 2:00 P.M. of said day, and then and there proceeded to sell the property described in said advertisement, to wit:

All that tract or parcel of land situate in St. Peters Election District, Somerset County, Maryland, lying and binding, in part, on Crab Island County Road, bounded on the west by land of Chesapeake Corporation of Virginia, and on the south and east by the land owned or formerly owned by Severn White, measuring 552.75 feet on the north and south sides, and 531.50 feet on the east and west sides, containing 6.66 acres, more or less, laid down and described on a Plat by G. Oliver Morrell, dated February 3, 1978 (File No. S-1911) entitled "Plat of Property prepared for Thomas Wright and Alma Wright", filed in said Court proceeding, the said land was conveyed unto the parties to said proceeding by Frederick L. Waters and Ira Waters, Personal Representatives of the Estate of Ada M. Waters by Item "Third" of a

deed dated April 22, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 299, folio 723.

And sold the same to Ira Waters and Myrtle L. Waters, as tenants by the entireties, for $4,000.00, they being then and there the highest bidders therefor, and the purchasers have complied with the terms of sale.

Respectfully submitted,

Alexander G. Jones

R. Patrick Hayman,
Trustees

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 28th day of December, 1978, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones and R. Patrick Hayman, Trustees named in the foregoing Report of Sale, and they made oath in due form of law that the matters and facts therein stated are true and correct, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

Notary Public

Frederick L. Waters, et al.,
Complainants
vs
Arthur S. Bennett, Jr.,
Respondent

No. 10,430 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 the contrary thereof be shown on or before the 5th day of February, 1979, 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 29th day of January, 1979.

The report states the amount of sale to be $4,000.00.

Dated: Jan. 3, 1979

I. Theodore Phoebus
I. Theodore Phoebus, Clerk

PRINCESS ANNE, MD., Oct 1 1979

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 Nisi

Dates Inserted: Jan 11, 18, 25 1979

J. Bryan Pyle
Business Manager MARYLANDER and HERALD

R. Patrick Hayman
Attorney at Law
Prince William St.
Princess Anne, Md. 21853

Frederick L. Waters, et al.,
Complainants

vs.

Arthur S. Bennett, Jr.,
Respondent

****

No. 10,430 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 the contrary thereof be shown on or before the 5th day of February, 1979, 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 29th day of January, 1979.

The report states the amount of sale to be $4,000.00.

Dated: Jan. 3, 1979

I. Theodore Phoebus,
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk

3tc—1/11, 18 & 25

PRINCESS ANNE, MD., Oct 1 1979

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 Trustee Sale

Dates Inserted: Nov 7, 14, 21 1978

Bryan Boyd

Business Manager MARYLANDER and HERALD

BOOK 046 PAGE 567

JONES AND JONES
Attorneys at Law

R. PATRICK HAYMAN
Attorney at Law

Princess Anne, Maryland 21853

TRUSTEES' 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 Frederick L. Waters, et al, are complainants, and Arthur S. Bennett, Jr. is the respondent, the same being No. 10,430 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 courthouse in Princess Anne, Maryland, on

TUESDAY
DECEMBER 26, 1978
AT 2:00 O'CLOCK P.M.

A VALUABLE UNIMPROVED PROPERTY CONTAINING 6.66 ACRES IN SOMERSET COUNTY, MARYLAND, and more particularly described as all that tract or parcel of land situate in St. Peters Election District, Somerset County, Maryland, lying and binding in part on Crab Island County Road, bounded on the west by land of Chesapeake Corporation of Virginia, and on the south and east by the land owned or formerly owned by Severn White measuring 552.75 feet on the north and south sides and 531.50 feet on the east and west sides containing 6.66 acres, more or less, laid down and described on a plat by G. Oliver Morrell dated February 3, 1978 (File No. S-1911) entitled "Plat of Property prepared for Thomas Wright and Alma Wright" filed in said Court proceeding, the said land was conveyed unto the parties to said proceeding by Frederick L. Waters and Ira Waters, Personal Representatives of the Estate of Ada M. Waters by Item "Third" of a deed dated April 22, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 299, folio 723.

TERMS OF SALE: One-third of the bid price at the time of sale, payable in cash, certified or cashier's check, payable to the undersigned Trustees, balance to be paid upon the ratification of the sale, or all cash,, certified or cashier's check payable as aforesaid, at the option of the purchaser or purchasers, the credit portion to bear interest at the rate of six per cent and to be secured to the satisfaction of the Trustees. Taxes to be prorated to date of ratification of sale, the purchaser to be solely responsible for the payment of all title papers, transfer tax, documentary stamps and notary fees.

Further details including examination of the plat, etc. may be arranged by appointment with the undersigned Trustees.

Alexander G. Jones, Trustee
Princess Anne, Maryland 21853
Telephone: 651-2747

R. Patrick Hayman, Trustee
Princess Anne, Maryland 21853
Telephone: 651-3271

3tc—12/7

Frederick L. Waters, et al.,
Complainants

vs

Arthur S. Bennett, Jr.,
Respondent

No. 10,430 Chancery
In the Circuit Court for
Somerset County, Maryland

FINAL ORDER

ORDERED by the Circuit Court for Somerset County, Maryland, this 8th day of February, 1979, that the sale made and reported by the Trustees, 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

Frederick L. Waters	*	No. 10,430 Chancery
Ira Waters		
Suzanne Bennett Rogers	*	In the Circuit Court for
F. Rolan Waters		
Margaret Peggy McAfee	*	Somerset County, Maryland
Complainants		
	*	
vs.		
	*	
Arthur S. Bennett, Jr.		
Respondent	*	

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 therein, states the following Account:

Amount of Sale			$ 4,000.00
Interest paid by purchaser per "Terms of Sale"			15.11
			$ 4,015.11
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Clerk		$ 170.00	
Marylander & Herald		140.00	
Advertising	$ 105.00		
Order Nisi	35.00		
Fidelity and Deposit Company of Maryland, Bond		20.00	
Edwin B. Muir, Auctioneer		50.00	
Carlos Bozman, Treasurer, 1978 State and County Real Estate Taxes		3.76	
Trustees' Commission:			
10% on first $3,000.00	$ 300.00		
5% on $1,000.00	50.00		
	$ 350.00		
Alexander G. Jones, one-half		175.00	
R. Patrick Hayman, one-half		175.00	
Logan C. Widdowson, Auditor		45.00	
Total Fees, Costs, Expenses, Etc.			778.76
Balance to be distributed to parties as their interest may appear			$ 3,236.35

Based on the information supplied to your Auditor, the interest are as follows:

Frederick L. Waters (1/4)	$ 809.09	
Ira Waters (1/4)	809.09	
Arthur S. Bennett, Jr. (1/8)	404.55	
Suzanne Bennett Rogers	404.54	
F. Rolan Waters (1/8)	404.54	
Margaret Peggy McAfee (1/8)	404.54	
Total		$ 3,236.35

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#74

The Auditor has disallowed the bill of G. Oliver Morrell in the amount of $50.00 dated February 3, 1978 in as much as this bill was incurred prior to February 3, 1978 and according to the receipts furnished the Auditor the case was not filed until September 1, 1978 with this Court.

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of this Audit notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Frederick L. Waters
Oriole, Maryland 21848

Ira Waters
Route 3
Princess Anne, Maryland 21853

Suzanne Bennett Rogers
3112 Beute Lane
Richmond, Virginia 23221

F. Rolan Waters
Windham Court
Salisbury, Maryland 21801

Margaret Peggy McAfee
185 Teakwood Lane
Springboro, Ohio 45066

Arthur S. Bennett, Jr.
Oriole, Maryland 21848

Alexander G. Jones
Jones & Jones
Princess Anne, Maryland 21853

R. Patrick Hayman
Prince William Street
Princess Anne, Maryland 21853

Date of Filing: February 22, 1979

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

#74

00

01 BOND NUMBER: [illegible] | SUFFIX | DIST. | STA. | INST. | TC | TAX | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | AGT./RCPT.: [illegible]

PRINCIPAL NAME AND ADDRESS

02 ALEXANDER C. JONES AND RE PATRICK DUGAN — COMP. CD.

03 PRINCESS ANNE, MD

10

OWNER NAME AND ADDRESS

04 FREDERICK L. WATERS, ETAL — [illegible]

05

06 STATE: BALTIMORE — AGENT NAME AND ADDRESS: JONES AND JONES

07

	01 TX. CD.	02 [illegible]	03 LINE	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	AMOUNT OF COV.	TOTAL AMT. CHG/REF.
08	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	20
09	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
10	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
11	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
12	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		
13	01 [illegible]									TOTAL INSTR. CHG/REF. -->	02 20

14 01 Y/N: [illegible] | 02 FORM OF REFERRAL: CLOSING | 03 REPORT REC. DATE: [illegible] | 04 REPORT REFERRED: [illegible] | 05 REPORT RCVD.: [illegible] | 06 CONFIRMED: [illegible] | 07 DISP.: [illegible]

15 APPROVED: JET / CPB | 01 TY | 02 COL. | 03 OR | 04 DOCKET: [illegible] | 05 REPORT DATE: [illegible]

16 01 COURT: CIRCUIT | 02 COUNTY: SOMERSET | STATE: MD

DESCRIPTION OF PROPERTY AND REMARKS

17 TRUSTEE TO SELL 3MED

18 ATTY - JONES & JONES, PRINCESS ANNE, MD

19 BOND EXECUTED BY AGENT

20

21

22 JONES AND JONES
23 PRINCESS ANNE, MD
24
25

26 ALL LINES: 27 % | LINE 08: % | LINE 09: % | LINE 10: % | LINE 11: % | LINE 12: %

BOOK 046 PAGE 572

MARYLANDER AND HERALD

INCORPORATED

Established In 1826

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

Jones & JOnes
R. Patrick Hayman

Frederick Waters
vs Arthur Bennett, Jr.

TERMS — DUE ON RECEIPT — PAST DUE 30 DAYS — SERVICE CHARGE OVER 60 DAYS

Dec. 7, 14, 21	17½" Trustee's Dale	$105.00
Jan. 11, 18, 25	ORder Nisi	35.00
		140.00

No *FINANCE CHARGE* on accounts paid within 60 days. A *FINANCE CHARGE* of 1½% will be added to accounts past due 60 days. This is an *ANNUAL PERCENTAGE RATE* of 18%

SERVICE CHARGE
TOTAL

JAMES E. BYRD, JR., *Editor* J. BRYAN BYRD, *Business Manager* JAMES E. BYRD, 3RD., *Sales Manager*

I. THEODORE PHOEBUS
CLERK OF CIRCUIT COURT
PRINCESS ANNE, MD. 21853
Phone 651-1555

RECEIPT

( ) Deed
( ) Mortgage
( ) Release
( ) Assignment
( ) Finance Statement
( ) Continuation Statement
( ) Termination Statement
( ) _____

( ) Law
( ) Criminal
(✓) Equity
( ) _____
( ) Civil Marriage
( ) Marriage Application Lic.
No. _____
Time _____

( ) Cash
(✓) Check

OFFICE HOURS
Monday thru Friday—9:00 A.M.-4:30 P.M.
Closed Saturdays, Sundays and
All Legal Holidays

(OVER)

I. THEODORE PHOEBUS
CLERK OF CIRCUIT COURT
PRINCESS ANNE, MD. 21853
Phone 651-1555

RECEIPT

( ) Deed
( ) Mortgage
( ) Release
( ) Assignment
( ) Finance Statement
( ) Continuation Statement
( ) Termination Statement
( )

( ) Law
( ) Criminal
(✓) Equity
( )
( ) Civil Marriage
( ) Marriage Application/Lic. No.
Time

( ) Cash
(✓) Check

-1 82 177 B 50 *******0.00
-1 82 178 B 50 ******10.00
-1 82 179 B 50 *******5.00
-1 82 180 * ******35.00

OFFICE HOURS
Monday thru Friday—9:00 A.M.-4:30 P.M.
Closed Saturdays, Sundays and
All Legal Holidays

BOOK 046 PAGE 573

I. THEODORE PHOEBUS
CLERK OF CIRCUIT COURT
PRINCESS ANNE, MD. 21853
Phone 651-1555

RECEIPT

( ) Deed
( ) Mortgage
( ) Release
( ) Assignment
( ) Finance Statement
( ) Continuation Statement
( ) Termination Statement
( )

( ) Law
( ) Criminal
(✓) Equity
( ) 104301
( ) Civil Marriage
( ) Marriage Application/Lic. No.
Time

(✓) Cash
(✓) Check

*******20.00
******70.00

Frederick L. Watson et al
vs
Carlton S. Bennett Jr.

OFFICE HOURS
Monday thru Friday—9:00 A.M.-4:30 P.M.
Closed Saturdays, Sundays and
All Legal Holidays

BOOK 046 PAGE 574

PHONE POCOMOKE 957-1605

G. OLIVER MORRELL

REGISTERED LAND SURVEYOR

R. F. D. 1 BOX 118 MARION STATION, MD.
21838

Feb. 3 19 78

TO Jones & Jones
Princess Anne, Md. 21853

DATE	DESCRIPTION		AMOUNT
	To survey of 6.66 acres in St. Peters Election District File S-1911		$50.00

PLEASE REMIT TO

REMITTANCE ADDRESS REVERSE SIDE

BOOK 046 PAGE 575

TRANSCRIPT

SOMERSET COUNTY

TAX BILL FOR

STATE AND COUNTY TAXES ARE DUE AND PAYABLE JULY 1 OF THE CURRENT YEAR. IF NOT PAID AT THE RATE OF 1% PER MONTH OR A FRACTION THEREOF UNTIL DATE THE COUNTY TAXES FROM OCTOBER 1ST OF THE CURRENT YEAR.

	BUILDINGS	TOTAL ASSESSMENT	COUNTY RATE	STATE RATE	

DATE 12-78	COUNTY INTEREST	
	STATE INTEREST	
	PENALTY	
	TOTAL	3.76

IF CERTIFICATE OF CORPORATION, INTEREST WILL BE CHARGED ON OR AFTER OCTOBER 1ST OR, 30 DAYS FROM DATE OF STATEMENT, WHICHEVER IS LATER.

SOMERVILLE OFFICE CLOSED SATURDAY

THIS IS A [illegible] BILL UNLESS OTHERWISE 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 BILL IS NO EXCUSE FOR NOT PAYING TAXES INTEREST OR PENALTY.

BOOK 040 PAGE 576

No. 10430 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 22nd day of February, 19 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 March, 19 79.

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 13th day of March, 19 79 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

EXD.
MAY 23 1979

JAN -8-79 B 924175D*****10.00
JAN -8-79 B 924174D*****50.00

Alexander G. Jones, Substitute Trustee Princess Anne, Maryland 21853 and Peninsula Bank(formerly Bank of Somerset) Princess Anne, Maryland Plaintiffs	:	No. 10506 Chancery In the Circuit Court for Somerset County, Maryland
vs	:	
Joseph J. Sparr Rt. 1, Box 40A Street, Maryland 21154 and Philip T. Sparr Chance, Maryland 21816 Partners trading as Sparr Brothers Defendants	:	

To the Honorable, the Judges of said Court:

The petition of the plaintiffs filed pursuant to the provisions of Rule W72 of the Maryland Rules of Procedure respectfully represents:

1. That on February 17, 1975 Joseph J. Sparr and Philip T. Sparr, partners trading as Sparr Brothers, executed and delivered to Alexander G. Jones and Robert L. Taylor, Trustees, and Bank of Somerset (now Peninsula Bank) a deed of trust duly recorded among the Land Records of Somerset County in Liber I.T.P. No. 285, folio 232 conveying certain fee simple property in Somerset County, Maryland, described therein to secure the payment of a debt in the original amount of $240,000.00 evidenced by Note No. 1 dated February 17, 1975 in the amount of $240,000.00, payable on demand with interest at the rate of ten per cent per annum payable to Bank of Somerset (now Peninsula Bank).

2. That subsequent to the execution, delivery and recordation of said deed of trust portions of the land described therein have been conveyed by the defendants and the plaintiffs and said portions of said land are no longer subject to the terms and conditions of said deed of trust.

3. That the defendants have subsequently defaulted in the payment of the indebtedness evidenced by said note and secured by said deed of trust and, under paragraph "Ninth" of said deed of trust the defendants herein, described in said deed of trust as "Grantor" assented, in the event of default, to the passage of a decree for the sale of the property described in said deed of trust and authorized the trustees or successor to sell the same at public

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auction in the manner authorized and required by law or Rules of Court and agreed that the distribution of the proceeds of such sale should be made as therein provided.

4. That pursuant to paragraph "Eighth" the defendants, described as "Grantor", granted to the Beneficiary (Peninsula Bank, formerly Bank of Somerset) the right and power to appoint a Substitute Trustee in accordance with the terms thereof.

5. That by a document dated January 2, 1979 and duly recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 312 folio 107 Peninsula Bank (formerly Bank of Somerset) appointed Alexander G. Jones, one of the plaintiffs herein, as Substitute Trustee in the place and stead of Alexander G. Jones and Robert L. Taylor, the original Trustees named in said deed of trust.

6. That the defendants have defaulted in the payment of the indebtedness secured by said deed of trust on which there now remains a principal balance of $115,209.92 plus interest through January 8, 1979 in the amount of $9056.68.

7. The aforesaid deed of trust is filed herewith as a part of this petition, identified as Petitioners' Exhibit No. 1.

WHEREFORE, your petitioners pray that a decree may be passed for the sale of the said property in accordance with the terms of said deed of trust and as required by law and the Maryland Rules of Procedure.

And as in duty bound,

JONES & JONES

By _____
Alexander G. Jones
Attorneys for Plaintiffs
Princess Anne, Maryland 21853
Telephone: 651-2747

FOR DEED OF TRUST SEE I.T.P. LIBER 285 PAGE 232.

FOR APPOINTMENT OF SUBSTITUTE TRUSTEE SEE I.T.P. Book 312 PAGE 107.

Alexander G. Jones, Substitute Trustee Peninsula Bank (formerly Bank of Somerset) Plaintiffs	:	No. 10506 Chancery In the Circuit Court for
vs	:	Somerset County, Maryland
Joseph J. Sparr and Philip T. Sparr, partners trading as Sparr Brothers	:	

DECREE FOR SALE OF PROPERTY DESCRIBED IN DEED OF TRUST

The Petition and Exhibit in the above cause having been submitted to and considered by this Court:

It is, thereupon, this 8th day of January, in the year nineteen hundred and seventy-nine, by the Circuit Court for Somerset County, Maryland, ADJUDGED, ORDERED and DECREED that the property described in said deed of trust, except so much thereof which has subsequently been conveyed by the parties from February 17, 1975 to date, be sold at public auction; that Alexander G. Jones be and he is hereby appointed Trustee to make said sale and that the course and manner of this proceeding shall be as follows: He shall first file with this Court a bond to the State of Maryland, executed by himself and a corporate surety or surities to be approved by this Court or by the Clerk thereof in the penalty of One hundred & twenty five Thousand ($125,000.00), conditioned upon the faithful performance of the trust reposed or to be reposed in him by any further Decree or Order in the premises: He shall then proceed to make said sale, having given at least three weeks notice by advertisement inserted in a weekly newspaper published in Somerset County, Maryland, and in such other newspapers, handbills, circulars and such other reasonable means as said trustee shall deem appropriate considering the nature of the property, of the time, place, manner and terms of sale which shall require payment by the purchaser of at least one-third cash or cashier's or certified check on the date of sale, the balance to bear interest at the rate of 8 % from the date of sale and to be paid on or before ratification of the sale; and as soon as may be convenient after any such sale the said Trustee shall return to this Court a full and particular account of his proceedings relative to such sale, with an affidavit annexed of the truth thereof, and

of the fairness of said sale and in accordance with Rule BR6 of the Maryland Rules of Procedure; and on obtaining the Court's ratification of the sale and on the payment of the whole purchase money (and not before) the said Trustee shall by a good and sufficient deed to be executed, acknowledged and recorded according to law, convey to the purchaser or purchasers the property and estate, free and clear and discharged from all claims of the parties hereto, plaintiffs and defendants, and those claiming by, from or under them or any 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 pursuant to the terms of said deed of trust and the Maryland Rules of Procedure including the payment of all expenses incident to the sale and such commissions to the said Trustee as the Court shall think proper to allow including those permitted or authorized by the Maryland Rules of Procedure; provided, that before the sale herein decreed shall be made, a statement of the indebtedness claimed to be due by the defendants to the plaintiffs, duly verified by affidavit, as required by law and the Maryland Rules of Procedure, be filed in this proceeding.

Lloyd L. Simpkins
Judge

Alexander G. Jones, Substitute Trustee: and Peninsula Bank	:	No. 10,506 Chancery
vs	:	In the Circuit Court for Somerset County, Maryland
Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers	:	

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 8th day of January, 1979, before me, the undersigned officer, personally appeared Morris A. Bozman, Vice President of Peninsula Bank, and made oath in due form of law as follows: The principal amount owing on the deed of trust is $115,209.92 with interest through January 8, 1979 in the amount of $9056.68 and a per diem rate of $32.00 thereafter, 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.

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

Patsy E. Ake
Notary Public

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PRINCESS ANNE, MD. 21853

BOOK 046 PAGE 582

Alexander G. Jones, Substitute Trustee and Peninsula Bank	:	No. 10,506 Chancery
vs	:	In the Circuit Court for
Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers.	:	Somerset County, Maryland

SUBSTITUTE TRUSTEE'S AFFIDAVIT AS TO NOTICE OF DELIVERY

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 1st day of February, in the year nineteen hundred and seventy-nine, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Alexander G. Jones, pursuant to the provisions of Rule W-74 a 2 (c) and made oath in due form of law that he was and is the Substitute Trustee for foreclosure and collection of the deed of trust in the above entitled proceeding filed for foreclosure and collection, that on January 25, 1979 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Joseph J. Sparr, Route 1, Box 40A, Street, Maryland 21154 (Post Office Receipt No. 594625) by certified mail which was received and accepted on January 29, 1979 by Margaret Sparr (wife of Joseph J. Sparr); and on January 25, 1979 he mailed a notice of the pending foreclosure to Philip T. Sparr, Chance, Maryland 21816 (Post Office Receipt No. 594626) by certified mail which was received and accepted on January 27, 1979 by Judy Sparr (wife of Philip T. Sparr).

The aforesaid post office receipts, and a copy of the original notice are attached hereto to be filed in this proceeding.

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

Notary Public

Alexander G. Jones

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ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

FOR BOND SEE I.T.P. BOOK 010 PAGE 450.

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PRINCESS ANNE, MD. 21853

EDGAR A. JONES (1903-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

January 25, 1979

Mr. Joseph J. Sparr
Route 1, Box 40A
Street, Maryland 21154

Mr. Philip T. Sparr
Chance, Maryland 21816

Partners trading as Sparr Brothers

Gentlemen:

Pursuant to Rule W-74 a 2 (c) of the Maryland Rules of Procedure, this is to inform you that proceedings have been filed in No. 10506 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain Deed of Trust from Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers to Alexander G. Jones and Robert L. Taylor, Trustees and Bank of Somerset (now Peninsula Bank) dated February 17, 1975 recorded among the Land Records of Somerset County in Liber I.T.P. No. 285, folio 232. An Order of Court was filed in said proceeding on January 8, 1979 for a decree forthe sale of the residue of the property subject to the Deed of Trust. The foreclosure sale is currently being advertised in The Marylander & Herald and in the Salisbury, Maryland Daily Times. The property will be offered for sale at 2:00 o'clock P.M. on Tuesday, February 13, 1979 on the Court House steps at Princess Anne, Somerset County, Maryland. Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Substitute Trustee, in an amount equal to at least one-third of the bid, the balance to be due and payable on or before ratification of the sale by the Circuit Court, with interest at eight percent on the unpaid balance. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and County real estate taxes and all charges of the Somerset County Sanitary District, Inc. will be pro rated and adjusted as of the date of ratification of the sale. A copy of the advertisement is attached to this letter for your convenience.

Very truly yours,

Alexander G. Jones
Substitute Trustee

AGJ/cb
Certified Mail - No. 594625 to Joseph J. Sparr
Certified Mail - No. 594626 to Philip T. Sparr

BOOK 046 PAGE 584

No. 594625

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mr. Joseph J. Sparr

STREET AND NO.
Route 1, Box 40A

P.O., STATE AND ZIP CODE
Street, Maryland 21154

POSTAGE		$
CONSULT POSTMASTER FOR FEES — CERTIFIED FEE		¢
OPTIONAL SERVICES — SPECIAL DELIVERY		¢
RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 1.40

POSTMARK OR DATE
PRINCESS ANNE, MD. JAN 25 1979

PS Form 3800, Apr. 1976

PS Form 3811, Mar. 1976

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN " space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Mr. Joseph J. Sparr
Route 1, Box 40A
Street, Maryland 21154

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	594625	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. Margaret Sparr
DATE OF DELIVERY 11/29/78

POSTMARK JAN 29 1979

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS JM

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GOP: 1976—O-203-456

No. 594626

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Mr. Philip T. Sparr

STREET AND NO.

P.O., STATE AND ZIP CODE
Chance, Maryland 21816

POSTAGE		$
CONSULT POSTMASTER FOR FEES — CERTIFIED FEE		¢
OPTIONAL SERVICES — SPECIAL DELIVERY		¢
RESTRICTED DELIVERY		¢
RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$ 1.40

POSTMARK OR DATE
PRINCESS ANNE, MD. JAN 25 1979

PS Form 3800, Apr. 1976

PS Form 3811, Mar. 1976

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN " space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Mr. Philip T. Sparr
Chance, Maryland 21816

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	594626	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☑ Authorized agent

4. Judy Sparr
DATE OF DELIVERY

POSTMARK U.S. POSTAL SERVICE CHANCE, MD. JAN 27 1979

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS A.H.

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GOP: 1976—O-203-456

Fidelity and Deposit Company 10506

HOME OFFICE **OF MARYLAND** *BALTIMORE, MD. 21203*

Bond No. 602 39 65

BOOK 010 PAGE 450

KNOW ALL MEN BY THESE PRESENTS:

That we, Alexander G. Jones, Substitute Trustee and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a body corporate, duly incorporated under the laws of the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of One hundred twenty-five thousand and 00/100-($125,000.00) 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 and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 13th day of February in the year of our Lord one thousand nine hundred and seventy-nine

WHEREAS, the above bounden Alexander G. Jones, Substitute Trustee by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County has been appointed Trustee to sell certain property

mentioned in the proceedings in the case of Peninsula Bank

vs:

Joseph J. Sparr, Philip P. Sparr, partners T/A Sparr Brothers

now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Alexander G. Jones, Substitute Trustee

do and shall well and faithfully perform the trust reposed in him by said decree, or that may be reposed in him by any future decree or order in the premises, 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:

(SEAL)
Alexander G. Jones

(SEAL)

WITNESS: **FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By Charlene Barrett *As to Surety* By Maria L. Lenox *Attorney-in-Fact*

THE WITHIN BOND APPROVED

J3116—1M, 5-78 205620
Trustee's Bond
Formerly MD3116a

PER: J. Thurlow Phoebus, CLERK.

BOOK 046 PAGE 585

BOOK 046 PAGE 586

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by C. M. PECOT, JR. , Vice-President, and C. W. ROBBINS , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The President, or any one of the Executive Vice-Presidents, or any one of the additional Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto."

does hereby nominate, constitute and appoint R. F. Mansfield, Clinton A. Killam, Jr., J. Russell Townshend, John J. Lambdin, Glen J. Heckathorn, James F. Jones, Pauline A. Beall, Maria L. Lenox, Anna R. Daily and Robert L. Rogers, all of Baltimore, Maryland, EACH..... its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings.....

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of R. F. Mansfield, etal, dated September 21, 1977.

The said Assistant Secretary does hereby certify that the aforegoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 7th day of November, A.D. 19 77

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

FIDELITY AND DEPOSIT COMPANY OF MARYLAND SEAL

ATTEST: C W Robbins — *Assistant Secretary*

By C M Pecot — *Vice-President*

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 7th day of November, A.D. 19 77, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Vice-President and Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

MELINDA T. HAUS NOTARY PUBLIC BALTIMORE CITY, MD.

Melinda T Haus

Notary Public Commission Expires July 1, 1978

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2 of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 16th day of July, 1969:

RESOLVED: "That the facsimile or mechanically reproduced signature of any Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 7th day of November, 19 77

Assistant Secretary

L1419—Cif. 205308

BOOK 010 PAGE 451

Alexander G. Jones, Substitute Trustee and Peninsula Bank, Plaintiffs	:	No. 10,506 Chancery
vs	:	In the Circuit Court for
Joseph J. Sparr and Philip T. Sparr Partners Trading as Sparr Brothers	:	Somerset County, Maryland

To the Honorable, the Judge of said Court:

The report of sales of Alexander G. Jones, Substitute Trustee appointed by this Court by Order dated January 8, 1979, of a deed of trust made and executed by Joseph J. Sparr and Philip T. Sparr, partners trading as Sparr Brothers, to Alexander G. Jones and Robert L. Taylor, Trustees, and Bank of Somerset (now Peninsula Bank), dated February 17, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 285, folio 232, under and by virtue of the power of sale therein contained, default having been made in the payment of the money secured by said deed of trust or in the payment of the interest thereon or in some other covenant and condition in said deed of trust, whereby the said deed of trust 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 reposed in him as Substitute Trustee of said deed of trust, 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 at least three 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 13th day of February, 1979, at two o'clock P.M., and then and there proceed to sell the property described in said deed of trust, to wit:

All that tract or parcel of land situate, lying and being in West Princess Anne Election District, Somerset County, Maryland, and more particularly described as follows: All that tract or parcel of land, situate as aforesaid, lying and binding upon the westernmost right of way line of the southbound lane of U. S. Route 13 leading from Princess Anne to Westover, bounded on the south by the mean high water mark of the north bank of Kings Creek, bounded on the west and on the north by land of King B. Miller, Jr. and Sidney F. Miller, Trustees (deed reference

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PRINCESS ANNE, MD. 21853

I.T.P. No. 219, folio 339), and more particularly described as follows: Beginning at a cement post placed at the southeast corner of the aforesaid Miller property (known as the George Brewington Farm in 1876) and indicated by the letter "A" on the plat hereinafter referred to, thence proceeding with the lines of the right of way of U. S. Route 13 as per State Roads Commission plats numbers 23697, dated April 26, 1960 and 23698, dated October 4, 1960, respectively, as follows: (1) South 5° 39' West 44 feet across the end of a lane, (2) South 84° 21' East 50 feet to a cement post opposite station 744 plus 83 on SRC plat, (3) South 5° 39' West 622.29 feet with the said right of way to the point of curve at station 751 plus 05.29, thence (4) with a curve to the right, having a radius of 5188.84 feet and a curve length of 304.71 feet (chord bears South 7° 20' West 304.60 feet) to a point opposite the center of the bridge over Kings Creek, thence down by and with the northerly side of said creek and binding thereon at mean high water, as shown on said plat, the following courses: (5) South 52° 05' West 552.75 feet, (6) North 61° 00' West 290.40 feet, (7) South 84° 10' West 389.40 feet, (8) North 71° 34' West 503.25 feet, (9) North 46° 56' West 701.25 feet to a cement post at the line of the Miller woodland, thence from said point (10) North 4° 40' East 1037.00 feet with the Miller woods and a line of marked trees to a cement post, thence (11) North 77° 10' East 699 feet part way with an old woods ditch to the corner of the Miller field, thence (12) South 77° 10' East 1390.95 feet generally with the center of a large ditch to the place of beginning, containing 63.33 acres, accurately laid down and described on a plat entitled "Descriptive Plat of the George Brewington Farm Surveyed for Marvin W. Simmons", prepared by W. Ballard Miles, Registered Surveyor No. 575, dated May 6, 1965 (File D-550) and recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, folio 73, and being the same and all the land which was conveyed unto the said Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers, by deed from Alexander G. Jones, Trustee, dated February 17, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 285, folio 229; EXCEPTING AND RESERVING, however, those portions of said land which were conveyed by Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers to William T. Sparr and May L. Sparr by deed dated June 24, 1977 recorded among the aforesaid Land Records in Liber I.T.P. No. 301,

folio 99 (containing 13.4 acres) and by Joseph J. Sparr and Philip T. Sparr to Robert J. Wilson, Eugene M. Karol and Charles McClenahan by deed dated December 2, 1977 recorded among the aforesaid Land Records in Liber I.T.P. No. 304, folio 405 (containing 24.6 acres); LEAVING 25.33 acres, more or less; subject to and together with the use in common with others lawfully entitled to the use thereof all those roads, rights of way or easements described, created, conveyed or reserved in the aforesaid deeds to William T. Sparr and May L. Sparr and to Robert J. Wilson, Eugene M. Karol and Charles McClenahan; and sold the same to Robert J. Wilson and William T. Chaffey, III, at and for the sum of ninety-six thousand dollars ($96,000.00), they being then and there the highest bidders therefor, and the purchasers have complied with the terms of sale to the satisfaction of your substitute trustee.

Respectfully submitted,

Substitute Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 13th day of February, in the year nineteen hundred and seventy-nine, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Alexander G. Jones, Substitute Trustee 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.

Notary Public

Alexander G. Jones, Substitute Trustee and Peninsula Bank, Plaintiffs	:	No. 10,506 Chancery
vs	:	In the Circuit Court for
Joseph J. Sparr and Philip T. Sparr Partners Trading as Sparr Brothers	:	Somerset County, Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County this 14th day of February, in the year nineteen hundred and seventy-nine, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Substitute Trustee in the above proceeding, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 19th day of March, 1979, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 12th day of March, 1979.

The report states the amount of the sale to be $96,000.00.

J. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

Alexander G. Jones, Substitute Trustee and Peninsula Bank, Plaintiffs	:	No. 10,506 Chancery
vs	:	In the Circuit Court for
Joseph J. Sparr and Philip T. Sparr Partners Trading as Sparr Brothers	:	Somerset County, Maryland

ORDERED by the Circuit Court for Somerset County, in Equity, this 20th day of March, in the year nineteen hundred and seventy-nine, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Substitute Trustee of said deed of trust, 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.

Lloyd R. Simpkins
Judge

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

Alexander G. Jones, Substitute Trustee and Peninsula Bank	:	No. 10,506 Chancery
		In the Circuit Court for
vs	:	
Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers	:	Somerset County, Maryland

Purchasers' Affidavit

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 13th day of February, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert J. Wilson and William T. Chaffey, III, 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.

Notary Public

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

BOOK 046 PAGE 592

PRINCESS ANNE, MD., Feb 14

This is to certify that the annexed Trustee Sale

has been published in the *MARYLANDER and HERALD*, a newspaper published in Somerset County, Maryland, accor the terms and requirements contained in said Trustee

Dates Inserted: Jan 18, 25 Feb 1, 8

Business Manager MARYLANDER and

MARYLANDER AND HERALD, Thursday, January 25, 1979

JONES & JONES
Attorneys at Law,
Princess Anne, Maryland

SUBSTITUTE TRUSTEE'S SALE

OF
VALUABLE COMMERCIAL PROPERTY
OPERATING AS MOBILE HOME PARK

Under and by virtue of the assent to sale contained in a Deed of Trust dated February 17, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 285, folio 232; default having occurred in said Deed of Trust, and pursuant to an order of the Circuit Court for Somerset County, Maryland, dated January 8, 1979 and filed in No. 10506 Chancery in said Court, the undersigned as Substitute Trustee for the purpose of foreclosure of said Deed of Trust, will offer at public sale:

ON THE COURT HOUSE STEPS
PRINCE WILLIAM STREET
PRINCESS ANNE, MARYLAND

Tuesday, February 13, 1979

at or about the hour of 2:00 o'clock P.M., all that tract or parcel of land situate, lying and being in West Princess Anne Election District, Somerset County, Maryland, and more particularly described as follows: All that tract or parcel of land, situate as aforesaid, lying and binding upon the westernmost right of way line of the southbound lane of U.S. Route 13 leading from Princess Anne to Westover, bounded on the south by the mean high water mark of the north bank of Kings Creek; bounded on the west and on the north by the land of King B. Miller, Jr. and Sidney F. Miller, Trustees (deed reference I.T.P. No. 219, folio 339), and more particularly described as follows: Beginning at a cement post placed at the southeast corner of the aforesaid Miller property (known as the George Brewington Farm in 1876) and indicated by the letter "A" on the plat hereinafter referred to, thence proceeding with the lines of the right of way of U.S. Route 13 as per State Roads Commission plats numbers 23697, dated April 26, 1960 and 23698, dated October 4, 1960, respectively, as follows: (1) South 5° 39' West 44 feet across the end of a lane, (2) South 84° 21' East 50 feet to a cement post opposite station 744 plus 83 on SRC plat, (3) South 5° 39' West 622.29 feet with the said right of way to the point of curve at station 751 plus 05.29, thence (4) with a curve to the right, having a radius of 5188.84 feet and a curve length of 304.71 feet (chord bears South 7° 20' West 304.60 feet) to a point opposite the center of the bridge over Kings Creek, thence down by and with the northerly side of said creek and binding thereon at mean high water, as shown on said plat, the following courses: (5) South 52° 05' West 552.75 feet, (6) North 61° 00' West 290.40 feet, (7) South 84° 10' West 389.40 feet, (8) North 71° 34' West 593.25 feet, (9) North 46° 56' West 701.25 feet to a cement post at the line of the Miller woodland, thence from said point (10) North 4° 40' East 1037.00 feet with the Miller woods and a line of marked trees to a cement post, thence (11) North 77° 10' East 699 feet part way with an old woods ditch to the corner of the Miller field, thence (12) South 77° 10' East 1390.95 feet generally with the center of a large ditch to the place of beginning, containing 63.33 acres, accurately laid down and described on a plat entitled "Descriptive Plat of the George Brewington Farm Surveyed for Marvin W. Simmons," prepared by W. Ballard Miles, Registered Surveyor No. 575, dated May 6, 1965 (File D-550) and recorded among the Land Records of Somerset County in Plat Book G.J.B. No. 6, folio 73, and being the same and all the land which was conveyed unto the said Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers, by deed from Alexander G. Jones, Trustee, dated February 17, 1975 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 285, folio 229.

EXCEPTING AND RESERVING, however, those portions of said land which were conveyed by Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers to William T. Sparr and May L. Sparr by deed dated June 24, 1977 recorded among the aforesaid Land Records in Liber I.T.P. No. 301, folio 99 (containing 13.4 acres) and by Joseph J. Sparr and Philip T. Sparr to Robert J. Wilson, Eugene M. Karol and Charles McClenahan by deed dated December 2, 1977 recorded among the aforesaid Land Records in Liber I.T.P. No. 304, folio 405 (containing 24.6 acres).

The land subject of this foreclosure proceeding and offered for sale hereunder contains 25.33 acres, more or less. Subject to and together with the use in common with others lawfully entitled to the use thereof all those roads, rights of way or easements described, created, conveyed or reserved in the aforesaid deeds to William T. Sparr and May L. Sparr and to Robert J. Wilson, Eugene M. Karol and Charles McClenahan.

Together with all the right, title, interest and estate of Joseph J. Sparr and Philip T. Sparr, Partners trading as Sparr Brothers, in and to certain water and sewer mains, and all appurtenances incident thereto now located on said land and constructed or installed in certain public easements within the right of way lines of U.S. Route 13 leading from Princess Anne to Westover leading from the above described property of Sparr Brothers to the land of the Board of Education for Somerset County described as the new Washington High School site, being the water and sewer mains and appurtenances constructed by Sparr Brothers in 1974-1975 or subsequent thereto, pursuant to the terms and conditions of certain agreements by and between Sparr Brothers and Somerset County Sanitary Commission dated February 19, 1974 and November 12, 1974. Water and sewer services are available to the property from the facilities of the Somerset County Sanitary District, Inc. pursuant to the terms of said agreements.

The land subject of this foreclosure proceeding and offered for sale is part of the land described on a plat entitled "Phase I Master Development Plan for Kings Creek Mobile Home Village" prepared by Edward H. Richardson Associates, Inc. dated September 22, 1970 and filed as Defendants' Exhibit No. 6 in 9449 Chancery in the Circuit Court for Somerset County, Maryland, on which said plat is also described the land conveyed to Robert J. Wilson, et al by the aforesaid deed containing 24.6 acres. The land of William T. Sparr and May L. Sparr containing 13.4 acres is described on another plat entitled "Plat Showing a Subdivision of the Property of Joseph J. Sparr" prepared by Dixon Lynch Stochr and Associates dated June 1, 1977 filed in Plat Book I.T.P. No. 11, folio 40. According to said plats, the land hereby offered for sale contains 158 mobile home sites of which 38 are now in use. However, no warranty, expressed or implied is made by the Substitute Trustee as to the actual number of mobile home sites within said area, or in service, or available for service or occupancy.

NO MOBILE HOMES ARE OFFERED FOR SALE IN THIS PROCEEDING.

This property may be inspected prior to sale by appointment. Call or write to Mr. Pete Richardson, Auctioneer, 602 Victor Drive, Salisbury, Maryland, 21801, telephone Area Code 301-835-2525.

TERMS OF SALE: Cash, certified or cashier's check payable to Alexander G. Jones, Subsitute Trustee, in an amount equal to at least one-third of the bid, the balance to be due and payable on or before ratification of the sale by the Circuit Court, with interest at eight percent on the unpaid balance. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and County real estate taxes and all charges of the Somerset County Sanitary District, Inc. will be pro rated and adjusted as of the date of ratification of the sale.

ALEXANDER G. JONES, SUBSTITUTE TRUSTEE
Princess Anne, Maryland 21853
Telephone: 301-651-2737

1/18, 1/25, 2/1 & 2/8

JONES & JONES
Attorneys-at-Law
Princess Anne, Md.

Alexander G. Jones
Substitute Trustee
and
Peninsula Bank
Plaintiffs

VS

Joseph J. Sparr
and
Philip T. Sparr
Partners Trading as
Sparr Brothers

No. 10,506 Chancery

In the
Circuit Court
for
Somerset County,
Maryland

ORDER NISI

ORDERED by the Circuit Court for Somerset County this 14th day of February, in the year nineteen hundred and seventy-nine, that the sale of the property mentioned in these proceedings made and reported by Alexander G. Jones, Substitute Trustee in the above proceeding, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 19th day of March, 1979, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 12th day of March, 1979.

The report states the amount of the sale to be $96,000.00.

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

True Copy, Test
I. Theodore Phoebus
Clerk
3tc.-2/22, 3/1, 3/8

PRINCESS ANNE, MD., March 19 1979

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 Nisi

Dates Inserted: Feb. 22, March 1, 8

Business Manager MARYLANDER and HERALD

BOOK 046 PAGE 593

Alexander G. Jones, Substitute Trustee and Peninsula Bank	:	No. 10506 Chancery
	:	In the Circuit Court for
vs.	:	Somerset County, Maryland
Joseph J. Sparr and Philip T. Sparr Partners trading as Sparr Brothers	:	

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 therein, states the following Account:

Amount of Sale			$ 96,000.00
Interest paid by purchaser per "Terms of Sale"			512.00
Collection of rentals through March 21, 1979			2,674.37
Total amount collected through March 21, 1979			$ 99,186.37
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Clerk		$ 131.00	
Marylander & Herald		342.50	
Advertising	$ 307.50		
Order Nisi	35.00		
Daily Times, Advertising		152.64	
The Fidelity & Deposit Company, Bond		500.00	
Peter E. Richardson, Auctioneer		250.00	
Carlos Bozman, Treasurer		2,071.81	
Som. Co. Sanitary District, Front Foot Assessment		40.68	
Som. Co. Sanitary District, Water		1,090.50	
Alexander G. Jones, Trustees Commission		4,950.00	
10% on first $3,000.00	$ 300.00		
5% on $93,000.00	4,650.00		
Logan C. Widdowson, Auditor		45.00	
Notary Fees		6.00	
Alexander G. Jones, Postage		2.80	
Total Fees, Costs, Expenses, Etc.			9,582.93
Balance to be Distributed			$ 89,603.44
Mortgage Debt as of February 13, 1978			125,386.60
*Deficiency			$ 35,783.16
*Plus Interest from February 13, 1978			

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.

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

#75

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U. S. Mail, postage prepaid:

Alexander G. Jones, Esquire
Jones & Jones
S. Somerset Avenue
Princess Anne, Maryland 21853

Joseph J. Sparr
Route 1, Box 40A
Street, Maryland 21154

Philip T. Sparr
Chance, Maryland 21816

Date of Filing: March 28, 1979

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

No. 10506 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 28th day of March, 19 79 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 12th day of April, 19 79.

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, 19 79 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

EXD.
MAY 23 1979

OCT 14-77 B 921992D*****10.00
OCT 14-77 B 921991D*****40.00

Helen Johnson
Rt. 3, Box 525
Princess Anne, Md.,

Complainant

vs

Sidney J. Smith
4925 "A" Street, S. E.
Washington, D. C.,

Respondent

Chancery No. 10216

In the Circuit Court for

Somerset County, Maryland

BILL OF COMPLAINT FOR PARTITION

Complainant, Helen Johnson, by R. Patrick Hayman, her attorney, respectfully represents as follows:

1. That the parties are brother and sister.

2. That they are the sole heirs at law of Pete Smith, deceased, and Eleanor Smith, deceased, formerly of Somerset County, Maryland.

3. That the parties hereto are seized and possessed as tenants in common of the hereinafter described real estate:

ALL that lot or parcel of land situate in West Princess Anne Election District, Somerset County, Maryland, and described in 1950 as on the private lane parallel with the south end of Beckford Avenue, having a front on said private lane of 70½ feet and a back of 67½ feet, and a depth of 307 feet, more or less, bounded on the north by the lands of Ellen Bell Humphreys, on the east by the aforesaid private lane, on the south by the lands of Gus White, and on the west by the lands of Alton Dryden, and being the same and all the land which was conveyed unto Alfred Smith by Hampton Doane and wife by deed dated September 23, 1950, and recorded among the Land Records of Somerset County in Liber B.L.B. No. 151, folio 206; upon the death of the said Alfred Smith, intestate, title to the above described property descended unto his mother, the said Louise Stevenson, under the provisions of Section 7 of Article 46 of the 1951 Annotated Code of Maryland;

and being the same land conveyed from Louise Stevenson unto Pete Smith and Elnora Smith, his wife, by deed dated July 25, 1957, and recorded among the Land Records of Somerset County in Liber 182, page 180.

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

5. That Complainant is an adult resident of Somerset County, Maryland.

6. That Respondent is an adult resident of the District of Columbia.

Wherefore, Complainant prays:

1. That a decree be passed by this Court for the appointment of a Trustee 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.

2. That Complainant may have such other and further relief as her cause may require.

Helen Johnson

Helen Johnson

R. Patrick Hayman

R. Patrick Hayman
Attorney for Complainant
Prince William Street
Princess Anne, Maryland 21853
Phone: 651-3271

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 11th day of October, 1977, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Helen Johnson, the Complainant in the above entitled cause; and she made oath in due form of law that the matters and facts set forth in the aforegoing Bill of Complaint are true and correct to the best of her knowledge, information and belief.

Witness my hand and Notarial Seal.

Lulu Mae Dize

Notary Public

(Md. Rule 107 - Service of process outside the State)

No. 10216 Chancery Case

STATE OF MARYLAND, Somerset County, To-Wit:

THE STATE OF MARYLAND to Sidney J. Smith
4925 "A" Street, S. E.
Washington, D. C.

GREETING:

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of November next and ending sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond cause your answer or other defense to be filed to the complaint of Helen Johnson
Rt. 3, Box 525
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 Daniel T. Prettyman, Chief Judge of the First Judicial Circuit of Maryland.

Issued the 14th day of October, 19 77

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office within sixty days from the date of the completion of service if made in the limits of the United States and ninety days if beyond. Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, 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)

Name R. Patrick Hayman
Address Prince William Street
Princess Anne, Maryland 21853

L. Theodore Phoebus
Clerk

LIBER 046 PAGE 593

LIBER 040 PAGE 600

Helen Johnson,

Complainant

vs

Sidney J. Smith,

Respondent

Chancery No. 10,216

In the Circuit Court for

Somerset County, Maryland

AFFIDAVIT OF SERVICE

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 31st day of October, 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared R. Patrick Hayman, who made oath in due form of law as follows:

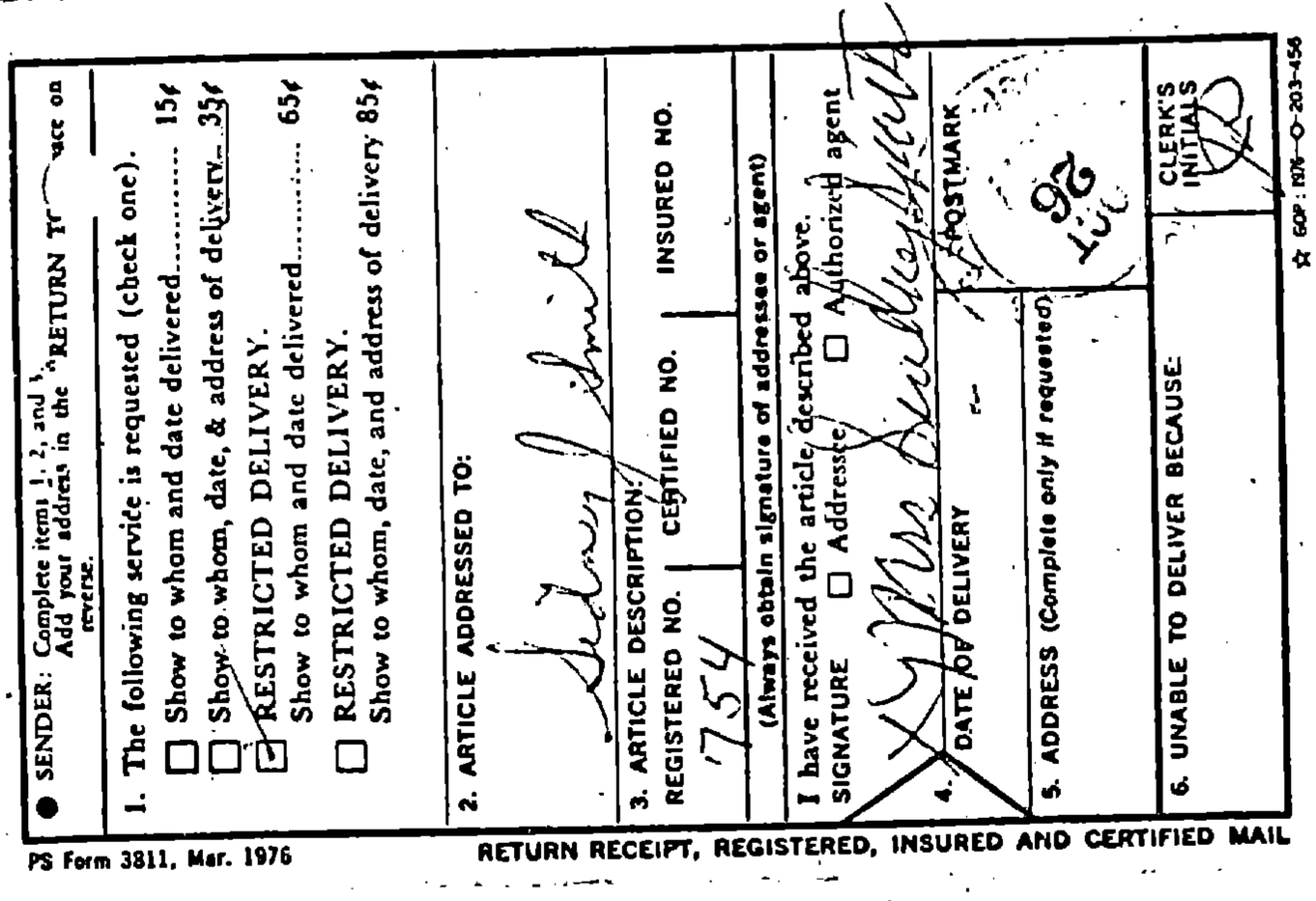
That on October 26, 1977, by Registered Mail, Return Receipt Requested, Postage Prepaid, he served a copy of the Bill Of Complaint For Partition in the above entitled action upon Sidney J. Smith, and that his acknowledgment is attached hereto.

As witness my hand and Notarial Seal.

R. Patrick Hayman

Lula Mae Dize

NOTARY PUBLIC


● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☒ RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Sidney Smith

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. | INSURED NO.
7754

(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
X Mrs Sidney Smith

4. DATE OF DELIVERY

POSTMARK
92
LOC

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO : 1976—O-203-456

PS Form 3811, Mar. 1976 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Helen Johnson,
Complainant
vs
Sidney J. Smith,
Respondent

Chancery No. 10,216
In the Circuit Court for
Somerset County, Maryland

DECREE PRO CONFESSO

The Petition of Complainant respectfully shows:

1. That Respondent has been duly summoned to appear to the Bill of Complaint For Partition herein, but has failed to appear to or answer said Bill of Complaint within the time prescribed by the rules of this Court.

2. Complainant therefore prays that the Bill of Complaint For Partition may be taken pro confesso against said Respondent, and that Complainant have leave to take testimony before one of the Standing Examiners of this Court.

R. Patrick Hayman
Attorney for Complainant

ORDER

It appearing in the above entitled cause that Respondent has been duly summoned to appear to the Bill of Complaint For Partition herein, 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 9th day of April, 1979, by the Circuit Court for Somerset County, in Equity, adjudged, ordered, and decreed that said Bill of Complaint be, and the same is hereby taken pro confesso against said Respondent, and it is further ordered that Complainant have leave to take testimony before one of the Standing Examiners of this Court.

LIBER 048 PAGE 601

Judge

LIBER 046 PAGE 602

Helen Johnson Rt. 3, Box 525 Princess Anne, Md.	:	No. No. 10216 Chancery Case
	:	In the Circuit Court for
Vs.	:	Somerset County
Sidney J. Smith 4925 "A" Street, S.E. Washington, D. C.	:	State of Maryland
	:	DATE: April 10, 1979
	:	
	:	
	:	

NOTICE OF JUDGMENT BY DEFAULT

OR

DECREE PRO CONFESSO

TO: Sidney J. Smith

4925 "A" Street, S. E.

Washington, D. C.

In accordance with Maryland Rules of Procedure, you are notified that a ~~judgment by default/summary judgment~~/decree pro confesso/ ~~summary decree~~ was entered against you in the above entitled case on April 9, 1979.

If you wish to take exception to this ~~Judgment~~/Decree/~~by default~~, you have thirty days from the date of the ~~Judgment~~/Decree within which to do so.

I. Theodore Phoebus
Clerk of the Circuit Court for
Somerset County, Maryland

Helen Johnson,
Complainant

vs

Sidney J. Smith,
Respondent

Chancery No. 10,216
In the Circuit Court for
Somerset County, Maryland

TESTIMONY

I, Logan C. Widdowson, Examiner in Chancery in this Court, do hereby certify that this cause being at issue and notice having been given me of the desire of the Complainant to take testimony in the same, I did meet with the Solicitor for the Complainant at the hour of 9:30 A.M., in the office of R. Patrick Hayman, Princess Anne, Maryland, on Thursday, May 3, 1979, as the time and place for examining such witnesses as should then be produced before me, at which time I attended. I further certify that the Respondent was not notified of the taking of said testimony, as a Decree Pro Confesso had been filed against him. Therefore, in the presence of the Solicitor for the Complainant, I proceeded to examine the witnesses in the manner following:

HELEN JOHNSON, the Complainant, a witness of lawful age testifying in her own behalf, after being duly sworn by me, deposes and says:

Q. Please give your name, age, residence, and occupation.
A. My name is Helen Johnson, I reside at Rt. 3, Box 525, Princess Anne, Maryland, and I am a housewife.

Q. You have alleged you are the owner of an undivided one-half interest in the land referred to in the Bill of Complaint. How did you acquire the same?
A. I inherited this from my father, Pete Smith, who died intestate.

Q. Who owns the remaining one-half interest.
A. My brother, Sidney J. Smith.

Q. Is the property subject to partition without material loss to the parties?
A. No.

Q. Has there been any attempt on your part to settle this without putting the property up for sale at public auction?
A. Yes, however no agreement could be reached.

Q. What is the value of the whole property?
A. I had two appraisals made. Mr. I. Theodore Phoebus appraised the property at $14,000.00, and Mr. O. Hoyt Bloodsworth appraised the property at $14,500.00.

COURT'S QUESTION:
A. No Sir.

Helen Johnson
Helen Johnson

Logan C. Widdowson, Examiner

R. PATRICK HAYMAN, a witness of lawful age, testifying on behalf of the Complainant, after being duly sworn by me, deposes and says:

Q. Please state your name, age, residence, and occupation.
A. My name is R. Patrick Hayman, I am 40 years of age, I reside at Princess Anne, Maryland, and I am an attorney.

Q. Do you represent the Complainant in this matter?
A. Yes.

Q. Did you inquire from the Land Records and otherwise to ascertain the ownership of the land in question?
A. Yes, I found the land was owned by ~~Pete~~ Elmora Smith at the time of her death.

COURT'S QUESTION:
A. No Sir.

R. Patrick Hayman
R. Patrick Hayman

Logan C. Widdowson, Examiner

There being no further witnesses produced to me, I then and there, at the request of the Solicitor for the Complainant, closed these depositions. I certify that I did not deem it necessary to cross-examine the witnesses and that there were no irregularities or unusual circumstances in the taking of the testimony or in the

manner in which the proceedings were conducted. I further certify that the Examiner's costs were paid by the Complainant.

GIVEN UNDER MY HAND AND SEAL, this 3rd day of May, 1979.

Logan C. Widdowson,
Examiner in Chancery

LIBER 048 PAGE 606

Helen Johnson,

Complainant

vs

Sidney J. Smith,

Respondent

Chancery No. 10,216

In the Circuit Court for

Somerset County, Maryland

ORDER OF COURT

Upon the Bill Of Complaint For Partition, Affidavit of Service, Decree Pro Confesso, and Testimony filed in this Cause, it is this 15th day of August, 1979, by the Circuit Court for Somerset County, Maryland, ORDERED that R. Patrick Hayman be and he is hereby appointed Trustee to sell the real estate referred to in the Bill of Complaint, at public auction, after having given notice thereof as required by Rule of Court, and he shall promptly thereafter file a report of said sale in this Court, provided he shall prior to sale file an approved bond herein in the amount of $ 5,000.00 .

Lloyd L. Simpkins
Judge

No. 10216 Chy

R. Patrick Hayman
Attorney At Law
Princess Anne, Maryland 21853

TRUSTEE'S SALE

OF VALUABLE REAL ESTATE

Situate in West Princess
Election District
Somerset County, Maryland

UNDER and by virtue of an Order of the Circuit Court for Somerset County, Maryland, in No. 10,216 Chancery, wherein R. Patrick Hayman was appointed Trustee to sell the hereinafter described land, I hereby give notice that I will on

FRIDAY

SEPTEMBER 14, 1979
At 2:00 P.M.
At The Courthouse Door
Princess Anne, Maryland

offer for sale at public auction to the highest bidder therefor the following described land:

All that lot or parcel of land situate in West Princess Anne Election District, Somerset County, Maryland, and described in 1950 as on the private lane parallel with the south end of Beckford Avenue, having a front on said private lane of 70½ feet and a back of 67½ feet, and a depth of 307 feet, more or less, bounded on the north by the lands of Ellen Bell Humphreys, on the east by the aforesaid private lane, on the south by the lands of Gus White, and on the west by the lands of Alton Dryden, and being the same and all the land which was conveyed unto Alfred Smith by Hampton Doane and wife by deed dated September 23, 1950, and recorded among the Land Records of Somerset County in Liber B.L.B. No. 151, folio 206; upon the death of the said Alfred Smith, intestate, title to the above described property descended unto his mother, the said Louise Stevenson, under the provisions of Section 7 of Article 46 of the 1951 Annotated Code of Maryland; and being the same land conveyed from Louise Stevenson unto Pete Smith and Elnora Smith, his wife, by deed dated July 25, 1957, and recorded among the Land Records of Somerset County in Liber 182, page 180.

The lot is improved by a dwelling.

Terms of Sale: 10% cash on day of sale, balance upon ratification of the Sale. The credit portion to bear interest from the date of sale until settlement at the rate of 8 per cent. All title papers, revenue stamps and other closing costs at the expense of the purchaser. Taxes to be adjusted to the date of sale.

R. Patrick Hayman,
Trustee

BOOK 011 PAGE 12

Maryland

No. 10216 Chancery Case

BOND OF TRUSTEE FOR SALE OF REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS: BOND No. 2055035 R

That we, Patrick Hayman, as Principal, and the WESTERN SURETY COMPANY, a corporation duly authorized to do business in the State of Maryland, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of FIVE THOUSAND DOLLARS AND NO/100 ($ 5,000.) DOLLARS, current money, to be paid to the State of Maryland, or its certain attorney; to which payment well and truly to be made and done, we bind ourselves, and each of us, our and each of our Heirs, Successors and Assigns, Executors and Administrators, jointly and severally, firmly by these presents.

Sealed with our seals, and dated this 21st day of August, 19 79.

WHEREAS, the above bounden Principal(s) by virtue of a decree of the Honorable the Judges of the ~~Orphans'~~ Circuit Court of Somerset County, has been appointed trustee(s) to sell House and Lot

mentioned in the proceedings in the case of Helen Johnson

vs.

Sidney J. Smith

now pending in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Principal(s) do and shall well and faithfully perform and trust reposed in HIM by said decree, or that may be reposed in HIM by any future decree or order in the premises, 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

Lula Mae Dize

Patrick Hayman (SEAL)
Principal

Principal

Countersigned
By Donald R. Hendrickson
Maryland Resident Agent

WESTERN SURETY COMPANY
By Donald R. Hendrickson

THE WITHIN BOND APPROVED.
PER: J. Theodore Phoebus, CLERK.
1231-1-67

LIBER 046 PAGE 609

POWER OF ATTORNEY

(Irrevocable)

Nº 2055035 R

Know All Men by These Presents: BOOK 040 PAGE 610

That this Power of Attorney is not valid or in effect unless attached to the bond, which it authorizes executed, but may be detached by the approving officer if desired.

That Western Surety Company, a corporation, does hereby make, constitute and appoint DONALD L. HENDERSON, OR VICKIE LYNN DENNIS, OR MARY LOU MC DANIEL

in the City of PRINCESS ANNE, State of MARYLAND, with limited authority, its true and lawful Attorney(s) in fact with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, one of the following bonds.

An ORIGINAL bond required by Statute, Decree of Court or Ordinance for:	MAXIMUM PENALTY
(A) ADMINISTRATOR CONSERVATOR CURATOR EXECUTOR PERSONAL REPRESENTATIVE GUARDIAN TRUSTEE – (Testamentary Only) SALE OF REAL OR PERSONAL PROPERTY –When this company has qualifying bond or when it is a separate bond for accounting of proceeds of sale only COMMISSIONER TO SELL REAL ESTATE REFEREE IN PARTITION TRUSTEE OR RECEIVER – In Bankruptcy (Excluding Chapter 11)	$1,000,000.00
(B) NOTARY PUBLIC PUBLIC OFFICIAL AND DEPUTIES RECEIVER – (In State Court Only)	$ 50,000.00
(C) PLAINTIFF'S COURT BOND, except bonds prohibited by "Note" Below	$ 10,000.00
(D) COST ON APPEAL) EXCLUDING OPEN PENALTY, REMOVAL OF CAUSE) STAY, SUPERSEDEAS OR GUARANTEE OF A JUDGMENT	$ 500.00
(E) LICENSE PERMIT QUIET TITLE	$ 10,000.00
Not including bonds where the state is Obligee, except special fuel users	$ 1,000.00
(F) ANY BOND OR INDEMNITY provided there is attached to this Power of Attorney, written authority in the form of an endorsement, letter or telegram, signed by the Chairman of the Board, President, Vice-President, Secretary, Treasurer or Assistant Secretary of Western Surety Company specifically authorizing its execution.	

NOTE: SUPERSEDEAS OR OPEN PENALTY OR STAY BONDS ON APPEAL OR GUARANTEE OF JUDGMENT, OR BAIL BONDS OR CONSTRUCTION BID OR CONTRACT BONDS, OR BONDS FOR DEFENDANTS ARE NOT AUTHORIZED BY THIS POWER OF ATTORNEY, except as provided in Section (F).

WESTERN SURETY COMPANY further certifies that the following is a true and exact copy of Section 7 of the By-Laws of the Western Surety Company, duly adopted and now in force, to-wit: "Section 7. All bonds, policies, undertakings or other obligations of the corporation shall be executed in the corporate name of the Company by the Chairman of the Board, President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The Chairman of the Board, President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings or other obligations of the corporation."

Dated this 1st day of June, 1978

ATTEST _____ WESTERN SURETY COMPANY

Assistant Secretary

By Joe Kirby
President

STATE OF SOUTH DAKOTA
County of Minnehaha } ss

On this 1st day of June, 1978, before me, a Notary Public, personally appeared JOE KIRBY, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires
D. K. JOHNSON, NOTARY PUBLIC, 19 FILED
My Commission Expires 10-1-82

Notary Public, South Dakota

AUG 23 4 11 PM '79

I, the undersigned officer of the Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable and furthermore, that Section 7 of the By-Laws of the company as set forth in the Power of Attorney, is now in force.

In testimony whereof, I have hereunto set my hand and the seal of the Western Surety Company this *21st day of August, 19 79.

RECORDED IN BOOK 011 PAGE 13
THEODORE THOMBS, CLK. CT. CT.
BY _____ DEPUTY

WESTERN SURETY COMPANY

By Joe Kirby
President

*IMPORTANT: This date must be filled in before it is attached to the bond and it must be the same date as the bond.

99—8-78

LIBER 046 PAGE 611

PRINCESS ANNE, MD., Sept 14 19

This is to certify that the annexed notice

has been published in the *MARYLANDER and HERALD*, a we newspaper published in Somerset County, Maryland, accordin the terms and requirements contained in said notice

Dates Inserted:

Bryan Byrd
Business Manager MARYLANDER and HER

wm.

R. Patrick Hayman
Attorney at Law
Princ Anne, Maryland 21853

TRUSTEE'S SALE OF VALUABLE REAL ESTATE

SITUATE IN WEST PRINCESS ANNE ELECTION DISTRICT SOMERSET COUNTY, MARYLAND

UNDER and by virtue of an Order of the Circuit Court for Somerset County, Maryland, in No. 10,216 Chancery, wherein R. Patrick Hayman was appointed Trustee to sell the hereinafter described land, I hereby give notice that I will on

FRIDAY, SEPTEMBER 14, 1979
AT 2:00 P.M.
At the Courthouse Door
Princess Anne, Maryland

offer for sale at public auction to the highest bidder therefor the following described land:

All that lot or parcel of land situate in West Princess Anne Election District, Somerset County, Maryland, and described in 1950 as on the private lane paralel with the south end of Beckford Avenue, having a front on said private lane of 70½ feet and a back of 67½ feet, and a depth of 367 feet, more or less, bounded on the north by the lands of Ellen Bell Humphreys, on the east by the aforesaid private lane, on the south by the lands of Gus White, and on the west by the lands of Alton Dryden, and being the same and all the land which was conveyed unto Alfred Smith by Hampton Doane and wife by deed dated September 23, 1950, and recorded among the Land Records of Somerset County in Liber B. L. B. No. 151, folio 206; upon the death of the said Alfred Smith, intestate, title to the above described property descended unto his mother, the said Louise Stevenson, under the provisions of Section 7 of Article 46 of the 1951 Annotated Code of Maryland; and being the same land conveyed from Louis Stevenson unto Pete Smith and Elnora Smith, his wife, by deed dated July 25, 1957, and recorded among the Land Records of Somerset County in Liber 182, page 180.

The lot is improved by a dwelling.

TERMS OF SALE: 10% cash on day of sale, balance upon ratification of the Sale. The credit portion to bear interest from the date of sale until settlement at the rate of 8 percent. All title papers, revenue stamps and other closing costs at the expense of the purchaser. Taxes to be adjusted to the date of sale.

R. PATRICK HAYMAN, TRUSTEE

4tc—8/23, 8/30, 9/6 & 9/13

LIBER 048 PAGE 612

Helen Johnson,

Complainant

vs

Sidney J. Smith,

Respondent

Chancery No. 10,216

In the Circuit Court for

Somerset County, Maryland

REPORT OF SALE

The report of R. Patrick Hayman, Trustee, appointed by this Court by Order dated August 15, 1979, respectfully represents that after giving bond with security approved by the Clerk of this Court, for the faithful performance of the trust so reposed in him 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 and Herald, a weekly newspaper published in the Town of Princess Anne, Somerset County, Maryland, for three weeks before the date of sale, he did, pursuant to said notice, attend at the steps of the Courthouse in Princess Anne, Maryland, on the 14th day of September, 1979, at 2:00 P.M. of said day, and then and there proceeded to sell the property described in said advertisement, to wit:

All that lot or parcel of land situate in West Princess Anne Election District, Somerset County, Maryland, and described in 1950 as on the private lane parallel with the south end of Beckford Avenue, having a front on said private lane of 70½ feet and a back of 67½ feet, and a depth of 307 feet, more or less, bounded on the north by the lands of Ellen Bell Humphreys, on the east by the aforesaid private lane, on the south by the lands of Gus White, and on the west by the lands of Alton Dryden, and being the same and all the land which was conveyed unto Alfred Smith by Hampton Doane and wife by deed dated September 23, 1950, and recorded among the Land Records of Somerset County in Liber B.L.B. No. 151, folio 206; upon the death of the said Alfred Smith, intestate, title to the above described property

descended unto his mother, the said Louise Stevenson, under the provisions of Section 7 of Article 46 of the 1951 Annotated Code of Maryland; and being the same land conveyed from Louise Stevenson unto Pete Smith and Elnora Smith, his wife, by deed dated July 25, 1957, and recorded among the Land Records of Somerset County in Liber 182, page 180.

And sold the same to Noah L. Beckett for $9,000.00, he being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale.

Respectfully submitted,

R. Patrick Hayman,
Trustee

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 14th day of September, 1979, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared R. Patrick Hayman, Trustee named in the foregoing Report of Sale, and he made oath in due form of law that the matters and facts therein stated are true and correct, and that the sale therein mentioned and reported was fairly made.

Witness my hand and Notarial Seal.

Notary Public

LIBER 040 FAGE 614

Helen Johnson,

Complainant

vs

Sidney J. Smith,

Respondent

Chancery No. 10,216

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 17th day of October, 1979, provided a copy of this Order be inserted in some weekly newspaper published in Somerset County, once in each of three consecutive weeks, before the 8th day of October, 1979.

The report states the amount of sale to be $9,000.00.

Dated: Sept. 17, 1979.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

Helen Johnson,

Complainant

vs

Sidney J. Smith,

Respondent

Chancery No. 10,216

In the Circuit Court for

Somerset County, Maryland

FINAL ORDER

ORDERED by the Circuit Court for Somerset County, Maryland, this 26th day of October, 1979, that the sale made and reported by the Trustee, 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.

Lloyd L. Simpson

Judge

LIBER 046 PAGE 616

Helen Johnson, Complainant
VS.
Sidney J. Smith,
Respondent
****
Chancery No. 10,216
In the Cirtuit
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 17th day of October, 1979, provided a copy of this Order be inserted in some weekly newspaper published in Somerset County, once in each of three consecutive weeks, before the 8th day of October, 1979.

The report states the amount of sale to be $9,000.00.

Dated: Sept. 17, 1979

I. Theodore Phoebus,
CLERK

TRUE COPY, TEST:
I. Theodore Phoebus, Clerk
3tc—9/20, 27 & 10/4

PRINCESS ANNE, MD., Oct 23 1979

This is to certify that the annexed notice 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: 9-20 9-27 10-4

J. Bryan Bond
Business Manager MARYLANDER and HERALD

Helen Johnson Route 3, Box 525 Princess Anne, Maryland	:	No. 10,216 Chancery In the Circuit Court
vs.	:	For Somerset County,
Sidney J. Smith 4925 "A" Street, S.E. Washington, D. C.	:	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 therein, states the following Account:

Amount of Sale			$ 9,000.00
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Clerk		$ 119.00	
Marylander & Herald		158.75	
Advertising	$123.75		
Order Nisi	35.00		
Henderson Insurance Agency, Bond		20.00	
Peter E. Richardson, Auctioneer		150.00	
Logan C. Widdowson, Standing Examiner		10.00	
Anne H. Scott, Appraiser		30.00	
O. Hoyt Bloodsworth, Appraiser		30.00	
Postage, Certified Mail		3.08	
R. Patrick Hayman, Trustees Commission		600.00	
10% on $3,000.00	$300.00		
5% on $6,000.00	300.00		
Lula Mae Dize, Notary Public		4.50	
Logan C. Widdowson, Auditor		45.00	
Total Fees, Costs, Expenses, Etc.			1,170.33
Balance to be distributed to the parties as their interest may appear			$ 7,829.67

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid;

R. Patrick Hayman, Esquire
Prince William Street
Princess Anne, Maryland 21853

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#80

0416 618

Helen Johnson
Route 3, Box 525
Princess Anne, Maryland 21853

Sidney J. Smith
4925 "A" Street, S.E.
Washington, D. C.

Date of Filing: November 13, 1979

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#80

MARYLANDER AND HERALD

INCORPORATED

Established In 1826

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

R. Patrick Hayman
Prince William St.
Princess Anne, Md. 21853

No. 10,216 Chancery
Alfred Smith

TERMS — DUE ON RECEIPT — PAST DUE 30 DAYS — SERVICE CHARGE OVER 60 DAYS

Aug. 23, 30 Sept. 6, 13		
	Trustee's Sale	$123.75
	Order of Nisi	35.00
		$158.75

No *FINANCE CHARGE* on accounts paid within 60 days. A *FINANCE CHARGE* of 1½% will be added to accounts past due 60 days. This is an *ANNUAL PERCENTAGE RATE* of 18%

SERVICE CHARGE
TOTAL

LIBER 046 FOLIO 619

JAMES E. BYRD, JR., *Editor* J. BRYAN BYRD, *Business Manager* JAMES E. BYRD, 3RD., *Sales Manager*

LIBER 046 PAGE 620

September 20, 1979

R. Patrick Haymai Esquire
Prince Williams Street
Princess Anne, Md.

To

Peter E. Richardson, DRE
P.O. Box 1004
Salisbury, Md. 21801

For services rendered as Auctioneer - Sale of House on 9/14/79 ---------- $150.00

INVOICE

Date 8/21/79

To Patrick Hayman
Attorney At Law
Princes William Street
Princess Anne, Maryland 21853

Henderson Insurance Agency
7 N. Somerset Avenue
PRINCESS ANNE, MD 21853
Tel: 301 - 651-2110

RENEWAL DATE	POLICY NUMBER	COMPANY	COVERAGE AND PROPERTY	AMOUNT	PREMIUM
8/21/79-80	2055035R	Western Surety	Bond Of Trustee For Sale Of Real Estate	$5,000.	$20.00

REMARKS

IMPORTANT: Please examine the policies listed above and notify immediately if any changes or corrections are necessary. Any policy not wanted must be returned promptly for cancellation, otherwise an earned premium will be charged by the Company for the time it was in force.

FORM 100

No. 10216 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 13th day of November, 19 79 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 28th day of November, 19 79.

I. 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 10th day of December, 19 79 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

MAR. 19 1980
Exd.

LIBER 046 FOLIO 622

FEB 14-78 B 524823D*****10.00
FEB 14-78 B 524822D*****40.00

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and collection
under power contained in a
mortgage from Charles Eugene Taylor
and Rose Marie Taylor, his wife,
and then by assignment to Wade D.
Ward, for foreclosure and
collection.

No. 10,277 Chancery

In the Circuit Court

For Somerset County

State of Maryland

Mr. Clerk:

Please file the attached mortgage and non-military service affidavit and enter the appearance of Wade D. Ward for the purpose of foreclosure and collection.

Wade D. Ward
Attorney and Assignee

FOR MORTGAGE SEE LIBER 285, FOLIO 521.
FOR ASSIGNMENT SEE LIBER 305, FOLIO 521.

285/546

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Charles Eugene Taylor
and Rose Marie Taylor, his wife, and
then by assignment to Wade D. Ward,
for foreclosure and collection.

No. 10277 Chancery

In the Circuit Court

For Somerset County

State of Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this day of February, 1978, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, a body corporate, and he made oath in due form of law, that he knows the defendants herein and that to the best of his knowledge, information and belief:

(1) Said Defendants are not in the military service of the United States of America.

(2) Said Defendants are not in the military serivce of any national allied with the United States of America.

(3) Said Defendants are not in the military service for induction under the selective training and service act.

(4) Said Defendants are not a member of the Enlisted Reserve Corps who have been ordered to report for military service.

Donna H. Hickman
Notary Public

LIBER U46 PAGE 624

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mortgage from Charles Eugene Taylor and Rose Marie Taylor, his wife, and then by assignment to Wade D. Ward, for foreclosure and collection.	No. 10,277 Chancery In the Circuit Court For Somerset County State of Maryland

STATEMENT OF MORTGAGE DEBT

Original amount of mortgage	$	5,500.00
Less - amount paid on principal		611.77
Amount owned on principal	$	4,888.23
Plus interest to 02/28/78	$	54.31
	$	4,942.54

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 27th day of February, 1978, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, plaintiff in the above entitled cause, and he made oath that the foregoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Donna H. Hickman
Notary Public

DONNA H. HICKMAN NOTARY PUBLIC SOMERSET CO.

Maryland

No. 10277 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2832

That we, Wade D. Ward, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Five Thousand and no/100 ($ 5,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 2nd day of March, 19 78.

WHEREAS, the above bounden Wade D. Ward

by virtue of the power contained in a mortgage from Charles Eugene Taylor & Rose Marie Taylo

to Eastern Shore National Bank

bearing date the 28th day of February 1975 and recorded among

the mortgage records of Somerset County, Maryland

in Liber ITD No. 285 Folio 540

and Wade D. Ward
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Wade D. Ward

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Wade Ward
Principal

Principal

As to Surety

WESTERN SURETY COMPANY

By M. Stratton
M. Stratton, Ass't. Sec'y.

Countersigned by John Willard Taylor Maryland Resident Agent

FILED

THE WITHIN BOND APPROVED.

PER: J. Theodore Phelps, CLERK.

MAR 2 1 45 PM '78

RECORDED IN LIBER No. 16 FOLIO 47
CHLORISE P. PETRUS, CLK. CT. CT.
BY DEPUTY

BOOK 010 PAGE 404

1268

LIBER 046 PAGE 625

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mortgage from Charles Eugene Taylor and Rose Marie Taylor, his wife, and then by assignment to Wade D. Ward, for foreclosure and collection.	No. 10,277 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 Charles Eugene Taylor and Rose Marie Taylor, his wife, dated February 28, 1975, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 285 folio 540, 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 Crisfield Times, once in each of three successive weeks before the day of sale, he did, pursuant to said notice, attend on the steps of the Post Office, Crisfield, Maryland, on March 7, 1978, at 2:00 p.m., then and there proceeded to sell the property described in said mortgage to wit:

All that lot or parcel of land situate, lying and being in the City of Crisfield, Somerset County, State of Maryland, being located on Somerset Avenue and fronting 30.12 feet on said Somerset Avenue and having a uniform depth of 120 feet and being bound on the south by the property owned or formerly owned of Vincent Gataveskas, on the north by the lands owned or formerly owned of Mary Beck, on the west by the property owned or formerly owned of Lee H. Maddrix and on the east by the said Somerset Avenue and being laid down and described as Parcel I on a plat attached to a deed; and being a part, only, of that property conveyed to Samuel S. Coston by deed recorded in Liber B.L.B. No. 17 folio 338; and being the same and all that property conveyed to Elwath Tawes and Kate Tawes, his wife, from the Citizens National Bank of Hampton, Trustee for the Estate of Samuel S. Coston, by deed dated November 7, 1958 and recorded in Liber G.J.B. No. 190 folio 449; and being the same and all that property conveyed unto Charles Eugene Taylor and Rose Marie Taylor, his wife, by deed from Elwath Tawes and Kate Tawes, his wife, by deed dated February 28, 1975 and recorded among the aforesaid land records in Liber I.T.P. No. 285 folio 538; and being the same and all that property conveyed unto Rose Marie Taylor from Charles Eugene Taylor by deed dated August 14, 1975 and recorded among the aforesaid land records in Liber I.T.P. No. 288 folio 571.

And the said property was sold to Samuel Franklin Davis and Mary Frances Davis, his wife, then and there the highest bidders therefor, at and for the sum of Six Thousand Dollars ($6,000.00) and the purchaser has complied with the terms of the sale.

Respectfully submitted,

Wade D. Ward

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 9th day of March, 1978, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney and Assignee, of the foreclosure and collection of Charles Eugene Taylor and Rose Marie Taylor, his wife, and he made oath in due form of law that the matters and facts contained in the Report of Sale are true and correct to the best of his knowledge, information and belief.

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

Notary Public

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under Power contained in a
mortgage from Charles Eugene
Taylor and Rose Marie Taylor,
his wife, and then by assignement
to Wade D. Ward for foreclosure
and collection.

No. 10,277 Chancery

In the Circuit Court

For Somerset County

State of 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 10th day of April, 1978, 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 3rd day of April, 1978.

The report states the amount of sale being Six Thousand Dollars ($6,000.00).

Dated: March 8, 1978.

I. Theodore Phoebus, Clerk

Wade D. Ward Esq.
West Main St.
Crisfield, Md. 21817

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under Power contained in a mortgage from Charles Eugene Taylor and Rose Marie Taylor, his wife, and then by assignement to Wade D. Ward for foreclosure and collection.

No. 10,277 Chancery In the Circuit Court for Somerset County, State of 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 10th day of April, 1978, 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 3rd day of April, 1978.

The report states the amount of sale being Six Thousand Dollars ($6,000.00).

Dated: March 8, 1978.

I. Theodore Phoebus, Clerk

3-17-3t

CRISFIELD, MD. April 10, 19 78

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 17, 19 78 and ending March 31, 78.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

CRISFIELD, MD. 4-10- 1978

Public Sale

THIS is to certify that the annexed Public 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 Public Sale for 3 weeks beginning with the issue of February 17, 19 78 and ending March 3, 19 78

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

Tawes and Kate Tawes, his wife, by deed dated February 28, and recorded among the aforesaid land records in Liber I.T.P. No. 285 folio 538; and being the same and all that property conveyed unto Rose Marie Taylorm from Charles Eugene Taylor by deed dated August 14, 1975 and recorded among the Land Records aforesaid in Liber I.T.P. No. 288 folio 571.

The property is improved with a dwelling.

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 for Somerset County, the unpaid portion to bear interest at the rate of eight per centum (8%) per annum.

Taxes, assessments and other public charges to be paid and adjusted to dateof sale. Title examination, if desired, title papers, revenue stamps and cost of recording at expense of purchaser or purchasers.

Wade D. Ward
Attorney
Assignee of said Mortgage
2-17-3t

Wade D. Ward
Solicitor

PUBLIC SALE OF VALUABLE PROPERTY

By virtue of the power and authority contained in a mortgage from Charles Eugene Taylor and Rose Marie Taylor, his wife, to the Eastern Shore National Bank, a United States Banking Corporation, dated February 28, 1975, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 285 folio 540 which said mortgage has been duly assigned to the undersigned by the said Eastern Shore National Bank, a body corporate, by assignment dated February 3, 1978 and recorded among the Land Records of Somerset County, Maryland, for the purpose of foreclosure and collection, default having occurred under the conditions of said mortgage, I will sell at public auction on the steps of the Post Office in Crisfield, Maryland, on Tuesday,

March 7, 1978

at or about the hour of 2:00 P.M., all that lot or parcel of land situate, lying and being in the City of Crisfield, Somerset county, State of Maryland, and more particularly described as follows:

All that lot or parcel of land situate, as aforesaid, being located on Somerset Avenue and fronting thirty and twelve hundredths (30.12) feet on said Somerset Avenue and having a uniform depth of one hundred twenty (120) feet and being bound on the south by the property owned or formerly owned of Vincent Gataveskas, on the north by the lands owned or formerly owned of Mary Beck, on the west by the property owned or formerly owned of Lee H. Maddrix and on the east by the said Somerset Avenue and being laid down and described as Parcel I on a plat attached to a deed; and being a part, only, of that property conveyed to Samuel S. Coston by deed recorded in Liber B.L.B. No. 17 folio 338; and being the same and all that property conveyed to said Elwath Tawes and Kate Tawes, his wife, from the Citizens National Bank of Hampton, Trustee for the Estate of Samuel S. Coston, by deed dated November 7, 1958 and recorded in Liber G.J.B. No. 190 folio 449; and being the same and all that property conveyed unto Charles Eugene Taylor and Rose Marie Taylor, his wife, by deed from Elwath and

LIBER 046 PAGE 632

Wade D. Ward, Assignee for the purpose of foreclosure and collection of a mortgage from Charles Eugene Taylor and Rose Marie Taylor, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	No. 10,277 Chancery In the Circuit Court For Somerset County State of Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 31st day of March, 1978, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Samuel Franklin Davis and Mary Frances Davis, his wife, and they being the 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 an agent for anyone.

2. That other interest in said purchase as principals is none.

3. That they did not directly or indirectly discourge anyone from bidding for said property.

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

Donna H. Hickman
Notary Public

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Charles Eugene
Taylor and Rose Marie Taylor,
his wife, and then by assignment
to Wade D. Ward for foreclosure and
collection.

No. 10,277 Chancery

In the Circuit Court

For Somerset County

State of Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 31st day of March, 1978, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney and Assignee of the foreclosure of Charles Eugene Taylor and Rose Marie Taylor, his wife, and he made oath that he mailed a certified U.S. Postage prepaid letter to Charles Eugene Taylor, Richardson Avenue, Crisfield, Maryland and a certified U.S. Postage prepaid letter to Rose Marie Taylor, Richardson Avenue, Crisfield, Maryland, and copies of the receipts are attached hereto.

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

Notary Public

No. 539025
RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Charles Taylor
STREET AND NO. Richardson Ave.
P.O., STATE AND ZIP CODE Crisfield, Md. 21817
CONSULT POSTMASTER FOR FEES
OPTIONAL SERVICES
RETURN RECEIPT SERVICE
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY
TOTAL POSTAGE AND FEES $ .95
POSTMARK OR DATE
CRISFIELD FEB 24 1978 MD.
PS Form 3800, Apr. 1976

No. 539024
RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Rose Marie Taylor
STREET AND NO. Richardson Avenue
P.O., STATE AND ZIP CODE Crisfield, Md. 21817
POSTAGE $
CERTIFIED FEE
TOTAL POSTAGE AND FEES $ .95
POSTMARK OR DATE
CRISFIELD FEB 24 1978 MD.
PS Form 3800, Apr. 1976

LIBER 648 PAGE 633

Wade D. Ward, Assignee Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from Charles Eugene Taylor and Rose Marie Taylor, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	No. 10,277 Chancery In the Circuit Court For Somerset County State of Maryland

FINAL ORDER

Ordered by this Court this 11th day of April, 1978, 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.

Richard M. Pollitt
Judge

Wade D. Ward, Assignee, Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from Charles Eugene Taylor and Rose Marie Taylor, his wife, and then by assignment to Wade D. Ward for foreclosure and collection	:	No. 10,277 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 therein, states the following Account:

Amount of Sale		$ 6,000.00
Costs, Expenses and Fees:		
I. Theodore Phoebus, Clerk	$ 97.00	
Crisfield Times	86.00	
City of Crisfield		
Taxes	139.63	
Water	50.00	
State & County Taxes	163.91	
Tawes Insurance Agency, Bond	20.00	
Auctioneer	75.00	
Attorney fee per mortgage	75.00	
Commission per rules	450.00	
Auditor's fee	45.00	
Total Costs, Expenses & Fees		1,201.54
Amount for Distribution		$ 4,798.46
Statement of Mortgage Debt as of 2-28-78		4,942.54
Deficiency		$ 144.08
Plus interest at 1.339/day from 2-28-78 to 5-5-78		88.37
Total Deficiency		$ 232.45

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit, notice of this report to the following parties by regular U.S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#64

LIBER 046 PAGE 636

Wade D. Ward, Esquire
946 West Main Street
Crisfield, Maryland 21817

Mr. Charles Eugene Taylor
Richardson Avenue
Crisfield, Maryland 21817

Mrs. Rose Marie Taylor
Richardson Avenue
Crisfield, Maryland 21817

Date of Filing: April 20, 1978

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

#64

No. 10277 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 20th day of April, 19 78, 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 May, 1978.

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 3rd day of January, 19 80, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

LIBER 046 PAGE 637

MAR. 19 1980
Exd.

SEP 14-78 B 92 641 *****10.00
SEP 14-78 B 92 640 *****50.00

LIBER 040 FOL. 038

In the Foreclosure of a Mortgage
from George L. Cotter and
Patricia L. Cotter, Ex Parte

Chancery No. 10438
In the Circuit Court for
Somerset County, Maryland

ORDER TO DOCKET

Mr. Clerk:

Please docket suit as above, file the attached Mortgage, Affidavit of Debt, and Notice to Mortgagors.

R. Patrick Hayman

FOR MORTGAGE SEE LIBER NO. 299, FOLIO 744

AFFIDAVIT

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 31st day of July, 1978, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Norman T. Whittington, Jr. and Robert L. Chamberlin, Jr., owners of a mortgage from George L. Cotter and Patricia L. Cotter, dated April 19, 1977, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 299, folio 744, and made oath in due form of law that there is justly due and owing on said mortgage the sum of $18,155.97 principal, with interest thereon from December 3, 1977 to July 31, 1978, at the rate of 10% per annum, in the amount of $955.05, for a total amount due of $19, 111.02, with court costs and attorney's fees as provided in said mortgage.

Witness my hand and Notarial Seal.

Lula Mae Dize
Notary Public

LIBER 046 PAGE 640

In the Foreclosure of a Mortgage
from George L. Cotter and
Patricia L. Cotter, Ex Parte

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

AFFIDAVIT

STATE OF MARYLAND, Somerset County:

R. Patrick Hayman, being duly sworn, deposes and says:

That on September 6, 1978, he did mail an exact copy of the advertisement of sale to George L. Cotter, c/o Langguth Gift Shop, No. 4 West Hingkley Avenue, Ridley Park, Pennsylvania 19078, and to Mrs. George L. Cotter, Box 2, Manokin, Maryland 21836.

Witness my hand and Notarial Seal.

Lulu Mae Dize
Notary Public

No. 594619

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO: George L. Cotter.
STREET AND NO.: Box 2.
P.O., STATE AND ZIP CODE: Manokin, Md. 21836

POSTAGE	$ .15
CERTIFIED FEE	.80¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	.45¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$1.40

CONSULT POSTMASTER FOR FEES
OPTIONAL SERVICES
RETURN RECEIPT SERVICE

POSTMARK OR DATE: SEP 6 1978

PS Form 3800, Apr. 1976

No. 594618

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO: George Cotter.
STREET AND NO.: No 4 West Hingkley Ave.
P.O., STATE AND ZIP CODE: Ridley Park, Pa. 19078

POSTAGE	$ .15
CERTIFIED FEE	.80¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	.45¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$1.40

CONSULT POSTMASTER FOR FEES
OPTIONAL SERVICES
RETURN RECEIPT SERVICE

POSTMARK OR DATE: SEP 6 1978

PS Form 3800, Apr. 1976

In the Foreclosure of a Mortgage	Chancery No. 10,438
from George L. Cotter and	In the Circuit Court for
Patricia L. Cotter, Ex Parte	Somerset County, Maryland

REPORT OF SALE

R. Patrick Hayman, Attorney in the above captioned cause, duly qualified after filing his approved bond, hereby reports:

That he did on Friday, September 15, 1978, at 2:00 P.M., after having given due notice as required by law, sell the land described in these proceedings at public auction, unto Norman T. Whittington, Jr. and Robert L. Chamberlin, Jr., for the sum of $3,000.00, that being the highest bid therefor.

R. Patrick Hayman
Attorney

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 18th day of September, 1978, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared R. Patrick Hayman, personally known to me, and after being duly sworn by me according to law, deposes and says that he was duly appointed and qualified to sell the land in the above proceedings, and that he did sell this land as hereinbefore set forth, and that the sale was fairly conducted, and that the Report of Sale is true and correct to the best of his knowledge and belief.

As witness my hand and Notarial Seal.

Notary Public

LIBER 048 641

LIBER 040 PAGE 042

R. PATRICK HAYMAN
Attorney at Law
Princess Anne, Maryland

IN THE FORECLOSURE OF A MORTGAGE
FROM
GEORGE L. COTTER AND PATRICIA L. COTTER

Chancery No. 10,438

In the Circuit Court for Somerset County

ORDER NISI

ORDERED BY THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND, THIS 18th DAY OF SEPTEMBER, 1978, THAT THE SALE OF THE PROPERTY MENTIONED IN THESE PROCEEDINGS, MADE AND REPORTED BY R. PATRICK HAYMAN, ATTORNEY, BE RATIFIED AND CONFIRMED, UNLESS CAUSE TO THE CONTRARY THEREOF BE SHOWN ON OR BEFORE THE 18th DAY OF October, 1978; PROVIDED A COPY OF THIS ORDER BE INSERTED IN SOME NEWSPAPER PUBLISHED IN SOMERSET COUNTY, MARYLAND, ONCE IN EACH OF THREE CONSECUTIVE WEEKS BEFORE THE 9th DAY OF October, 1978.

THE REPORT STATES THE AMOUNT OF SALE TO BE A TOTAL OF $3,000.00.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

In the Foreclosure of a Mortgage from George L. Cotter and Patricia L. Cotter, Ex Parte

Chancery No. 10,438
In the Circuit Court for Somerset County, Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 18th day of September, 1978, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce, and after being duly sworn by me, according to law, deposes and says:

1. That he, as agent for Norman T. Whittington, Jr. and Robert L. Chamberlin, Jr., was the purchaser at the Public Auction of the property in these proceedings held on September 15, 1978, at 2:00 P.M., for the sum of $3,000.00.

2. That no others are interested as principals.

3. That he did not directly or indirectly discourage anyone from bidding for the said property.

As witness my hand and Notarial Seal.

Lila Mae Dize
Notary Public

Maryland LIBER U25 PAGE 644 No. 10438 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

BOOK 010 PAGE 424

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA CYNWYD, PA.

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 19-TM- 2993

That we, R. Patrick Hayman, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of TWENTY THOUSAND AND 00/100 ($ 20,000.) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 5 th day of September, 19 78.

WHEREAS, the above bounden R. Patrick Hayman

by virtue of the power contained in a mortgage from George L. Cotter and Patricia L. Cotter

to Norman T. Whittington, Jr. And Robert L. Chamberlin, Jr.

bearing date the 19 th day of April, 1977 and recorded among

the mortgage records of Somerset COunty, Maryland

in Liber _____ No. 299 Folio 744

and R. Patrick Hayman
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

R. Patrick Hayman

do and shall well and truly and faithfully perform the trust reposed in Him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Principal

Principal

As to Surety

WESTERN SURETY COMPANY

By M. Stratton
M. Stratton, Ass't. Sec'y.

Countersigned by Donald R. Henderson Maryland Resident Agent

THE WITHIN BOND APPROVED.

FILED

PER: J. Theodore Phelps, CLERK.

SEP 14 10 34 AM '78

RECORDED IN LIBER NO. ____ FOLIO ____
THE CLERK OF CIRCUIT CT.
BY ____ DEPUTY

1268

WESTERN SURETY COMPANY — HOME OF AMERICA'S OLDEST BONDING COMPANIES

PRINCESS ANNE, MD., Aug 26 1978

This is to certify that the annexed Notice

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 1978

Bryan Byrd

Business Manager MARYLANDER and HERALD

R. PATRICK HAYMAN
Attorney At Law
Princess Anne, Maryland

Mortgage Forclosure Sale

OF
VALUABLE UNIMPROVED PROPERTY
IN MANOKIN, MARYLAND

Under and by vitue of the Power of Sale contained in a Mortgage from George L. Cotter and Patricia L. Cotter to Norman T. Whittington, Jr. and Robert L. Chamberlin, Jr., dated April 19, 1977, and recorded among the Land Records of Somerset County, Maryland in Liber 299, folio 744, default having occurred therein, I hereby give notice that I will on

Friday, September 15, 1978

AT 2:00 P.M. O'CLOCK
AT THE DOOR OF THE SOMERSET COUNTY
COURTHOUSE, PRINCESS ANNE, MARYLAND

offer the following land for sale at public auction to the highest bidder therefor:

ALL that lot or parcel of land situate, lying, and being in Westover Election District, Somerset County, Maryland, beginning at an iron pipe at the East end of a 50 foot private right of way, which right of way leads in a Westerly direction to River Road; thence North 53 degrees 54' East 108.88 feet to an iron pipe; thence South 47 degrees 49' 40" East 428.51 feet to a point; thence South 62 degrees 49' 21" West 743.76 feet to a point; thence South 76 degrees 34' 21" West 471.9 feet to a point; thence North 11 degrees 40' 39" West 711.48 feet to a point; thence North 10 degrees 50' 39" West 150 feet to a point; thence North 56 degrees 32' 45" East 606.07 feet to a point at the South side of the aforesaid 50 foot right of way; thence South 41 degrees 56' 20" East by and with the South side of the aforesaid 50 foot right of way to a concrete post; thence South 19 degrees 24' 26" West 120.83 feet to a point; thence South 42 degrees 00' 30" East 200 feet to a point; thence North in a Northerly direction 50 feet to the place of beginning; and containing 18.942 acres; being shown as Lots 6, 7, and 8 on a Plat entitled "Manokin Estates, Section II," prepared by George A. Chapman & Associates, Civil Engineer, and recorded among the Land Records of Somerset County in Plat Book 11, page 11; and being a part only of all that lot or parcel of land which was conveyed by Helen Orgo to Mortgagees herein by deed dated June 6, 1974, and recorded among the aforesaid Land Records in Liber 280, folio 741; and being the same land conveyed from Mortgagees herein unto George L. Cotter and Patricia L. Cotter, by deed dated April 19, 1977, and recorded among the aforesaid Land Records in Liber 299, folio 742; together with an easement for purposes of ingress to and egress from the land herein described and conveyed over a 50 foot right of way, as shown on the aforesaid plat, said right of way to be used in common with Mortgagees herein, their heirs and assigns.

TERMS OF SALE: 20% cash on day of sale, balance upon ratification, unpaid portion to bear interest at the rate of 8% per annum, taxes and public assessments adjusted to date of sale, all title papers, revenue stamps, and recording costs at the expense of purchasers.

3tc—8/31, 9/7 & 9/14

LIBER 040 PAGE 040

R. PATRICK HAYMAN
Attorney at Law
Princess Anne, Md.

IN THE FORECLOSURE
OF A MORTGAGE
FROM GEORGE L.
COTTER AND
PATRICIA L. COTTER
****

Chancery No. 10,438

In the Circuit Court
for Somerset County
****

ORDER NISI

Order by the Circuit Court for Somerset County, Maryland this 18th day of September, 1978, that the sale of the property mentioned in these proceedings, made and reported by R. Patrick Hayman, attorney, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 18th day of October, 1978; provided a copy of this order be inserted in some newpaper published in Somerset County, Maryland, since in each of three consecutive weeks before the 9th day of October, 1978.

The report states the amount of sale to be a total of $3,000.00.

I. Thoedore Phoebus, Clerk

TRUE COPY, TEST:
I. Thoedore Phoebus, Clerk
3tc—9/21, 9/28 & 10/5

PRINCESS ANNE, MD., Oct 23 **19** 78

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 Nisi

Dates Inserted: Sept 21, 28 Oct 5 1978

Business Manager MARYLANDER and HERALD

In the Foreclosure of a Mortgage
from George L. Cotter and
Patricia L. Cotter, Ex Parte

Chancery No. 10,438
In the Circuit Court for
Somerset County, Maryland

ORDER OF RATIFICATION

Upon the Report of Sale, Affidavit, and Order Nisi, which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, it is this 9th day of November 1978, ORDERED and DECREED by the Circuit Court for Somerset County, Maryland, in No. 10,438 Chancery, that the sale of the property mentioned in these proceedings be and it hereby is Ratified and Confirmed.

Judge

LBER [illegible] PAGE [illegible]

In the Foreclosure of a Mortgage	:	Chancery No. 10,438
from George L. Cotter and	:	In the Circuit Court for
Patricia L. Cotter, Ex Parte	:	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 therein, states the following Account:

Amount of Sale			$ 3,000.00
Costs, Expenses and Fees:			
I. Theodore Phoebus, Clerk		$ 103.00	
Marylander & Herald		110.00	
Advertising	$85.00		
Order Nisi	25.00		
Henderson's Insurance, Bond		60.00	
Auctioneer, Edwin B. Muir		50.00	
Attorney's Fee per Mortgage		75.00	
Trustee's Commission		300.00	
10% of first $3,000.00			
Patrick Hayman, certified mail		2.80	
Carlos Bozman, Treasurer		369.22	
1977-78 St. & Co. Real Estate Taxes $197.28			
1978-79 St. & Co. Real Estate Taxes $171.94			
Auditor's Fee		45.00	
Total Costs, Expenses and Fees			1,115.02
Balance for Distribution			$ 1,884.98
*Statement of Mortgage Debt as of September 30, 1978			19,353.80
Deficiency			$17,468.82

*Plus interest from September 30, 1978 per mortgage

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with my mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

#70

Patrick Hayman, Esquire
Prince William Street
Princess Anne, Maryland 21853

Mr. George L. Cotter
c/o Langguth Gift Shop
No. 4 West Hingkley Avenue
Ridley Park, Pennsylvania 19078

Mrs. Patricia L. Cotter
Box 2
Manokin, Maryland 21836

Date of Filing: November 16, 1978

Logan C. Widdowson

LIBER 046 PAGE 649

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#70

LIBER 046 PAGE 650

No. 10438 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 16th day of November, 1978 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 1st day of December, 1978.

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 16th day of May, 1979 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

MAR. 19 1980
Exd.

Court of Special Appeals
of Maryland

No. 1105, SEPTEMBER TERM, 19 78

THEODORE LANG, JR.

vs.

WINDSOR MOUNT HOY MUTUAL INSURANCE COMPANY

DISPOSITION OF APPEAL IN COURT OF SPECIAL APPEALS:

May 11, 1979 - Appeal dismissed.

TRANSCRIPT

RETURNED TO Clerk, Circuit Court for Somerset County

Princess Anne, Maryland 21853 Date May 11, 1979

BY FIRST CLASS MAIL

Howard E. Friedman, Clerk

REMARKS:

LIBER 1245 FOL. 652

MANDATE

Court of Special Appeals of Maryland

No. 1105 **, September Term, 19** 78

THEODORE LANG, JR.

VS.

WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY

April 11, 1979 - Order by Court, upon its own motion, dismissing appeal pursuant to Maryland Rules 1035 b.5.and 1035 b.7.

April 16, 1979 - Motion to strike order dismissing appeal filed by counsel for appellant.

April 20, 1979 - Answer to motion to strike dismissal filed by counsel for appellee.

April 23, 1979 - Motion to strike dismissal denied.

May 10, 1979 - Mandate issued.

STATEMENT OF COSTS:

In Circuit Court: for Somerset County

Record	25.00
Stenographer's Costs	

In Court of Special Appeals:

Filing Record on Appeal	30.00
Printing Brief for Appellant	956.97
Reply Brief	
Portion of Record Extract — Appellant	
Printing Brief for Cross-Appellee	
Printing Brief for Appellee	NONE
Portion of Record Extract — Appellee	
Printing Brief for Cross-Appellant	

STATE OF MARYLAND, Sct:

I do hereby certify that the foregoing is truly taken from the records and proceedings of the said Court of Special Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the Court of Special Appeals, this eleventh *day of* May, *A.D. 19* 79

Howard E. Friedman

Clerk of the Court of Special Appeals of Maryland.

Costs shown on this Mandate are to be settled between counsel and NOT THROUGH THIS OFFICE.

Equity Foreclosure

No. 1105 (LEAVE BLANK), TERM, 19 78

(FF)

TRANSCRIPT OF RECORD

FROM THE

CIRCUIT COURT FOR SOMERSET COUNTY, MD.

BEFORE THE HONORABLE RICHARD M. POLLITT

IN THE CASE OF

~~Alexander G. Jones, Attorney, In Fact under power contained in mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, a mutual insurance company organized under the laws of the Commonwealth of Pennsylvania~~

THEODORE LANG, JR. [redacted]

Appellant

VS.

WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY

Appellee

TO THE

SPECIAL

COURT OF APPEALS OF MARYLAND

Record 25
Stens none

Theodore Lang, Jr. (PROPER PERSON)
P.O. Box 710, 25 Asbury Avenue
Crisfield, Md. 21817

Robert P. O'Brien
929 N. Howard St.
Baltimore, Md. 21201

[redacted]

FOR APPELLANT

Alexander G. Jones, [redacted] (F[redacted]) Somerset Ave
Princess Anne, Md. 21853
651-2747

FOR APPELLEE

Certified 393853 12/9/78

Filed 12/11/78

(LEAVE BLANK)

1/22/79 4/16,17,18,19,20,23

LIBER 040 FOLIO 653

LIBER 046 FAC. 654

Court of Special Appeals
of Maryland
Annapolis, Md. 21401

HOWARD E. FRIEDMAN
CLERK

DAVID L. TERZIAN
CHIEF DEPUTY

THAYER A. LARRIMORE
DEPUTY

TELEPHONE 269-3646

April 24, 1979

Robert P. O'Brien, Esquire
929 N. Howard Street
Baltimore, Maryland 21201

Alexander G. Jones, Esquire
Somerset Avenue
Princess Anne, Maryland 21853

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Gentlemen:

The motion for reconsideration and the answer in opposition thereto were presented, considered and by Order dated 23 April 1979, the Court denied the motion. By Order of even date, this Court declared moot the appellant's motion for consolidation.

The mandate will be issued by this Court thirty days after the date of the Order dismissing this appeal.

Very truly yours,

Howard E. Friedman

Howard E. Friedman
Clerk

HEF/nze

cc: Dante Mattioni, Esquire

RECEIVED
COURT OF SPECIAL APPEALS
79 APR 16 PM 1:21
M.E. FRIEDMAN
CLERK

THEODORE LANG, JR.	*	IN THE
Appellant		COURT OF SPECIAL APPEALS
v.	*	OF MARYLAND
WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY		No. 1105
Appellee	*	SEPTEMBER TERM, 1978

THEODORE LANG, JR.	*	IN THE
Appellant		COURT OF SPECIAL APPEALS
v.	*	OF MARYLAND
THE CLOISTER RELIEF ASSOCIATION		No. 1106
Appellee	*	SEPTEMBER TERM, 1978

4/23/79 Denied. JPZ

* * * * *

MOTION TO STRIKE ORDER DISMISSING APPEALS
PURSUANT TO RULE 1035 c

Theodore Lang, Jr., Appellant in the above-entitled appeals, by his attorneys, pursuant to Rule 1035(c) of the Maryland Rules of Procedure, moves the Court to strike its order of April 11, 1979, dismissing these appeals, and as reasons therefor says:

On March 7, 1979, indigent appellant came to the law offices of Mattioni, Mattioni & Mattioni, Ltd., Suite 200, 330 Market Street East, Philadelphia, Pennsylvania 19106. Mr. Lang had been unable previously to obtain counsel in Maryland to handle his affairs. Mr. Lang was in serious financial difficulty and was facing financial ruin. The only hope he possessed of avoiding such dire consequence was to prevail in either or both suits to which he was then a litigant.

The first litigation concerned Mr. Lang's claim for damages for breach of an executory contract with Hank's Seafood

could not return to his desk until April 5, 1979.

Since opposing counsel was delivered a copy of appellant's brief on April 10, 1979, it appears that appellees will suffer no prejudice if your Honorable Court grant appellant Theordore Lang, Jr., an extension of time to cause the brief submitted in his behalf and delivered April 10, 1979, to comply with the rules of Your Honorable Court.

To assure that in the future there will be compliance, Mr. Lang has agreed that competent and qualified Maryland Counsel may be engaged and such counsel has been engaged in his behalf. Mr. Lang has been in need of special assistance of out of state counsel because of his lack of finances and his own lack of knowledge of Maryland Counsel. His problem should now be alleviated in future transactions concerning the instant appeals.

Wherefore, Appellant Theodore Lang, Jr., respectfully prays that the Court strike its order of April 11, 1979, dismissing the appeals in No. 1105 and 1106, September Term 1978, reinstate these appeals on the Court's docket and grant Appellant an extension of time to cause his brief delivered April 10, 1979, to comply with the rules of form of the Court of Special Appeals of Maryland.

ROBERT P. O'BRIEN
Niles, Barton & Wilmer
929 North Howard Street
Baltimore, Maryland 21201
(301) 539-3240

Attorneys for Appellant
Theodore Lang, Jr.

Company, the debtor subject of bankruptcy proceedings in the United States District Court for the District of Maryland, being conducted under the auspices of Joseph O. Kaiser, Bankruptcy Nos. 77-00051-K, 77-00050-K. The documents in this case were voluminous, and the questions of law highly technical. Numerous papers had to be filed with the Bankruptcy Court by deadline of March 29, 1979. Subsequently, a hearing was scheduled for April 11, 1979, the same day that brief for appellant was due in the Court of Special Appeals of Maryland in the instant proceedings Nos. 1105, 1106. Only on Monday, April 9, 1979 was Mr. Dante Mattioni able to advise Mr. Lang that, although his bankruptcy claim had merit, he should not press the claim since his better cause of action lie perhaps against a third party.

Meanwhile, as to the instant proceedings Nos. 1105, 1106 in the Court of Special Appeals of Maryland, pursuant to letter of March 7, 1979 of Dante Mattioni, Esquire, directed to the Clerk, Mr. Howard E. Friedman, an extension of time until April 11, 1979, to file appellant's brief was granted in light of the voluminous nature of the file.

The Mattioni Law Office has experienced great difficulty in its attempts to aid the indigent Mr. Lang in his appeals to the Court of Special Appeals of Maryland not only because of the simultaneous proceedings in the Bankruptcy Court but also because John Mattioni, Esquire, coordinating attorney for the instant appeals, had been ill since March 26, 1979, and absent from the office by doctor's advice, being able to return to his full duties only this past April 9, 1979. Furthermore, the schedule of Dante Mattioni, supervising attorney, was broken up by an emergency trip to Korea, undertaken March 30, 1979, who

LIBER 040 FOL. 657

LIBER 046 FOLIO 658

I HEREBY CERTIFY, that on this 11th day of April, 1979, a copy of the aforegoing Motion to Strike Order Dismissing Appeals and attached Order was mailed, postage prepaid, to Alexander G. Jones, Esquire, Somerset Avenue, Princess Anne, Maryland 21853.

ROBERT P. O'BRIEN

RECEIVED
COURT OF SPECIAL APPEALS
1979 APR 20 AM 9 03
MD. ENGLAND
CLERK

Theodore Lang, Jr. Appellant	*	No. 1105, September Term, 1978
vs	*	In the Court of Special Appeals
Windsor Mount Joy Mutual Insurance Company Appellee	*	of Maryland

* *

Theodore Lang, Jr. Appellant	*	No. 1106, September Term, 1978
vs	*	In the Court of Special Appeals
The Clositer Relief Association Appellee	*	of Maryland

APPELLEES' ANSWER TO APPELLANT'S MOTION TO STRIKE
ORDER DISMISSING APPEALS PURSUANT TO RULE 1035 c

To the Honorable, the Judges of said Court:

The Appellees in the above entitled proceedings by Alexander G. Jones, their attorney, answer the Appellant's Motion to Strike Order Dismissing Appeals pursuant to Rule 1035 c as follows:

1. On November 20, 1978 Appellant filed orders for appeal with the Clerk of the Circuit Court for Somerset County, Maryland.

2. On December 11, 1978 the records in the captioned appeals were received and docketed by the Clerk of the Court of Special Appeals of Maryland who notified the parties that the brief of the Appellant was to be filed with the office of the Clerk on or before January 22, 1979, that the brief of the Appellees was to be filed on or before thirty days after the filing of Appellant's briefs; that the appeals had been set for argument before this Court during the week of April 16, 17, 18, 19, 20 and 23, 1979 and that stipulations for extensions of time within which to file briefs will not be granted where the request would delay argument.

3. On December 22, 1978 the Appellees' Motions to Restrict Appellant's Appeal to a Single Issue were granted by Order of Court. (Note: The Order of Court was vacated by a subsequent Order of Court dated March 8, 1979 with regard to Appeal No. 1106)

ONES & JONES
TTORNEYS AT LAW
ESS ANNE, MD. 21853

4. By letter dated January 5, 1979 the Clerk of this Court notified the Appellant that the Appellant's letter of 21 of December 1978 was treated as a motion to extend the time within which to file Appellant's brief; that it

was denied as "entirely unreasonable" but that the Court would grant an extension of time to the Appellant within which to file briefs to and including 22 February 1979.

5. On February 22, 1979 at 3:48 P.M. the Clerk received "Appellant's Motion to Extend Time for Filing Brief" for an additional forty-five (45) days for reasons stated therein.

6. On February 26, 1979 Counsel for Appellees received a copy of Appellant's Motion to which was attached a certificate of service dated February 23, 1979 signed by Appellant.

7. Counsel for Appellees filed an Answer to Appellant's Motion together with a "Motion to Dismiss Appeals".

8. By letter dated March 2, 1979 the Clerk notified the Appellant that Appellant's "letter dated 19 February 1979, and received by this office on 22 February 1979, was treated as a motion to extend the time to file your brief and was granted to and including 9 March 1979."

9. On March 8, 1979 the Clerk received a "Motion" signed by the Appellant dated March 8, 1979 and a letter dated March 7, 1979 from Dante Mattioni, Esq. of Mattioni, Mattioni & Mattioni, Ltd. of Philadelphia requesting another extension of time "within which to advise the court either <u>that Mr. Lang will not proceed with the appeal or to file an appropriate brief on his behalf</u>." (Emphasis supplied) Copies of the Motion and of the letter were received by Appellees' counsel on March 9, 1979.

10. In the meantime, on March 8, 1979 the Court upon its own Motion ordered that Appellant's brief "be filed on or before the 11th day of April, 1979."

11. By Order dated April 11, 1979 the Court, upon its own Motion, and for the reasons stated in its Order "ORDERED, that the Clerk of this Court not receive the briefs as filed; and, Be it further ORDERED, that the captioned appeals be and they are hereby, dismissed pursuant to Maryland Rules 1035 b. 5, 1035 b.7."

12. On April 16, 1979 Appellees' Counsel received a letter from Dante Mattioni, Esq. dated April 9, 1979 enclosing a copy of "Appellant's Brief".

13. Also on April 16, 1979 Appellees' Counsel received a copy of an "Order of Appearance" in No. 1105 and No. 1106 and a "Motion for Consolidation" of these cases from Robert P. O'Brien, Esq. of the Baltimore law firm of Niles, Barton & Wilmer. The certificates of mailing were dated April 12, 1979.

14. On April 17, 1979 Appellees' Counsel received a copy of a "Motion to Strike Order Dismissing Appeals Pursuant to Rule 1035 c" from Mr. O'Brien bearing a certificate of mailing dated April 16, 1979.

15. In summary the record in this case establishes that the Appellant has been subject to the Rules of Procedure and a series of Orders of this Court requiring him to file a brief in appropriate form on or before January 22, 1979, then February 22, 1979, then March 9, 1979 and finally April 11, 1979. Appellant failed to comply with any of these Orders and this Court on its own Motion dismissed the appeals on April 11, 1979.

16. The Appellant has had nearly five months since he filed his Orders for Appeal on November 20, 1978 to retain Counsel and complete the filing of his appeals and this Court has been more than considerate and generous in responding on three separate occasions to Appellant's requests or motions for extensions, postponements and delays. In the meantime the Appellees have been in a state of limbo and uncertainty and have been required to retain counsel to protect their interests in these proceedings. The procedure has taken on the appearance of a minuet — one step forward and two steps back, and the music plays on.

17. The Appellant proclaims the obvious: That he is a lay person — most litigants are. He has contended that he has been unable to obtain "trustworthy" counsel in Maryland. The Maryland StateBar Association Newsletter Volume III, No. 1, April 1979 in reporting the actions of the Board of Governors of March 1, 1979 reports that the membership of the Association (which does not include all Maryland attorneys) on that date was 7571. Is it to be concluded that none of them were "trustworthy"? The fact that

Appellant has apparently retained a prominent Maryland law firm of his choice would seem to refute his contention.

18. The Appellant's Motion to Strike Order Dismissing Appeals filed by Appellant's Maryland counsel is remarkable, to say the least. It begins by detailing Appellant's problems in another Court in an unrelated matter. The Appellees suggest that this argument of Appellant is irrelevant to this proceeding.

Appellant then recites the difficulties incurred by the Appellant's Philadelphia law firm of Mattioni, Mattioni & Mattioni, Ltd. in "its attempts to aid the Appellant". This firm undertook its representation of the Appellant on March 7, 1979, more than thirty days before the last extension of time in which to file its brief. Appellees suggest that having agreed to represent the Appellant, counsel had a duty to comply with the Maryland Rules of Procedure. The Martindale-Hubbell Law Directory 1979 Edition contains a listing submitted by the law firm of Mattioni, Mattioni & Mattioni, Ltd. which indicates that it employs ten attorneys and enjoys a high rating in that publication. Appellees submit that they should not be prejudiced by the illness of John M. Mattioni, Esq., described as "coordinating attorney" and the absence from his office of Dante Mattioni, Esq., described as "supervising attorney". The illness is alleged to have begun on March 26, 1979, the absence on March 30, 1979. No further request or motion for an extension of time in which to file Appellant's brief was submitted to this Court prior to April 11, 1979 by any person for any reason.

Finally, Counsel for the Appellant contend that "Mr. Lang has been in need of special assistance of out of state counsel because of his lack of finances and his own lack of knowledge of Maryland Counsel". This is merely a bald allegation unsupported by any evidence or reason.

Appellees respectfully suggest that Appellant's Motion to Strike lacks sufficient justification; that the rights of the Appellees are due consideration; and that Appellant's Motion to Strike should be dismissed for these reasons and for the reasons set forth in the Order of this Court dated April 11, 1979 dismissing the appeals. With all due respect Appellees

suggest that permitting this matter to continue would diminish the credibility of the Rules of Procedure and the Orders of this Court.

Respectfully submitted,

Alexander G. Jones
Attorney for Appellees

I hereby certify, that on this 19th day of April, 1979, I mailed a copy of the aforegoing Appellees' Answer to Appellant's Motion to Strike Order Dismissing Appeals pursuant to Rule 1035 c to Robert P. O'Brien, Esq., Niles, Barton & Wilmer, 929 North Howard Street, Baltimore, Maryland 21201 and to Dante Mattioni, Esq., Mattioni, Mattioni & Mattioni, Ltd., Suite 200, 330 Market Street East, Philadelphia, Pennsylvania 19106 by first-class U.S. mail, postage prepaid.

Alexander G. Jones

LIBER 646 PAGE 664
RECEIVED
COURT OF SPECIAL APPEALS
1979 APR 12 PM 4: 16
H.E. FRIEDMAN
CLERK

THEODORE LANG, JR.		IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.		OF MARYLAND
WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY	*	NO. 1105
Appellee	*	SEPTEMBER TERM, 1978

* * * * * * * * * * * * * *

ORDER OF APPEARANCE

Please enter the appearance of Robert P. O'Brien on behalf of Theodore Lang, Jr., Appellant, in the above captioned matter.

ROBERT P. O'BRIEN
Niles, Barton & Wilmer
929 N. Howard Street
Baltimore, Maryland 21201
539-3240

Attorney for Appellant

I HEREBY CERTIFY that on this 12th day of April, 1979, a copy of the foregoing Order of Appearance was mailed to Alexander G. Jones, Esquire, Somerset Avenue, Princess Anne, Maryland 21853, attorney for Appellee.

ROBERT P. O'BRIEN

Court of Special Appeals
of Maryland
Annapolis, Md. 21401
TELEPHONE 269-3646

HOWARD E. FRIEDMAN
CLERK

DAVID L. TERZIAN
CHIEF DEPUTY

THAYER A. LARRIMORE
DEPUTY

April 11, 1979

Dante Mattioni, Esquire
Suite 200
330 Market Street East
Philadelphia, Pennsylvania 19106

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Dear Mr. Mattioni:

Enclosed please find copy of an Order of this Court dated 11 April 1979 which is self-explanatory.

Very truly yours,

Howard E. Friedman
Clerk

HEF/nze

Enclosure

cc: Mr. Theodore Lang, Jr.
Alexander G. Jones, Esquire

LIBER 045 FOL 666

THEODORE LANG, JR.	*	IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.	*	OF MARYLAND
WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY	*	No. 1105
	*	
Appellee		SEPTEMBER TERM, 1978
	*	

THEODORE LANG, JR.	*	IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.	*	OF MARYLAND
THE CLOISTER RELIEF ASSOCIATION	*	No. 1106
	*	
Appellee		SEPTEMBER TERM, 1978
	*	

ORDER

It appearing that on 11 April 1979, counsel Dante Mattioni, Esquire, of Philadelphia, Pennsylvania, filed with the office of the Clerk of this Court two briefs in behalf of the appellant, Theodore Lang, Jr., in the above referenced appeals; not in conformity with Maryland Rules 1028, 1030, and 1031; and,

It further appearing that counsel, not heretofore admitted to the practice of law before the Courts of the State of Maryland, was not specially admitted for the limited purpose of appearing and participating in these proceedings before this Court, pursuant to Maryland Rule 20.

It is therefore this 11th day of April, 1979, by the Court of Special Appeals of Maryland, upon its own motion, ORDERED, that the Clerk of this Court not receive the briefs as filed; and,

Be it further ORDERED, that the captioned appeals be and they are hereby, dismissed pursuant to Maryland Rules 1035 b. 5, 1035 b.7.

CHIEF JUDGE

JUDGE

JUDGE

rec

#1105
ST78

THE COURT OF SPECIAL APPEALS OF MARYLAND — ANNAPOLIS, MD. 21404

March 6, 1979

Mr. Theodore Lang, Jr.
P.O. Box 710
25 Asbury Avenue
Crisfield, Maryland 21817

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Dear Mr. Lang:

This will acknowledge receipt of your letter dated 2 March 1979 which this Court treated as a motion to reconsider its prior order of 22 December 1978 limiting the issue reviewable in both appeals and as so treated it was denied by order dated 5 March 1979.

Very truly yours,

Howard E. Friedman,
Clerk

HEF:shb

cc: Alexander G. Jones, Esquire

LIBER 046 FOL 668

Mr. Howard E. Friem an
Clerk of the Court of Special Appeals
Annapolis. M aryland 21404

RECEIVED
COURT OF SPECIAL APPEALS
1979 MAR -5 AM 9 00
H.E. FRIEMAN
CLERK

2 March 1979

Dear Mr. FRIEM AN;

Re: No. 1105, September Term 1978, Theodore Lang Jr. vs Windsor Mount Joy Mutual Insurance; and No. 1106, September Term 1978, Theodore Lang Jr. vs The Cloister Relief Association; I HEREBY PRESENT TO THE COURT CLARIFACITION OF MOTION "TO EXTEND TIM E FOR FILING BRIEF", AS WAS FILED BY POTENTIAL COUNSEL FOR THEODORE LANG ON 21 FEBRUARY 1979, AND EXCEPTIONS TO "APELLEES "ANSWER TO M OTION" RECIEVED THIS DATE, AND OTHER ACTIONS.

1. Appelant hereby takes exception to "Appellees answer to "Appellants M otion to extend time for (Counsel of) filing "Brief" as follows (but not lim ited to) :Item Four(4) m isquoted or twisted as follows: Quoting the letter of 5 January of the Clerk of the Court of Special Appeals of Maryland as stating that "the Court would grant an extension of tim e TO THE APPELLANT within which to file briefs, WHEREAS IN FACT, Clerks letter ACTUALLY STATED, (very well worded) Q". Your Letter of 21 December was treated as a M otion to extend the time (6 Months & ext. of time of argum ent was requested by me)..... HOWEVER, THE COURT DID GRANT AN EXTENSION OF TIM E within which to file YOUR (T. Lang to File) briefs to and including 22 February 1979 with the IDEA IN MIND THAT THIS CAUSE WOULD BE ARGUED BEFORE THIS COURT DURING THE APRIL SESSION. IF COUNSEL FOR THE APPELLEE is in need of ADDITIONAL TIM E WITHIN WHICH TO FILE ITS BRIEFS, the Court will endeavor TO ACCOMM ODATE to the best of its ability a REQUEST OF THAT NATURE". UQ.

2. Since 23 October (1978) I have been talking to one particular (Maryland Bar) Counsel (Reffered to in m y letter of 21 Decem ber 1978), and, on 18 December, 1978, requested (after investigation) their firm to represent m e in two (unrelated to each other) m atters, this and another. On 21 Feb. 1979, they determ ined that there was no longer any "Conflict of Interest" in their representing m e, and on that date, spoke to Counsel for the (other) m atter, who apparently did not want to extend norm al, ethical Courtest, and let m e have right of Counsel at a hearing, which will now have to be appealed, as I had to represent m yself at the last m oment, and in THESE MATTERS, Counsel filed a motion on m y behalf (which I later recieved a copy of) so they could have time which, as letter of Clerk of the Court of 5 Jan indicated, WAS PERM ISSABLE.

3. Counsel did NOT REQUEST TO EXTEND THE TIM E OF ARGUM ENT FOR THESE M ATTERS, (which has been set for Argument), as I had done in my request of 21 Dec (at Counsels suggestion, till conflict resolved) to delay argument som e six(6) Months, which letter of 5 Jan stated "Unreasonalbe".

4. Apparently Counsel was well within the MEANING of the Courts letter of 5 Jan when he m ade a sim ple request for addittional time to prepare, consider, & file, SO I CAN BE REPRESENTED BY COUNSEL.

5. As for oppositions "M otion to lim it case to ONE(1) Question, Why hear the case at all, then??? I m ailed a copy to prospective Council upon recieving it, and APPARENTLY it was not ansewered or opposed., but next thing I got back was an OK that we cannot even raise the M AIN POINTS of the CASE. I assum ed that Counsel would have OBJECTED TO THAT MOTION, & If they would not have, I certainly would have, for cause. That M otion should be also opposed by proper counsel.

II

6. I feel that, as I did on 21 Dec, in my letter to the Court, that I need (Trustworthy) Counsel to represent me in these matters, & was under the impression that the motion was filed as per the intention of the Courts letter of 5 Jan, for COUNSEL to file(I never intedded to file anything as important myself, or even attempt to, and was told that Counsel could not consider brief until after "Conflict" was resolved, and the case was studied, and they prepared and presented a motion for just that purpose, so I would have the right (Finally) to "My day in Court".

7. That, I feel that it would be extremely IMPROVIDENT of the Court not to hear these cases FULLY.

8. I therefore request that the court hear the cases, No. 1105 & 1106 COMPLETELY, IN ALL ASPECTS(I HAVE BEEN EFFECTIVALLY "SHUT UP" THUS FAR), and recind the earlier Motion to "Limit the Cases to ONE QUESTION", at the Schedueled Time and Dates, or at ANY TIME THAT THE COURT CHOOSES, and allow time to have COUNSEL PREPARE whatever is necessary for such trial, BRIEF, WITTNESSES, ETC, and argue ALL PERTINENT POINTS, CIVALLY, as it seems an Obstruction of Justice not to do so.

Sincerely

Ted Lang Jr

P.O. Box 710

Crisfield, Maryland 21817

(301) 968-2765

I hereby certify, that on this 2nd Day of March, 1979, I Mailed a copy of this to Alexander G. Jones, atty for opposition, Main St, Princess Anne, Md 21853 by first class U.S. Mail, Postage prepaid.

Ted Lang Jr

3/5/79
Treat as a motion to reconsider order of Dec 22, 1978, and as so treated, DENIED.
JPJ.

LIBER 040 PAGE 683

LIBER 646 PAGE 670

INDEX

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J&J Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, a mutual insurance company organized under the laws of the Commonwealth of Pennsylvania	:	No. 10302 Chancery Case
	:	In the Circuit Court for
	:	Somerset County
	:	State of Maryland
	:	

DOCKET ENTRIES

TRUST CREATED BY MORTGAGE FROM TED LANG, JR. TO WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY.

1978 Mar. 9 - Order to docket suit, Original Mortgage, Supplemental Agreement and Second Supplemental Agreement, filed.
" " " - Statement as to Mortgage Debt, filed.
" Apr. 7 - Bond approved and filed.
" " 17 - Printer's Certificate of Advertisement of Sale, filed.
" " " - Attorney's Affidavit as to Notice to Mortgagor, filed.
" " " - Attorney's Report of Sale and Affidavit, filed, and ratified nisi to May 18, 1978.
" " 20 - Purchaser's Affidavit, filed.
" May 19 - Printer's Certificate of Order Nisi, filed.
" " " - Report of Sale finally ratified and confirmed.
" " 31 - Auditor's Report filed and ratified nisi to June 15, 1978.
" Jun. 16 - Auditor's Report finally ratified and confirmed.
" Oct. 13 - Motion to Revise Judgment and Certificate of Service, filed in No. 10303 Chancery Case.
" " 23 - File mailed to Judge Richard M. Pollitt.
" " 25 - MOTION DENIED. (Judge Pollitt returned file Oct. 26, 1978)
" " 26 - Copies of Denial mailed to Theodore Lang, Jr. and Alexander G. Jones, Esq. and John Dry, Esq.
" Nov. 20 - Order for Appeal by Theodore Lang, Jr., Mortgagor, and Certificate of Service, filed.

In The Circuit Court For Somerset County

STATE OF MARYLAND :
SOMERSET COUNTY : SCT. LIBER 046 PAGE 672

I. Theodore Phoebus, Clerk of the Circuit Court for Somerset County, do hereby certify that the aforegoing is a true copy of the original Docket Entries in the case of Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, a mutual insurance company organized under the laws of the Commonwealth of Pennsylvania, same being No. 10302 Chancery Case, as

taken from the Records of the said Circuit Court for Somerset County as recorded in ~~Liber~~ ~~No.~~, ~~Folio~~, one of the Equity Records of Somerset County.

IN TESTIMONY WHEREOF, I hereto set my hand and affix the Seal of said Court, this 8th day of December A. D. 19 78

Theodore Phoebus
Clerk of the Circuit Court for Somerset County

MAR -9-78 B 925330D*****10.00
MAR -9-78 B 925329D*****40.00

Alexander G. Jones, Attorney, Ex Parte	:	No. 10302 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to Windsor Mount Joy Mutual	:	Somerset County, Maryland
Insurance Company, a mutual insurance	:	
company organized under the laws of the	:	
Commonwealth of Pennsylvania	:	

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 MORTGAGE SEE LIBER 297, FOLIO 479.

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

LIBER 040 FOLIO 673

This Supplemental Agreement, made this 8th day of December, in the year nineteen hundred and seventy-six, by and between Ted Lang, Jr., of Virginia Beach, Virginia, hereinafter called "Lang" and Windsor Mount Joy Mutual Insurance Company, a Pennsylvania corporation, hereinafter called "Company", Witnesseth:

Whereas, on December 8, 1976 the said Lang executed a note to Company, secured by a mortgage of even date, in the amount of $165,000.00 with interest from date at the rate of 7½% per annum, in eighty quarterly installments of $3999.60 each, the first of said installments being due three months from date hereof and the remaining installments on even date of each succeeding third month thereafter until paid, said installments to be credited first to interest and the balance to principal of said indebtedness; and

Whereas, the parties hereto have agreed upon the alternate method of payment of said note.

Now, therefore, in consideration of the sum of one dollar, paid to each by the other, receipt of which is hereby acknowledged, the said Lang and Company do hereby agree that each of the first four quarterly payments so provided may be met, without default in the terms of the original note dated December 8, 1976 by the payment by Lang to Company in the amount of $2062.50, the balance of said installment then due in the amount of $1937.10 to be secured by a promissory note executed by Lang to Company in the amount of $1937.10 payable one year from the date thereof with interest at the rate of seven and one-half per cent per annum.

As witness the hand and seal of Ted Lang, Jr. and the hand and seal of G. R. Klinefelter, President of Windsor Mount Joy Mutual Insurance Company the day and year first above written.

Witness: _____ Ted Lang, Jr. (SEAL)

WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY

By _____ President

Witness: Patsy E. Oak

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

This Second Supplemental Agreement, made this 8th day of December, in theyear nineteen hundred and seventy-six, by and between Ted Lang, Jr., of Virginia Beach, Virginia, hereinafter called "Lang" and Windsor Mount Joy Mutual Insurance Company, a Pennsylvania corporation, hereinafter called "Company", Witnesseth:

Whereas, on December 8, 1976 the said Lang executed a note to Company, secured by a mortgage of even date, in the amount of $165,000.00 with interest from date at the rate of 7½% per annum, in eighty quarterly installments of $3999.60 each, the first of said installments being due three months from date hereof and the remaining installments on even date of each succeeding third month thereafter until fully paid, said installments to be credited first to interest and the balance to principal of said indebtedness; and

Whereas, the parties have agreed upon the procedures to be followed in the event of a default by Lang in the terms and conditions of said mortgage.

Now, therefore, in consideration of the sum of one dollar, paid to each by the other, receipt of which is hereby acknowledged, the said Lang and Company do hereby agree that upon default by Lang in the performance of any of the covenants, terms or conditions of said mortgage that the said Lang shall have a grace period of ninety days from the date of said default to cure the default provided that during said grace period no appreciable waste or depreciation of the secured property shall be permitted to occur.

Should Lang fail to cure said default within said grace period then, and in that event Company shall have the right to exercise either of the following options, at its sole election and discretion:

Option 1 - Company may elect to accept from Lang a deed conveying all of the real estate described in said mortgage and a bill of sale for all personal property describedin a financing statement from Lang to Company dated December 8, 1976, together with any additions or replacements thereto and in that event shall thereupon release Lang from all further liability or responsibility incument upon Lang under the terms of said mortgage or the note which it secures or said financing statement; or

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

Option 2 - Company may elect to proceed with the foreclosure and collection of said mortgage in accordance with the terms thereof and with the applicable law of Maryland and the Maryland Rules of Procedure and with the sale of the personal property in accordance with the provisions of the Uniform Commercial Code applicable in Maryland. In such event Company will seek satisaction of said mortgage debt from the sale of the real estate described in said mortgage before seeking satisfaction of the debt secured by said mortgage note, financing statement and security agreement against Lang individually.

This Second Supplemental Agreement shall be binding upon the personal representatives, successors or assigns of the parties hereto.

As witness the hand and seal of Ted Lang, Jr. and the hand and seal of G. R. Klinefelter, President of Windsor Mount Joy Mutual Insurance Company the day and year first above written.

Witness: _____ Ted Lang (SEAL)
Ted Lang, Jr.

WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY

Witness: _____ By _____
President

Alexander G. Jones, Attorney, Ex Parte	:	No. _____ Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to Windsor Mount Joy Mutual	:	Somerset County, Maryland
Insurance Company, a mutual insurance	:	
company organized under the laws of the	:	
Commonwealth of Pennsylvania	:	

State of Pennsylvania, Berks County, to wit:

I hereby certify, that on this 8th day of March, 1978, before me, the undersigned officer, personally appeared Michael Klinefelter, Treasurer and Agent of Windsor Mount Joy Mutual Insurance Company, and made oath in due form of law as follows: The principal amount owing on the above mortgage is $164,175.19 with interest from September 8, 1977 to March 8, 1978 in the amount of $6,156.57 and a per diem rate of $34.20 thereafter.

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

Marilyn R. Fogel
Notary Public

NOTARY PUBLIC
Reading, Berks County, Pa.
My Commission Expires Nov. 22, 1980

10,302 Chancery

LIBER 040 PAG. 678

KNOW ALL MEN BY THESE PRESENTS, that we, Alexander G. Jones, of Somerset County and State of Maryland, and Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of one hundred eighty-one thousand dollars ($181,000.00), current money to be paid to the State of Maryland, or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators or assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 5th day of April, in the year nineteen hundred and seventy-eight.

Whereas, by mortgage dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 479, Ted Lang, Jr. conveyed to Windsor Mount Joy Mutual Insurance Company certain real estate in Somerset County to secure the payment of the sum therein mentioned; and whereas, the said Alexander G. Jones, Attorney for the purpose of foreclosure and collection of said mortgage, by virtue of the power and authority contained in said mortgage, is authorized, upon default, to sell the property conveyed by said mortgage; and whereas, default has occurred in the terms and conditions of said mortgage and the said Alexander G. Jones is about to exercise the power of sale in said mortgage contained.

Now, therefore, the condition of the above obligation is such, that if the above bounden Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said mortgage and shall abide and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of the said mortgaged property or the proceed thereof, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

_____ (SEAL)
Alexander G. Jones

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By _____
Attorney in Fact

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

Witness: Patsy E. Oke

THE WITHIN BOND APPROVED.

PER: J. Theodore Shockley, CLERK.

LIBER 040 - 405

10

L1439a—1M. 183262
(General)

No.

POWER OF ATTORNEY

Fidelity and Deposit Company of Maryland

HOME OFFICE: BALTIMORE, MD.

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by JOHN C. GARDNER, Vice-President, and RICHARD H. SCHUERHOLZ, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The President, or any one of the Executive Vice-Presidents, or any one of the additional Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Resident Assistant Secretaries and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgments, decrees, mortgages and instruments in the nature of mortgages, and also all other instruments and documents which the business of the Company may require, and to affix the seal of the Company thereto."

does hereby nominate, constitute and appoint Alexander G. Jones

its true and lawful Attorney -in-Fact, with full power and authority hereby conferred for it and in its name, place and stead, as surety, to sign, seal and deliver, a bond, undertaking or obligation of suretyship for or on behalf of

Alexander G. Jones

in the penalty of One Hundred Eighty-one Thousand Dollars ($181,000.00),

in favor of State of Maryland

and conditioned that Alexander G. Jones shall perform the trust reposed in him by the mortgage subject of proceedings in No. 10,302 Chancery and shall abide and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of the said mortgaged property or the proceed thereof.

hereby ratifying and confirming all the acts of said Attorney -in-Fact, done pursuant to the power herein given.

The said Assistant Secretary does hereby certify that the aforegoing is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Officers have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 3rd day of April 19 78

This Power not valid unless countersigned by Robert F. Mansfield, Clinton A. Killam, Jr. or J. Russell Townshend of Baltimore, Maryland

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Attest: Assistant Secretary

By Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 3rd day of April 19 78, before the subscriber, a Notary Public of the State of Maryland, in and for the City of Baltimore, duly commissioned and qualified, came the above-named Officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposeth and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of said Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal, at the City of Baltimore, the day and year first above written.

MELINDA T. HAUS
Notary Public

My Commission expires July 1, 1978.

Countersigned by J. Russell Townshend

APR 7 2 51 PM '78

April 3, 19 78

RECORDED IN
LIBER 10 FOLIO 406
THEODORE PRICE, CLK. CT. CI.
BY DEPUTY

BOOK 010 PAGE 407

LIBER 040 PAGE 079

//

CRISFIELD, MD. April 7, 19 78

THIS is to certify that the annexed Attorneys 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 Attorneys Sale for 4 weeks beginning with the issue of March 17, 19 78 and ending April 7, 19 78.

William A. Martin Jr.

Together with all riparian rights incident to the ownership of said land under the Laws of the State of Maryland, and subject to any restrictions placed upon the use of said property by any duly constituted governmental agency.

The improvements consist of various buildings, fencing, railways, two cradles rated by appraisers at 400 tons and 120 tons respectively, diking, travel lift track and piers, currently used for the construction, repair and storage of boats. The buildings are described as a two floor concrete block building housing a woodworking shop on the first floor and an apartment on the second floor containing 3 bedrooms, bath, living room and kitchen with dining area, some with carpet and some with tile; a frame building used for housing equipment necessary for hauling boats; a two story frame building used as a stockroom, office and equipment for hauling boats; a one story frame building used for storage; a two story concrete block machine shop with small office; metal storage building adjoining machine shop formerly used for the manufacture of boats. These parcels of land and all fixtures and improvements thereon will be sold as an entirety and are located on the east and west sides of North 10th Street in Crisfield.

This property may be inspected prior to sale by appointment. Call or write to Mr. Pete Richardson, Auctioneer, 60 Victor Drive, Salisbury, Maryland 21801, telephone Area

Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Attorney, in an amount equal to one-third of the bid, the balance to be due and payable within thirty days thereafter with interest at six per cent on the unpaid balance, or sooner at the option of the purchaser. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State, county and municipal real estate taxes will be pro rated and adjusted as of date of sale.

ALEXANDER G. JONES, ATTORNEY
Princess Anne, Maryland 21853
Telephone: (301) 651-2747

12

3-17-4t

Jones & Jones
Attorneys at Law
Princess Anne, Maryland

Attorney's Sale

Of Valuable Commercial Shipyard Property And Marine Railway

Under and by virtue of the power of sale contained in a mortgage from Ted Lang, Jr. dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 479, default having occurred in said mortgage, and in the First and Second Supplemntal Agreements thereto, dated December 8, 1976, the undersigned as attorney for the purpose of foreclosure of said mortgage and said Supplemental Agreements, will offer at public sale:

ON THE PREMISES OF THE PROPERTY KNOWN AS CRISFIELD SHIPYARD NORTH 10TH STREET CRISFIELD, MARYLAND

SATURDAY, APRIL 8, 1978

at or about the hour of 11:00 o'clock A.M., all those lots or parcels of land, situate in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and more particularly described as follows:

First: All those lots or parcel of land, situate as aforesaid, laid down and described on a plat entitled "Plat of the North Side of the Town of Crisfield filed with and as a part of a deed of partition between Hance Lawson, Michael Somers, William H. Roach and Thomas J. Dixon bearing date the 10th day of February, 1884 and recorded among the Land Records of Somerset County in H.F.L. No. 1, folio 130", and described thereon as lying and binding in part on the east side of Second Street, on the north side of and bounded in part by William Street and on the west side of but not adjacent to Caroline Street and lying and binding on the south side of the Little Annemessex River and being more particularly described as being comprised of Lots Nos. 1, 2 and 3 in Block Nos. 34, 40, 46 and 52; Lots Nos. 1 and 2 in Block No. 58; Lot No. 1 in Block No. 64 and Lot Nos. 3 in Blocks Nos. 22 and 28; and being the same and all the land which was conveyed unto the said Ted Lang, Jr. by A. Wellington Tawes, et al, by deed dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 476.

Second: All those tracts or parcels of land, situate as aforesaid, the said land being bounded on the Southwest by Eleventh Street, on the Southeast by Williams Street; on the Northeast by Tenth Street; and on the Northwest by the Crisfield Harbor Line, and being the same and all the land which was conveyed unto Ted Lang, Jr. by Crisfield Shipyard, Inc. by deed dated December 8, 1976, recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 474.

Liber 680
Folio 476

Chief Judge

ORDER

The aforegoing Appellee's Motion to Restrict Appellant's Appeal to Single Issue having been read and considered, together with the Maryland Rules of Procedure cited therein, it is thereupon ORDERED this 28th day of December 1978 by the Court of Special Appeals of Maryland that the review in this appeal shall be limited to the following issue: Did the trial court abuse its discretion in denying Appellant's Motion to Revise Judgment in No. 10,302 Chancery inthe Circuit Court for Somerset County, Maryland from which said order the appeal was taken?

Theodore Lang, Jr.	:	No. 1105, September Term, 1978
vs	:	In the Court of Special Appeals
Windsor Mount Joy Mutual Insurance Company	:	of Maryland

Court of Special Appeals
of Maryland
Annapolis, Md. 21401

HOWARD E. FRIEDMAN
CLERK

DAVID L. TERZIAN
CHIEF DEPUTY

THAYER A. LARRIMORE
DEPUTY

TELEPHONE 269-3646

December 28, 1978

Alexander G. Jones, Esquire
Somerset Avenue
Princess Anne, Maryland 21853

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Dear Mr. Jones:

Please find enclosed Orders signed, in the captioned cases, granting your motions to restrict appellant's appeal to single issue.

Very truly yours,

David L. Terzian
Chief Deputy Clerk

DLT/nze

Enclosures

cc: Theodore Lang, Jr.

LIBER 0.8 FOLIO 682
RECEIVED
COURT OF SPECIAL APPEALS OF MD
1978 DEC 14 PM 2:50
H.E. FRIEDMAN
CLERK

Theodore Lang, Jr. No. 1105, September Term, 1978

vs In the Court of Special Appeals

Windsor Mount Joy Mutual Insurance Company : of Maryland

APPELLEE'S MOTION TO RESTRICT APPELLANT'S APPEAL TO SINGLE ISSUE

To the Honorable, the Judges of said Court:

The Appellee, Windsor Mount Joy Mutual Insurance Company, by Alexander G. Jones, its attorney, files this Motion to Restrict Appellant's appeal to a Single Issue, namely: Did the trial court abuse its discretion in denying Appellant's "Motion to Revise Judgment" in No. 10,302 Chancery in the Circuit Court for Somerset County, Maryland from which said order the appeal was taken? In support of this motion the Appellee respectfully represents:

1. This proceeding involved the foreclosure of a mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company in which proceeding the Attorney's Report of Sale and Affidavit was filed on April 17, 1978 and ratified nisi on April 17, 1978 to May 18, 1978.

2. The Attorney's Report of Sale was finally ratified and confirmed by the Circuit Court on May 19, 1978.

3. Appellant filed a Motion to Revise Judgment on October 13, 1978.

4. The Appellant's Motion to Deny Judgment was denied by the Circuit Court on October 25, 1978.

5. Rule 625 of the Maryland Rules of Procedures provides in part as follows: "RULE 625. REVISORY POWER OF COURT OVER JUDGMENT . . . GEN'L. a. Generally. For a period of thirty days after the entry of a judgment, or thereafter pursuant to motion filed within such period, the court shall have revisory power and control over such judgment. After the expiration of such period the court shall have revisory power and control over such judgment, only in case of fraud, mistake or irregularity."

6. Appellant's Motion to Deny Judgment does not contain any assertion or evidence of "fraud, mistake or irregularity" in the entry of the judgment of May 19, 1978.

7. Rule 1085 of the Maryland Rules of Procedure limits the scope of review to questions decided by the lower court; Rule 1086 provides that

"when an action has been tried by the lower court without a jury, this Court will review the case upon both the law and evidence, but the judgment of lower court will not be set aside on the evidence unless clearly erroneous. . ."

Respectfully submitted,

Alexander G. Jones
Attorney for Windsor Mount Joy
Mutual Insurance Company, Appellee

I hereby certify, that on this 14th day of December, 1978, I mailed a copy of the aforegoing Appellee's Motion to Restrict Appeal to Single Issue together with a copy of the proposed Order attached thereto, to Theodore Lang, Jr., Appellant, P. O. Box 710, 25 Asbury Avenue, Crisfield, Maryland 21817 by first-class U.S. Mail, postage prepaid.

Alexander G. Jones

LISER 046 - 653

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,302 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to Windsor Mount Joy Mutual	:	Somerset County, Maryland
Insurance Company, a mutual insurance	:	
company organized under the laws of the	:	
Commonwealth of Pennsylvania	:	

ATTORNEY'S AFFIDAVIT AS TO NOTICE TO MORTGAGOR

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 11th day of April, in the year nineteen hundred and seventy-eight, before me, the subscriber, a Notary Public of the State and 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 for foreclosure and collection of the mortgage in the above entitled proceeding filed for foreclosure and collection, that on March 21, 1978 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Ted Lang, Jr., P. O. Box 710, Crisfield, Maryland 21817 (Post Office receipt No. 049995) by certified mail; said letter was returned by the U. S. Post Office on April 6, 1978 indicating delivery had been attempted on March 22, 1978 and March 27, 1978 and the letter was returned "Unclaimed".

The aforesaid post office receipt, original letter and a copy of the letter are attached hereto to be filed in this proceeding.

On March 29, 1978 the Mortgagor appeared in the office of Jones & Jones and was given another letter setting forth the amount of the indebtedness and the Mortgagor was present at the sale on April 8, 1978.

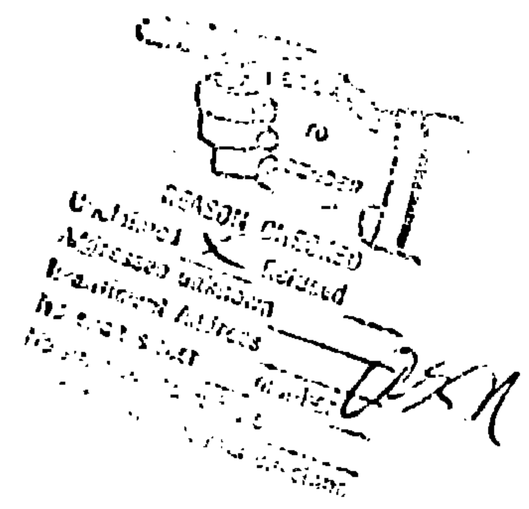
As witness my hand and Notarial Seal the day and year above written.

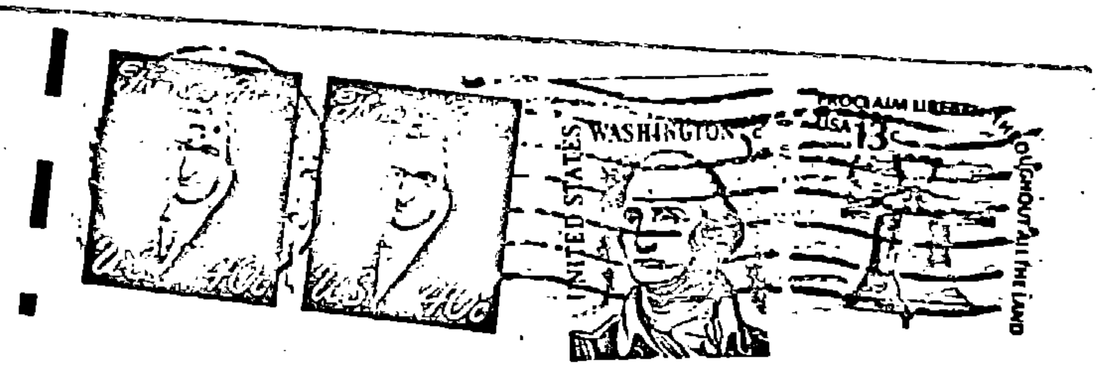
Larry E. Oakes
Notary Public

Alexander G. Jones

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

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





RETURN RECEIPT REQUESTED

CERTIFIED
No. 049995
MAIL

Mr. Ted Lang, Jr.
P. O. Box 710
Crisfield, Maryland 21817

Name
1st Notice 3-22-78
2nd Notice 3-27-78
Return 4-6-78

LIBER 046 FAGE 685

LIBER 0.46 PAGE 686

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

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

March 21, 1978

Mr. Ted Lang, Jr.
P. O. Box 710
Crisfield, Maryland 21817

Dear Mr. Lang:

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 10302 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 479. The foreclosure sale is currently being advertised in the Crisfield Times, a newspaper published in Crisfield, Somerset County, Maryland. The property described in the mortgage will be offered for sale at 11:00 o'clock A.M., on Saturday, April 8, 1978 on the premises in Crisfield, Maryland. Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, in an amount equal to one-third of the bid, the balance to be due and payable within thirty days thereafter with interest at six per cent on the unpaid balance, or sooner at the option of the purchaser. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State, county and municipal real estate taxes will be pro rated and adjusted as of date of sale. A copy of the advertisement is attached to this letter for your convenience.

COPY

Very truly yours,

Alexander G. Jones
Attorney Named in Mortgage for Foreclosure and Collection

AGJ/cb
CC: William H. Pattison, Jr., Esquire
Certified Mail - No. 049995 Return Receipt Requested

FILED
APR 17 11 05 AM '78

14

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,302 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to Windsor Mount Joy Mutual	:	Somerset County, Maryland
Insurance Company, a mutual insurance	:	
company organized under the laws of the	:	
Commonwealth of Pennsylvania	:	

To the Honorable, the Judges of said Court:

The report of sales of Alexander G. Jones, Attorney named in a mortgage made and executed by Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 479, 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 represants 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 reposed in him as Attorney named in 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 Crisfield Times, 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 on the premises in Crisfield, Maryland, on the 8th day of April, 1978, at 11:00 o'clock A.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 the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and more particularly described as follows:

First: All those lots or parcels of land, situate as aforesaid, laid down and described on a plat entitled "Plat of the North Side of the Town of Crisfield filed with and as a part of a deed of partition between Hance Lawson, Michael Somers, William H. Roach and Thomas J. Dixon bearing date the 10th day of February, 1884, and recorded among the Land Records of Somerset County

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

in H.F.L. No. 1, folio 130", and described thereon as lying and binding in part on the east side of Second Street, on the north side of and bounded in part by William Street and on the west side of but not adjacent to Caroline Street and lying and binding on the south side of the Little Annamessex River and being more particularly described as being comprised of Lots Nos.1, 2 and 3 in Blocks Nos. 34, 40, 46 and 52; Lots Nos. 1 and 2 in Block No. 58; Lot No. 1 in Block No. 64 and Lots Nos. 3 in Block Nos. 22 and 28; and being the same and all the land which was conveyed unto the said Ted Lang, Jr. by A. Wellington Tawes, et al, by deed dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 476.

Second: All those tracts or parcels of land, situate as aforesaid, the said land being bounded on the southwest by Eleventh Street, on the southeast by Williams Street; on the Northeast by Tenth Street; and on the Northwest by the Crisfield Harbor Line; and being the same and all the land which was conveyed unto Ted Lang, Jr. by Crisfield Shipyard, Inc. by deed dated December 8, 1976 and recorded among the aforesaid Land Records in Liber I.T.P.No. 297, folio 474.

Together with all riparian rights incident to the ownership of said land under the laws of the State of Maryland and subject to any restrictions placed upon the use of said property by any duly constituted governmental agency.

The land above described was sold to Windsor Mount Joy Mutual Insurance Company at and for the sum of One Hundred Twenty-five Thousand Dollars ($125,000.00), 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.

Respectfully submitted,

Alexander G. Jones, Attorney

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 11th day of April, in the year nineteen hundred and seventy-eight, before me, the subscriber, a Notary Public of the State and 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.

Patsy E. Ake

Notary Public

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,302 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to Windsor Mount Joy Mutual	:	Somerset County, Maryland
Insurance Company, a mutual insurance	:	
company organized under the laws of the	:	
Commonwealth of Pennsylvania	:	

ORDERED by the Circuit Court for Somerset County this 17th day of April, in the year nineteen hundred and seventy-eight, 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 18th day of May, 1978, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 8th day of May, 1978.

The report states the amount of sale to be $125,000.00.

L. Vickers Phillips
Clerk of the Circuit Court
for Somerset County, Maryland

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,302 Chancery
under power contained in mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to Windsor Mount Joy Mutual	:	Somerset County, Maryland
Insurance Company, a mutual insurance	:	
company organized under the laws of the	:	
Commonwealth of Pennsylvania	:	

ORDERED by the Circuit Court for Somerset County, in Equity, this 19th day of May, in the year nineteen hundred and seventy-eight, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Attorney named 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.

R D Dorsey
Judge

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,302 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to Windsor Mount Joy Mutual	:	Somerset County, Maryland
Insurance Company, a mutual insurance	:	
company organized under the laws of the	:	
Commonwealth of Pennsylvania	:	

PURCHASER'S AFFIDAVIT

Commonwealth of Pennsylvania, Berks County, to wit:

I hereby certify, that on this 19th day of April, 1978, before me, the subscriber, a Notary Public of the Commonwealth and County aforesaid, personally appeared John W. Dry, Agent for Windsor Mount Joy Mutual Insurance Company, the purchaser of the real estate in the above entitled proceeding and he made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone except as noted above.

2. That others interested in said purchase, as principals, are none.

3. That he 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.

Marilyn R. Fegerman
Notary Public

John W. Dry
John W. Dry, Agent

NOTARY PUBLIC
Reading, Berks County, Pa.
My Commission Expires Nov. 22, 1980

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

Jones and Jones
Attorneys At Law
Princess Anne, Maryland

Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, a mutual insurance company organized under the laws of the Commonwealth of Pennsylvania.

No. 10,302 Chancery. In the Circuit Court for Somerset County, Maryland.

ORDER NISI

Ordered by the Circuit Court for Somerset County this 17th day of April, in the year nineteen hundred and seventyeight, 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 18th day of May, 1978, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 8th day of May, 1978.

The report states the amount of sale to be $125,000.00.

I. Theodore Phocbus
Clerk of the Circuit Court
For Somerset County,
Maryland

4-21-3t

CRISFIELD, MD. May 17, 19 78

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 April 21, 19 78

and ending May 5, 19 78.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S.C. Rigg

LIBER 046 PAGE 691

19

LIBER 046 PAGE 692

Alexander G. Jones, Esquire
Jones & Jones
Princess Anne, Maryland 21853

Ted Lang, Jr.
P.O. Box 710
Crisfield, Maryland 21817

Date of Filing: May 31, 1978

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3800

#65

THEODORE LANG JR Mortgagor vs. THE CLOISTER RELIEF ASSOCIATION OF PA. WINDSOR MOUNT JOY MUTUAL INSURANCE CO.of PA.	* * * * *	IN THE CIRCUT COURT FOR SOMERSET COUNTY CHANCERY 10,303 CHANCERY 10,302

* * * * * * * * * * * *

MOTION TO REVISE JUDGMENT

MORTGAGOR FILES MOTION TO REVISE JUDGMENT TO INCLUDE AND JOIN CHANCERY no. 10,302 WITH 10,303 PERSUANT TO RULE 625 M.R.P. BY REASON OF THE FACT THAT EXCLUSION OF THAT CASE NUMBER IN MY EXEMPTIONS TO AUDITORS REPORTS FILED 13 JUNE 1978 WAS BY MISTAKE, AS I AM A LAYMAN AND THE COURT WAS AWARE OF THAT.

Theodore Lang Jr

Theodore Lang Jr
P.O.Box 710-25 Asbury Ave.
Crisfield,Maryland 21817
(301) 968-2765

CERTIFICATE OF SERVICE

I hereby certify that on this 13 th day of October 1978, a copy of the aforegoing Motion to Revise Judgment by Theodore Lang Jr, Mortgagor, to Alexander G. Jones, Esq, Princess Anne, Md 21853, Logan C. Widdowson Esq, Princess Anne, Md 21853 and John Dry Esq, Redding, Pa

Theodore Lang Jr

Motion denied this 25th day of October, 1978

Richard M. Pollitt
Judge

THEODORE LANG JR.	* IN THE
Mortgagor	* CIRCUT COURT
Vs	* FOR
THE CLOISTER RELIEF ASSOCIATION OF PA.	* SOMERSET COUNTY
WINDSOR MOUNT JOY MUTUAL INSURANCE CO.OF PA.	* CHANCERY 10,303
	CHANCERY 10,302

* * * * * * * * * * * *

ORDER FOR APPEAL BY THEODORE LANG JR, MORTGAGOR

Mr. CLERK:

Enter as Appeal to the Court of Special Appeals of Maryland on behalf of Theodore Lang Jr, Mortgagor, from the memorandum of Opinion and Order entered in these actions on October 25,1978

Theodore Lang Jr
25 Asbury Ave
P.O. Box 710
Crisfield,Md 21817
(301) 968-2765

CERTIFICATE OF SERVICE

I hereby certify that on this 20th Day of November 1978 a copy of the aforegoing Order for Appeal by Theodore Lang Jr, Mortgagor, to Alexander G. Jones Esq, Princess Anne, Maryland, 21853 by regular U.S. Mail

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
PRINCESS ANNE, MARYLAND 21853
301-651-1555

November 29, 1978

Mr. Theodore Lang, Jr.
P.O. Box 701
Crisfield, Maryland 21817

Re: No. 10302 Chancery Case
Alexander G. Jones, Attorney Ex Parte under power contained in mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, etc.

Dear Mr. Lang:

Enclosed herewith is a Statement of Costs and copies of the docket entries and index which will be forwarded to the Court of Special Appeals.

If you desire to look at the record before it is forwarded to that Court, please do so before Friday, December 8, 1978.

Very truly yours,

I. Theodore Phoebus

ITP/aw

Enc. 3

cc: Alexander G. Jones, Esquire, Princess Anne, Md.

No. 10302 Chancery Case

LIBER 040 PAGE 696

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 31st day of May, 1978, 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 15th day of June, 1978.

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 16 day of June, 1978, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, a mutual insurance company organized under the laws of the Commonwealth of Pennsylvania	:	No. 10,302 Chancery In the Circuit Court for 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 therein, states the following Account:

Amount of Sale			$125,000.00
Costs, Expenses and Fees:			
I. Theodore Phoebus, Clerk		$ 99.00	
The Crisfield Times		171.50	
Advertising $140.00			
Order Nisi $ 31.50			
The Daily Times, Advertising		33.80	
Auctioneer, Peter Richardson		150.00	
Attorney's Fee per Mortgage		75.00	
Fidelity & Deposit Co., Bond		724.00	
Trustee's Commission			
10% of first $3000.00	$ 300.00		
5% of balance	6100.00		
Total	$6400.00		
1/2 per Trustee's instructions		3200.00	
Auditor's Fee		45.00	
Total Costs, Expenses and Fees			4,498.30
Balance for Distribution			$120,501.70
Statement of Mortgage Debt as of March 8, 1978			$170,331.76
*Deficiency			$ 49,830.06

*Plus interest since March 8, 1978

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U. S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#65

STATEMENT OF COSTS

Plaintiff's Costs	$ 99.00 Paid
Defendant's Costs	none Paid
Preparation of Record	25.00 12/7/78

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, I. Theodore Phoebus, Clerk of the Circuit Court for Somerset County, Maryland, do hereby certify that the above and aforegoing is a true and correct copy of the Docket Entries and Statement of Costs and all of the original papers in the case of Alexander G. Jones, Attorney Ex Parte under power contained in Mortgage from Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, a mutual insurance company organized under the laws of the Commonwealth of Pennsylvania, the same being No. 10302 Chancery Case in this Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of said Court this 8th day of December, 1978.

I. Theodore Phoebus
I. Theodore Phoebus
Clerk of Circuit Court for Somerset County, Md.

Court of Special Appeals
of Maryland
Annapolis, Md. 21401

HOWARD E. FRIEDMAN
CLERK

DAVID L. TERZIAN
CHIEF DEPUTY

THAYER A. LARRIMORE
DEPUTY

TELEPHONE 269-3646

June 29, 1979

Mr. I. Theodore Phoebus, Clerk
Circuit Court for Somerset County
Court House
Princess Anne, Maryland 21853

Re: Theodore Lang, Jr., vs. Windsor Mount Joy Mutual Insurance Company et al
No. 1105 and 1106, September Term, 1978

Dear Mr. Phoebus:

Enclosed is a copy of an order of the Court of Appeals of Maryland, Petition Docket No. 112, September Term, 1979, (Civil), denying the Petition for a Writ of Certiorari filed on behalf of the above-named appellant. Will you please make the appropriate docket entry in the transcript of record which has been returned to your court.

Very truly yours,

Howard E. Friedman

Howard E. Friedman
Clerk

HEF:meb

Enclosure

LIBER 046 PAGE 699

Somerset County

LIBER 046 PAGE 700

RECEIVED
COURT OF SPECIAL APPEALS
79 JUN 26 AM 8 2
THE ANNOTATED CODE
CLERK

THEODORE LANG, JR.

v.

WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY et al.

In the
Court of Appeals
of Maryland

Petition Docket No. 112

September Term, 1979
1105 & 1106
(Nos. / , September Term, 1978
Court of Special Appeals)

ORDER

Upon consideration of the petition for a writ of certiorari to the Court of Special Appeals in the above entitled case, it is

ORDERED, by the Court of Appeals of Maryland, that the petition be, and it is hereby, denied as there has been no showing that review by certiorari is desirable and in the public interest.

/s/ Robert C. Murphy
Chief Judge

Date: June 22, 1979.

MAR 10 1980
Exd.

Court of Special Appeals
of Maryland

No. 1106, SEPTEMBER TERM, 19 78

THEODORE LANG, JR.

vs.

THE CLOISTER RELIEF ASSOCIATION

DISPOSITION OF APPEAL IN COURT OF SPECIAL APPEALS:

May 11, 1979 - Appeal dismissed.

TRANSCRIPT

RETURNED TO Clerk, Circuit Court for Somerset County

Princess Anne, Maryland 21853 Date May 11, 1979

BY FIRST CLASS MAIL

Howard B. Friedman, Clerk

REMARKS:

LIBER 046 PAGE 701

MANDATE LIBER 046 FOLIO 702

Court of Special Appeals of Maryland

No. 1106 **, September Term, 19** 78

THEODORE LANG, JR.

VS.

THE CLOISTER RELIEF ASSOCIATION

April 11, 1979 - Order by Court, upon its own motion dismissing appeal pursuant to Maryland Rules 1035 b.5. and 1035 b.7.

April 16, 1979 - Motion to strike order dismissing appeal filed by counsel for appellant.

April 20, 1979 - Answer to motion to strike filed by counsel for appellees.

April 23, 1979 - Motion to strike order denied.

May 11, 1979 - Mandate issued.

STATEMENT OF COSTS:

In Circuit Court: for Somerset County

Record	25.00
Stenographer's Costs	56.00

In Court of Special Appeals:

Filing Record on Appeal	30.00
Printing Brief for Appellant	956.97
Reply Brief	
Portion of Record Extract — Appellant	
Printing Brief for Cross-Appellee	
Printing Brief for Appellee	N
Portion of Record Extract — Appellee	O
Printing Brief for Cross-Appellant	N
	E

STATE OF MARYLAND, Set:

I do hereby certify that the foregoing is truly taken from the records and proceedings of the said Court of Special Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the Court of Special Appeals, this eleventh *day of* May, *A.D. 19* 79

COURT OF SPECIAL APPEALS MARYLAND

Howard E. Friedman

Clerk of the Court of Special Appeals of Maryland.

Costs shown on this Mandate are to be settled between counsel and NOT THROUGH THIS OFFICE.

Equity
Foreclosure

(FA)

No. 1106, Term, 19 78
(LEAVE BLANK)

TRANSCRIPT OF RECORD

FROM THE

CIRCUIT COURT FOR SOMERSET COUNTY, MD.
BEFORE THE HONORABLE RICHARD M. POLLITT

IN THE CASE OF

~~Al[illegible] Lang, [illegible] Cloister Relief Association, an [illegible] under the laws of the Commonwealth of Pennsylvania~~

THEODORE LANG, JR. ~~Ted Lang,~~
Appellant

VS.

THE CLOISTER RELIEF ASSOCIATION

Appellee

TO THE
SPECIAL
COURT OF APPEALS OF MARYLAND

Record 25.00
Stens 56.00

~~Theodore Lang, Jr. PROPER PERSON~~
P.O. Box 710 25 Asbury Ave
Crisfield, Md. 21817

Robert P. O'Brien
929 N. Howard St.
Baltimore, Md. 21201

FOR APPELLANT

~~[illegible]~~

Alexander G. Jones, ~~Esq. (for Mortgagee)~~ Somerset Ave
Princess Anne, Md. 21853

~~[illegible] (MORTGAGEE)~~
~~[illegible]~~

FOR APPELLEE

Certified
393853 12/9/78

Filed 12/11/78
(LEAVE BLANK)

1/22/79 4/16, 17, 18, 19, 20, 23

LIBER 046 FOLIO 703

LIBER 040 FOLIO 704

Court of Special Appeals
of Maryland

Annapolis, Md. 21401

HOWARD E. FRIEDMAN
CLERK

DAVID L. TERZIAN
CHIEF DEPUTY

THAYER A. LARRIMORE
DEPUTY

TELEPHONE 269-3646

April 24, 1979

Robert P. O'Brien, Esquire
929 N. Howard Street
Baltimore, Maryland 21201

Alexander G. Jones, Esquire
Somerset Avenue
Princess Anne, Maryland 21853

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Gentlemen:

The motion for reconsideration and the answer in opposition thereto were presented, considered and by Order dated 23 April 1979, the Court denied the motion. By Order of even date, this Court declared moot the appellant's motion for consolidation.

The mandate will be issued by this Court thirty days after the date of the Order dismissing this appeal.

Very truly yours,

Howard E. Friedman
Clerk

HEF/nze

cc: Dante Mattioni, Esquire

RECEIVED
COURT OF SPECIAL APPEALS
1979 APR 16 PM 1:21
H.E. FNEDMAN
CLERK

THEODORE LANG, JR.	*	IN THE
Appellant		COURT OF SPECIAL APPEALS
v.	*	OF MARYLAND
WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY		No. 1105
Appellee	*	SEPTEMBER TERM, 1978
	*	
THEODORE LANG, JR.		IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.		OF MARYLAND
THE CLOISTER RELIEF ASSOCIATION	*	No. 1106
Appellee		SEPTEMBER TERM, 1978

1/23/79 Denied. PJG

* * * * *

MOTION TO STRIKE ORDER DISMISSING APPEALS PURSUANT TO RULE 1035 c

Theodore Lang, Jr., Appellant in the above-entitled appeals, by his attorneys, pursuant to Rule 1035(c) of the Maryland Rules of Procedure, moves the Court to strike its order of April 11, 1979, dismissing these appeals, and as reasons therefor says:

On March 7, 1979, indigent appellant came to the law offices of Mattioni, Mattioni & Mattioni, Ltd., Suite 200, 330 Market Street East, Philadelphia, Pennsylvania 19106. Mr. Lang had been unable previously to obtain counsel in Maryland to handle his affairs. Mr. Lang was in serious financial difficulty and was facing financial ruin. The only hope he possessed of avoiding such dire consequence was to prevail in either or both suits to which he was then a litigant.

The first litigation concerned Mr. Lang's claim for damages for breach of an executory contract with Hank's Seafood

Company, the debtor subject of bankruptcy proceedings in the United States District Court for the District of Maryland, being conducted under the auspices of Joseph O. Kaiser, Bankruptcy Nos. 77-00051-K, 77-00050-K. The documents in this case were voluminous, and the questions of law highly technical. Numerous papers had to be filed with the Bankruptcy Court by deadline of March 29, 1979. Subsequently, a hearing was scheduled for April 11, 1979, the same day that brief for appellant was due in the Court of Special Appeals of Maryland in the instant proceedings Nos. 1105, 1106. Only on Monday, April 9, 1979 was Mr. Dante Mattioni able to advise Mr. Lang that, although his bankruptcy claim had merit, he should not press the claim since his better cause of action lie perhaps against a third party.

Meanwhile, as to the instant proceedings Nos. 1105, 1106 in the Court of Special Appeals of Maryland, pursuant to letter of March 7, 1979 of Dante Mattioni, Esquire, directed to the Clerk, Mr. Howard E. Friedman, an extension of time until April 11, 1979, to file appellant's brief was granted in light of the voluminous nature of the file.

The Mattioni Law Office has experienced great difficulty in its attempts to aid the indigent Mr. Lang in his appeals to the Court of Special Appeals of Maryland not only because of the simultaneous proceedings in the Bankruptcy Court but also because John Mattioni, Esquire, coordinating attorney for the instant appeals, had been ill since March 26, 1979, and absent from the office by doctor's advice, being able to return to his full duties only this past April 9, 1979. Furthermore, the schedule of Dante Mattioni, supervising attorney, was broken up by an emergency trip to Korea, undertaken March 30, 1979, who

could not return to his desk until April 5, 1979.

Since opposing counsel was delivered a copy of appellant's brief on April 10, 1979, it appears that appellees will suffer no prejudice if your Honorable Court grant appellant Theordore Lang, Jr., an extension of time to cause the brief submitted in his behalf and delivered April 10, 1979, to comply with the rules of Your Honorable Court.

To assure that in the future there will be compliance, Mr. Lang has agreed that competent and qualified Maryland Counsel may be engaged and such counsel has been engaged in his behalf. Mr. Lang has been in need of special assistance of out of state counsel because of his lack of finances and his own lack of knowledge of Maryland Counsel. His problem should now be alleviated in future transactions concerning the instant appeals.

Wherefore, Appellant Theodore Lang, Jr., respectfully prays that the Court strike its order of April 11, 1979, dismissing the appeals in No. 1105 and 1106, September Term 1978, reinstate these appeals on the Court's docket and grant Appellant an extension of time to cause his brief delivered April 10, 1979, to comply with the rules of form of the Court of Special Appeals of Maryland.

ROBERT P. O'BRIEN
Niles, Barton & Wilmer
929 North Howard Street
Baltimore, Maryland 21201
(301) 539-3240

Attorneys for Appellant
Theodore Lang, Jr.

LIBER 046 PAGE 707

I HEREBY CERTIFY, that on this 16th day of April, 1979, a copy of the aforegoing Motion to Strike Order Dismissing Appeals and attached Order was mailed, postage prepaid, to Alexander G. Jones, Esquire, Somerset Avenue, Princess Anne, Maryland 21853.

Robert P. O'Brien
ROBERT P. O'BRIEN

THEODORE LANG, JR.	*	IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.		OF MARYLAND
WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY	*	No. 1105
Appellee	*	SEPTEMBER TERM, 1978
	*	
THEODORE LANG, JR.		IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.		OF MARYLAND
THE CLOISTER RELIEF ASSOCIATION	*	No. 1106
Appellee	*	SEPTEMBER TERM, 1978

* * * * *

ORDER

Upon the foregoing Motion to Strike Order of Dismissal filed by Appellant Theodore Lang, Jr. and for good cause shown, it appearing that briefs and record extracts in proper form will be timely filed by Appellant, it is therefore on this_____ day of_____, 1979;

ORDERED, by the Court of Special Appeals of Maryland, that this Court's order of April 11, 1979, dismissing these appeals be stricken, that these appeals be reinstated on the Court's docket and that Appellant be granted a period of _____ days within which to file briefs and record extracts in compliance with the Maryland Rules of Procedure.

_____
JUDGE

_____
JUDGE

_____
JUDGE

LIBER 046 PAGE 709

LIBER 048 PAGE 710
RECEIVED
COURT OF SPECIAL APPEALS
1979 APR 20 AM 9 06
H.E. FRIEDMAN
CLERK

Theodore Lang, Jr. Appellant	*	No. 1105, September Term, 1978
vs	*	In the Court of Special Appeals
Windsor Mount Joy Mutual Insurance Company Appellee	*	of Maryland

* *

Theodore Lang, Jr. Appellant	*	No. 1106, September Term, 1978
vs	*	In the Court of Special Appeals
The Clositer Relief Association Appellee	*	of Maryland

APPELLEES' ANSWER TO APPELLANT'S MOTION TO STRIKE
ORDER DISMISSING APPEALS PURSUANT TO RULE 1035 c

To the Honorable, the Judges of said Court:

The Appellees in the above entitled proceedings by Alexander G. Jones, their attorney, answer the Appellant's Motion to Strike Order Dismissing Appeals pursuant to Rule 1035 c as follows:

1. On November 20, 1978 Appellant filed orders for appeal with the Clerk of the Circuit Court for Somerset County, Maryland.

2. On December 11, 1978 the records in the captioned appeals were received and docketed by the Clerk of the Court of Special Appeals of Maryland who notified the parties that the brief of the Appellant was to be filed with the office of the Clerk on or before January 22, 1979, that the brief of the Appellees was to be filed on or before thirty days after the filing of Appellant's briefs; that the appeals had been set for argument before this Court during the week of April 16, 17, 18, 19, 20 and 23, 1979 and that stipulations for extensions of time within which to file briefs will not be granted where the request would delay argument.

3. On December 22, 1978 the Appellees' Motions to Restrict Appellant's Appeal to a Single Issue were granted by Order of Court. (Note: The Order of Court was vacated by a subsequent Order of Court dated March 8, 1979 with regard to Appeal No. 1106)

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

4. By letter dated January 5, 1979 the Clerk of this Court notified the Appellant that the Appellant's letter of 21 of December 1978 was treated as a motion to extend the time within which to file Appellant's brief; that it

was denied as "entirely unreasonable" but that the Court would grant an extension of time to the Appellant within which to file briefs to and including 22 February 1979.

5. On February 22, 1979 at 3:48 P.M. the Clerk received "Appellant's Motion to Extend Time for Filing Brief" for an additional forty-five (45) days for reasons stated therein.

6. On February 26, 1979 Counsel for Appellees received a copy of Appellant's Motion to which was attached a certificate of service dated February 23, 1979 signed by Appellant.

7. Counsel for Appellees filed an Answer to Appellant's Motion together with a "Motion to Dismiss Appeals".

8. By letter dated March 2, 1979 the Clerk notified the Appellant that Appellant's "letter dated 19 February 1979, and received by this office on 22 February 1979, was treated as a motion to extend the time to file your brief and was granted to and including 9 March 1979."

9. On March 8, 1979 the Clerk received a "Motion" signed by the Appellant dated March 8, 1979 and a letter dated March 7, 1979 from Dante Mattioni, Esq. of Mattioni, Mattioni & Mattioni, Ltd. of Philadelphia requesting another extension of time "within which to advise the court either <u>that Mr. Lang will not proceed with the appeal or to file an appropriate brief on his behalf</u>." (Emphasis supplied) Copies of the Motion and of the letter were received by Appellees' counsel on March 9, 1979.

10. In the meantime, on March 8, 1979 the Court upon its own Motion ordered that Appellant's brief "be filed on or before the 11th day of April, 1979."

11. By Order dated April 11, 1979 the Court, upon its own Motion, and for the reasons stated in its Order "ORDERED, that the Clerk of this Court not receive the briefs as filed; and, Be it further ORDERED, that the captioned appeals be and they are hereby, dismissed pursuant to Maryland Rules 1035 b. 5, 1035 b.7."

12. On April 16, 1979 Appellees' Counsel received a letter from Dante Mattioni, Esq. dated April 9, 1979 enclosing a copy of "Appellant's Brief".

13. Also on April 16, 1979 Appellees' Counsel received a copy of an "Order of Appearance" in No. 1105 and No. 1106 and a "Motion for Consolidation" of these cases from Robert P. O'Brien, Esq. of the Baltimore law firm of Niles, Barton & Wilmer. The certificates of mailing were dated April 12, 1979.

14. On April 17, 1979 Appellees' Counsel received a copy of a "Motion to Strike Order Dismissing Appeals Pursuant to Rule 1035 c" from Mr. O'Brien bearing a certificate of mailing dated April 16, 1979.

15. In summary the record in this case establishes that the Appellant has been subject to the Rules of Procedure and a series of Orders of this Court requiring him to file a brief in appropriate form on or before January 22, 1979, then February 22, 1979, then March 9, 1979 and finally April 11, 1979. Appellant failed to comply with any of these Orders and this Court on its own Motion dismissed the appeals on April 11, 1979.

16. The Appellant has had nearly five months since he filed his Orders for Appeal on November 20, 1978 to retain Counsel and complete the filing of his appeals and this Court has been more than considerate and generous in responding on three separate occasions to Appellant's requests or motions for extensions, postponements and delays. In the meantime the Appellees have been in a state of limbo and uncertainty and have been required to retain counsel to protect their interests in these proceedings. The procedure has taken on the appearance of a minuet — one step forward and two steps back, and the music plays on.

17. The Appellant proclaims the obvious: That he is a lay person — most litigants are. He has contended that he has been unable to obtain "trustworthy" counsel in Maryland. The Maryland StateBar Association Newsletter Volume III, No. 1, April 1979 in reporting the actions of the Board of Governors of March 1, 1979 reports that the membership of the Association (which does not include all Maryland attorneys) on that date was 7571. Is it to be concluded that none of them were "trustworthy"? The fact that

Appellant has apparently retained a prominent Maryland law firm of his choice would seem to refute his contention.

18. The Appellant's Motion to Strike Order Dismissing Appeals filed by Appellant's Maryland counsel is remarkable, to say the least. It begins by detailing Appellant's problems in another Court in an unrelated matter. The Appellees suggest that this argument of Appellant is irrelevant to this proceeding.

Appellant then recites the difficulties incurred by the Appellant's Philadelphia law firm of Mattioni, Mattioni & Mattioni, Ltd. in "its attempts to aid the Appellant". This firm undertook its representation of the Appellant on March 7, 1979, more than thirty days before the last extension of time in which to file its brief. Appellees suggest that having agreed to represent the Appellant, counsel had a duty to comply with the Maryland Rules of Procedure. The Martindale-Hubbell Law Directory 1979 Edition contains a listing submitted by the law firm of Mattioni, Mattioni & Mattioni, Ltd. which indicates that it employs ten attorneys and enjoys a high rating in that publication. Appellees submit that they should not be prejudiced by the illness of John M. Mattioni, Esq., described as "coordinating attorney" and the absence from his office of Dante Mattioni, Esq., described as "supervising attorney". The illness is alleged to have begun on March 26, 1979, the absence on March 30, 1979. No further request or motion for an extension of time in which to file Appellant's brief was submitted to this Court prior to April 11, 1979 by any person for any reason.

Finally, Counsel for the Appellant contend that "Mr. Lang has been in need of special assistance of out of state counsel because of his lack of finances and his own lack of knowledge of Maryland Counsel". This is merely a bald allegation unsupported by any evidence or reason.

Appellees respectfully suggest that Appellant's Motion to Strike lacks sufficient justification; that the rights of the Appellees are due consideration; and that Appellant's Motion to Strike should be dismissed for these reasons and for the reasons set forth in the Order of this Court dated April 11, 1979 dismissing the appeals. With all due respect Appellees

suggest that permitting this matter to continue would diminish the credibility of the Rules of Procedure and the Orders of this Court.

Respectfully submitted,

Alexander G. Jones
Attorney for Appellees

I hereby certify, that on this 19th day of April, 1979, I mailed a copy of the aforegoing Appellees' Answer to Appellant's Motion to Strike Order Dismissing Appeals pursuant to Rule 1035 c to Robert P. O'Brien, Esq., Niles, Barton & Wilmer, 929 North Howard Street, Baltimore, Maryland 21201 and to Dante Mattioni, Esq., Mattioni, Mattioni & Mattioni, Ltd., Suite 200, 330 Market Street East, Philadelphia, Pennsylvania 19106 by first-class U.S. mail, postage prepaid.

Alexander G. Jones

RECEIVED
COURT OF SPECIAL APPEALS OF M
1979 APR 12 PM 4: 16
H.E. FRIEDMAN
CLERK

THEODORE LANG, JR.		IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.		OF MARYLAND
THE CLOISTER RELIEF ASSOCIATION	*	NO. 1106
Appellee	*	SEPTEMBER TERM, 1978

* * * * * * * * * * * * * *

ORDER OF APPEARANCE

Please enter the appearance of Robert P. O'Brien on behalf of Theodore Lang, Jr., Appellant, in the above captioned matter.

ROBERT P. O'BRIEN
Niles, Barton & Wilmer
929 N. Howard Street
Baltimore, Maryland 21201
539-3240

Attorney for Appellant

I HEREBY CERTIFY that on this 12th day of April, 1979, a copy of the foregoing Order of Appearance was mailed to Alexander G. Jones, Esquire, Somerset Avenue, Princess Anne, Maryland 21853, attorney for Appellee.

ROBERT P. O'BRIEN

LIBER 046 PAG. 716

Court of Special Appeals
of Maryland

Annapolis, Md. 21401

TELEPHONE 269-3646

HOWARD E. FRIEDMAN
CLERK

DAVID L. TERZIAN
CHIEF DEPUTY

THAYER A. LARRIMORE
DEPUTY

April 11, 1979

Dante Mattioni, Esquire
Suite 200
330 Market Street East
Philadelphia, Pennsylvania 19106

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Dear Mr. Mattioni:

Enclosed please find copy of an Order of this Court dated 11 April 1979 which is self-explanatory.

Very truly yours,

Howard E. Friedman
Clerk

HEF/nze

Enclosure

cc: Mr. Theodore Lang, Jr.
Alexander G. Jones, Esquire

THEODORE LANG, JR.	*	IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.	*	OF MARYLAND
WINDSOR MOUNT JOY MUTUAL INSURANCE COMPANY	*	No. 1105
Appellee	*	SEPTEMBER TERM, 1978

THEODORE LANG, JR.	*	IN THE
Appellant	*	COURT OF SPECIAL APPEALS
v.	*	OF MARYLAND
THE CLOISTER RELIEF ASSOCIATION	*	No. 1106
Appellee	*	SEPTEMBER TERM, 1978

ORDER

It appearing that on 11 April 1979, counsel Dante Mattioni, Esquire, of Philadelphia, Pennsylvania, filed with the office of the Clerk of this Court two briefs in behalf of the appellant, Theodore Lang, Jr., in the above referenced appeals; not in conformity with Maryland Rules 1028, 1030, and 1031; and,

It further appearing that counsel, not heretofore admitted to the practice of law before the Courts of the State of Maryland, was not specially admitted for the limited purpose of appearing and participating in these proceedings before this Court, pursuant to Maryland Rule 20.

It is therefore this 11th day of April, 1979, by the Court of Special Appeals of Maryland, upon its own motion, ORDERED, that the Clerk of this Court not receive the briefs as filed; and,

Be it further ORDERED, that the captioned appeals be and they are hereby, dismissed pursuant to Maryland Rules 1035 b. 5, 1035 b.7.

CHIEF JUDGE

JUDGE

JUDGE

LIBER 046 PAGE 718

Court of Special Appeals
of Maryland

Annapolis, Md. 21401

HOWARD E. FRIEDMAN
CLERK

DAVID L. TERZIAN
CHIEF DEPUTY

THAYER A. LARRIMORE
DEPUTY

TELEPHONE 269-3646

March 9, 1979

Mr. Theodore Lang, Jr.
P. O. Box 710
25 Asbury Avenue
Crisfield, Maryland 21817

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Dear Mr. Lang:

Enclosed find copies of two distinct Orders of this Court dated 8 March 1979, dealing independently with each of the referred to appeals.

With regard to 1106, September Term, 1978, this Court has, upon its own motion, vacated its prior Order of 22 December 1978, restricting the issue as improvidently granted. With regard to No. 1105, September Term, 1978, the limitation remains per the prior Order.

Additionally, this Court has extended the time within which appellant's brief and appendix or record extract be filed to and including 11 April 1979; appellee's brief to 11 May 1979, and argument scheduled for the week commencing 11 June 1979.

You are asked to be governed accordingly.

Very truly yours,

Howard E. Friedman
Clerk

HEF/nze
Enclosures
cc: Alexander G. Jones, Esquire

THEODORE LANG, JR.	*	IN THE
Appellant	*	COURT OF SPECIAL APPEALS
	*	OF MARYLAND
v.	*	No. 1106
THE CLOISTER RELIEF ASSOCIATION	*	September Term, 1978
Appellee	*	
	*	
	*	

ORDER

It appearing that the Order of the Court dated 22 December 1978, granting appellee's motion to restrict appellant to appeal a single issue as it appertained to No. 1106, September Term, 1978, (Circuit Court for Somerset County Chancery Case No. 10303) was improvidently granted, it is this 8th day of March, 1979, by the Court of Special Appeals of Maryland, upon its own motion, ORDERED, that its Order of 22 December 1978, be, and it is hereby, vacated with respect to appeal No. 1106, September Term, 1978; and,

Be it further ORDERED, that the brief of the appellant be filed on or before the 11th day of April 1979, and argument be rescheduled during the session commencing 11 June 1979. Appellee's brief will be filed on or before 11 May 1979.

CHIEF JUDGE

LIBER 046 PAGE 719

rec

#1106
ST78

046 720

THE COURT OF SPECIAL APPEALS OF MARYLAND — ANNAPOLIS, MD. 21404

March 6, 1979

Mr. Theodore Lang, Jr.
P.O. Box 710
25 Asbury Avenue
Crisfield, Maryland 21817

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Dear Mr. Lang:

This will acknowledge receipt of your letter dated 2 March 1979 which this Court treated as a motion to reconsider its prior order of 22 December 1978 limiting the issue reviewable in both appeals and as so treated it was denied by order dated 5 March 1979.

Very truly yours,

Howard E. Friedman,
Clerk

HEF:shb

cc: Alexander G. Jones, Esquire

Mr. Howard E. Friem an
Clerk of the Court of Special Appeals
Annapolis. Maryland 21404

RECEIVED
COURT OF SPECIAL APPEALS
1979 MAR -5 AM 9 00
H.E. FRIEMAN
CLERK

2 March 1979

Dear Mr. FRIEM AN;

Re: No. 1105, September Term 1978, Theodore Lang Jr. vs Windsor Mount Joy Mutual Insurance; and No. 1106, September Term 1978, Theodore Lang Jr. vs The Cloister Relief Association; I HEREBY PRESENT TO THE COURT CLARIFACITION OF MOTION "TO EXTEND TIM E FOR FILING BRIEF", AS WAS FILED BY POTENTIAL COUNSEL FOR THEODORE LANG ON 21 FEBRUARY 1979, AND EXCEPTIONS TO "APELLEES "ANSWER TO MOTION" RECIEVED THIS DATE, AND OTHER ACTIONS.

1. Appelant hereby takes exception to "Appellees answer to "Appellants Motion to extend time for (Counsel of) filing "Brief" as follows (but not limited to) :Item Four(4) misquoted or twisted as follows: Quoting the letter of 5 January of the Clerk of the Court of Special Appeals of Maryland as stating that "the Court would grant an extension of time TO THE APPELLANT within which to file briefs, WHEREAS IN FACT, Clerks letter ACTUALLY STATED, (very well worded) Q"Your Letter of 21 December was treated as a Motion to extend the time (6 Months & ext. of time of argument was requested by me).....HOWEVER, THE COURT DID GRANT AN EXTENSION OF TIM E within which to file YOUR (T. Lang to File) briefs to and including 22 February 1979 with the IDEA IN MIND THAT THIS CAUSE WOULD BE ARGUED BEFORE THIS COURT DURING THE APRIL SESSION. IF COUNSEL FOR THE APPELLEE is in need of ADDITIONAL TIM E WITHIN WHICH TO FILE ITS BRIEFS, the Court will endeavor TO ACCOMM ODATE to the best of its ability a REQUEST OF THAT NATURE "UQ.

2. Since 23 October (1978) I have been talking to one particular (Maryland Bar) Counsel (Reffered to in my letter of 21 December 1978), and, on 18 December, 1978, requested (after investigation) their firm to represent me in two (unrelated to each other) matters, this and another. On 21 Feb. 1979, they determined that there was no longer any "Conflict of Interest" in their representing me, and on that date, spoke to Counsel for the (other) matter, who apparently did not want to extend normal, ethical Courtest, and let me have right of Counsel at a hearing, which will now have to be appealed, as I had to represent myself at the last moment, and in THESE MATTERS, Counsel filed a motion on my behalf (which I later recieved a copy of) so they could have time which, as letter of Clerk of the Court of 5 Jan indicated, WAS PERMISSABLE.

3. Counsel did NOT REQUEST TO EXTEND THE TIM E OF ARGUM ENT FOR THESE MATTERS, (which has been set for Argument), as I had done in my request of 21 Dec (at Counsels suggestion, till conflict resolved) to delay argument some six(6) Months, which letter of 5 Jan stated "Unreasonalbe".

4. Apparently Counsel was well within the MEANING of the Courts letter of 5 Jan when he made a simple request for addittional time to prepare, consider, & file, SO I CAN BE REPRESENTED BY COUNSEL.

5. As for oppositions "Motion to limit case to ONE(1) Question, Why hear the case at all, then??? I mailed a copy to prospective Council upon recieving it, and APPARENTLY it was not ansewered or opposed., but next thing I got back was an OK that we cannot even raise the MAIN POINTS of the CASE. I assumed that Counsel would have OBJECTED TO THAT MOTION, & If they would not have, I certainly would have, for cause. That Motion should be also opposed by proper counsel.

II

6. I feel that, as I did on 21 Dec, in my letter to the Court, that I need (Trustworthy) Counsel to represent me in these matters, & was under the impression that the motion was filed as per the intention of the Courts letter of 5 Jan, for COUNSEL to file (I never intedded to file anything as important myself, or even attempt to, and was told that Counsel could not consider brief until after "Conflict" was resolved, and the case was studied, and they prepared and presented a motion for just that purpose, so I would have the right (Finally) to "My day in Court".

7. That, I feel that it would be extremely IMPROVIDENT of the Court not to hear these cases FULLY.

8. I therefore request that the court hear the cases, No. 1105 & 1106 COMPLETELY, IN ALL ASPECTS(I HAVE BEEN EFFECTIVALLY "SHUT UP" THUS FAR), and recind the earlier Motion to "Limit the Cases to ONE QUESTION", at the Schedueled Time and Dates, or at ANY TIME THAT THE COURT CHOOSES, and allow time to have COUNSEL PREPARE whatever is necessary for such trial, BRIEF, WITTNESSES, ETC, and argue ALL PERTINENT POINTS, CIVALLY, as it seems an Obstruction of Justice not to do so.

Sincerely

Ted Lang Jr

P.O. Box 710

Crisfield, Maryland 21817

(301) 968-2765

I hereby certify, that on this 2nd Day of March, 1979, I Mailed a copy of this to Alexander G. Jones, atty for opposition, Main St, Princess Anne, Md 21853 by first class U.S. Mail, Postage prepaid.

Ted Lang Jr

3/5/79
Treat as a motion to reconsider order of Dec 22, 1978, and as so treated, DENIED.
AJ.

COURT OF SPECIAL APPEALS
MARYLAND

Court of Special Appeals
of Maryland
Annapolis, Md. 21401

HOWARD E. FRIEDMAN
CLERK

DAVID L. TERZIAN
CHIEF DEPUTY

THAYER A. LARRIMORE
DEPUTY

TELEPHONE 269-3646

December 28, 1978

Alexander G. Jones, Esquire
Somerset Avenue
Princess Anne, Maryland 21853

Re: Theodore Lang, Jr. v. Windsor Mount Joy Mutual Insurance Company
No. 1105, September Term, 1978

Theodore Lang, Jr. v. The Cloister Relief Association
No. 1106, September Term, 1978

Dear Mr. Jones:

Please find enclosed Orders signed, in the captioned cases, granting your motions to restrict appellant's appeal to single issue.

Very truly yours,

David L. Terzian
Chief Deputy Clerk

DLT/nze

Enclosures

cc: Theodore Lang, Jr.

LIBER 345 PAGE 724

RECEIVED
COURT OF SPECIAL APPEALS OF MD
1978 DEC 14 PM 2:50
H.E. FRIEDMAN
CLERK

Theodore Lang, Jr. vs The Cloister Relief Association : No. 1106, September Term, 1978 In the Court of Special Appeals of Maryland

APPELLEE'S MOTION TO RESTRICT APPELLANT'S APPEAL TO SINGLE ISSUE

To the Honorable, the Judges of said Court:

The Appellee, The Cloister Relief Association, by Alexander G. Jones, its attorney, files this Motion to Restrict Appellant's Appeal to a Single Issue, namely: Did the trial court abuse its discretion in denying Appellant's "Motion to Revise Judgment" in No. 10,303 Chancery in the Circuit Court for Somerset County, Maryland from which said order the appeal was taken? In support of this motion the Appellee respectfully represents:

1. This proceeding involved the foreclosure of a mortgage from Ted Lang, Jr. to The Cloister Relief Association in which proceeding the Attorney's Report of Sale and Affidavit was filed on April 17, 1978 and ratified nisi on April 17, 1978 to May 18, 1978.

2. The Attorney's Report of Sale was finally ratified and confirmed by the Circuit Court on May 19, 1978.

3. Appellant filed a Motion to Revise Judgment on October 13, 1978.

4. The Appellant's Motion to Deny Judgment was denied by the Circuit Court on October 25, 1978.

5. Rule 625 of the Maryland Rules of Procedure provides in part as follows: "RULE 625. REVISORY POWER OF COURT OVER JUDGMENT . .. GEN'L. a. Generally. For a period of thirty days after the entry of a judgment, or thereafter pursuant to motion filed within such period, the court shall have revisory power and control over such judgment. After the expiration of such period the court shall have revisory power and control over such judgment, only in case of fraud, mistake or irregularity."

6. Appellant's Motion to Deny Judgment does not contain any assertion or evidence of "fraud, mistake or irregularity" in the entry of the judgment of May 19, 1978.

7. Rule 1085 of the Maryland Rules of Procedure limits the scope of review to questions decided by the lower court; Rule 1086 provides that

"When an action has been tried by the lower court without a jury, this Court will review the case upon both the law and evidence, but the judgment of lower court will not be set aside on the evidence unless clearly erroneous. . ."

Respectfully submitted,

Alexander G. Jones
Attorney for The Cloister Relief Association, Appellee

I hereby certify, that on this 14th day of December, 1978, I mailed a copy of the aforegoing Appellee's Motion to Restrict Appeal to Single Issue together with a copy of the proposed Order attached thereto, to Theodore Lang, Jr., Appellant, P. O. Box 710, 25 Asbury Avenue, Crisfield, Maryland 21817 by first-class U.S. mail, postage prepaid.

Alexander G. Jones

Theodore Lang, Jr.	:	No. 1106, September Term, 1978
vs	:	In the Court of Special Appeals
The Cloister Relief Association	:	of Maryland

ORDER

The aforegoing Appellee's Motion to Restrict Appellant's Appeal to Single Issue having been read and considered, together with the Maryland Rules of Procedure cited therein, it is thereupon ORDERED this 22nd day of December, 1978 by the Court of Special Appeals of Maryland that the review in this appeal shall be limited to the following issue: Did the trial court abuse its discretion in denying Appellant's Motion to Revise Judgment in No. 10,303 Chancery in the Circuit Court for Somerset County, Maryland from which said order the appeal was taken?

Chief Judge

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11	Notice of Hearing Date on Exceptions and Acknowledgements of Receipt by Alexander G. Jones, Esq. and Logan C. Widdowson, Esq.	24-25
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15	Letter from Mr. Lang to Clerk of Court and copy of letter from Clerk of Court to Mr. Lang	51-52
16	Letter to Court Stenographer	53
17	Testimony	54
18	Mr. Lang's Exhibits (Plaintiff's Exhibits) 1 thru 4	
19	Copy of letter to Mr. Theodore Lang, Jr., Alexander G. Jones, Esq. and Logan C. Widdowson, Esquire, Auditor, notifying them that record is ready for transmission and for their inspection	55
20	Statement of Costs and Clerk's Certification	56

J&J Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania	:	No. 10303 Chancery Case In the Circuit Court for Somerset County State of Maryland

DOCKET ENTRIES

TRUST CREATED BY MORTGAGE FROM TED LANG, JR. TO THE CLOISTER RELIEF ASSOCIATION.

1978 Mar. 9 - Order to Docket Suit, Original Mortgage and Supplemental Agreement and Second Supplemental Agreement, filed.
" " " - Statement as to Mortgage Debt, filed.
" Apr. 7 - Bond approved and filed.
" " 17 - Printer's Certificate of Advertisement of Sale, filed.
" " " - Attorney's Affidavit as to Notice to Mortgagor, filed.
" " " - Attorney's Report of Sale and Affidavit, filed, and ratified nisi to May 18, 1978.
" " 20 - Purchaser's Affidavit, filed.
" May 19 - Printer's Certificate of Order Nisi, filed.
" " " - Report of Sale finally ratified and confirmed.
" " 31 - Auditor's Report filed and ratified nisi to June 15, 1978.
" Jun. 13 - Exceptions to Auditors and Certificate of Service, filed.
" Jul. 12 - Notice of Date Set for Hearing on Exceptions issued and copies delivered to Alexander G. Jones, Esquire, Logan C. Widdowson, Esquire and copy mailed to Theodore Lang, Jr.
" " " - Acknowledgement of Receipt of Hearing Date Notice by Alexander G. Jones, Esquire, filed.
" " 13 - Acknowledgement of Receipt of Hearing Date Notice by Logan C. Widdowson, Esq., filed.
" Sep. 11 - Petition for Jury Trial, Change of Venue and Tape Recording of Trial and Certificate of Mailing, filed.
" " 14 - Petition Denied. (Judge R. D. Horsey) Copy mailed to Mr. Lang and copies delivered to Alexander G. Jones, Esq. and Logan C. Widdowson, Esq.
" " 27 - Case No. 10303 Chancery called.
" " " - Judge Richard M. Pollitt presiding. A. Baker reporting.
" " " - Hearing held on Exceptions to Audit.
" " " - Exceptions Denied.
" " " - Auditor's Report ratified.
" " " - Mr. Lang's Exhibits 1 thru 4, filed.
" Oct. 13 - Motion to Revise Judgment and Certificate of Service, filed.
" " " - Order for Appeal by Theodore Lang, Jr., Mortgagor and Certificate of Service, filed.
" " 25 - Motion to Revise Judgment DENIED.
" Nov. 1 - Letter to Court Stenographer, filed.
" " 20 - Order of Appeal by Theodore Lang, Jr., Mortgagor, and Certificate of Service filed in No. 10302 Chancery Case.
" " 27 - Testimony, filed.

In The Circuit Court For Somerset County

STATE OF MARYLAND :
SOMERSET COUNTY : SCT.

I. Theodore Phoebus, Clerk of the Circuit Court for Somerset County, do hereby certify that the aforegoing is a true copy of the original Docket Entries in the case of Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania, same being No. 10303 Chancery Case, as

taken from the Records of the said Circuit Court for Somerset County as recorded in ~~Liber No.~~ ~~, Folio~~, one of the Equity Records of Somerset County.

IN TESTIMONY WHEREOF, I hereto set my hand and affix the Seal of said Court, this 8th day of December A. D., 19 78.

L. Theodore Phoebus
Clerk of the Circuit Court for Somerset County

LIBER 046 FOLIO 729

LIBER 046 PAGE 730

MAR -9-78 B 925332D*****10.00
MAR -9-78 B 925331D*****40.00

Alexander G. Jones, Attorney, Ex Parte	:	No. 10303 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to The Cloister Relief	:	Somerset County, Maryland
Association, an unincorporated association:		
organized under the laws of the Common-	:	
wealth of Pennsylvania	:	

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 MORTGAGE SEE LIBER 297, FOLIO 470.

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

01

This Supplemental Agreement, made this 8th day of December, in the year nineteen hundred and seventy-six, by and between Ted Lang, Jr., of Virginia Beach, Virginia, hereinafter called "Lang" and The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania, hereinafter called "CLoister" Witnesseth:

Whereas, on December 8, 1976 the said Lang executed a note to Cloister, secured by a mortgage of even date, in the amount of $35,000.00 with interest from date at the rate of 7½% per annum, in eighty quarterly installments of $848.40 each, the first of said installments being due three months from date hereof and the remaining installments on even date of each succeeding third month thereafter until paid, said installments to be credited first to interest and the balance to principal of said indebtedness; and

Whereas, the parties hereto have agreed upon the alternate method of payment of said note.

Now, therefore, in consideration of the sum of one dollar, paid to each by the other, receipt of which is hereby acknowledged, the said Lang and Cloister do hereby agree that each of the first four quarterly payments so provided may be met, without default in the terms of the original note dated December 8, 1976 by the payment by Lang to Cloister in the amount of $437.50, the balance of said installment then due in the amount of $410.90 to be secured by a promissory note executed by Lang to Cloister in the amount of $410.90 payable one year from the date thereof with interest at the rate of seven and one-half per cent per annum.

As witness the hand and seal of Ted Lang, Jr. and the hand and seal of G. R. Klinefelter, Secretary of The Cloister Relief Association, the day and year first above written.

Witness: _____ Ted Lang, Jr. _____ (SEAL)

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

THE CLOISTER RELIEF ASSOCIATION

By _____ Secretary

Attest: _____

This Second Supplemental Agreement, made this 8th day of December, in the year nineteen hundred and seventy-six, by and between Ted Lang, Jr., of Virginia Beach, Virginia, hereinafter called "Lang" and The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania, hereinafter called "Cloister", Witnesseth:

Whereas, on December 8, 1976 the said Lang executed a note to Cloister, secured by a mortgage of even date, in the amount of $35,000.00 with interest from date at the rate of 7½% per annum, in eighty quarterly installments of $848.40 each, the first of said installments being due three months from date hereof and the remaining installments on even date of each succeeding third month thereafter until paid, said installments to be credited first to interest and the balance to principal of said indebtedness; and

Whereas, the parties have agreed upon the procedures to be followed in the event of a default by Lang in the terms and conditions of said mortgage.

Now, therefore, in consideration of the sum of one dollar, paid to each by the other, receipt of which is hereby acknowledged, the said Lang and Cloister do hereby agree that upon default by Lang in the performance of any of the covenants, terms or conditions of said mortgage that the said Lang shall have a grace period of ninety days from the date of said default to cure the default provided that during said grace period no appreciable waste or depreciation of the secured property shall be permitted to occur.

Should Lang fail to cure said default within said grace period then, and in that event Cloister shall have the right to exercise either of the following options, at its sole election and discretion:

Option 1 - Cloister may elect to accept from Lang a deed conveying all of the real estate described in said mortgage and in that event shall thereupon release Lang from all further liability or responsibility incumbent upon Lang under the terms of said mortgage or the note which it secures; or

Option 2 - Cloister may elect to proceed with the foreclosure and collection of said mortgage in accordance with the terms thereof and with the applicable law of Maryland and the Maryland Rules of Procedure. In such event Cloister will seek satisfaction of said mortgage debt from the

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

sale of the real estate described in said mortgage before seeking satisfaction of the debt secured by said mortgage note against Lang individually.

This Second Supplemental Agreement shall be binding upon the personal representatives, successors or assigns of the parties hereto.

As witness the hand and seal of Ted Lang, Jr. and the hand and seal of G. R. Klinefelter, Secretary of The Cloister Relief Association, the day and year first above written.

Witness: _____

Ted Lang, Jr. _____ (SEAL)

THE CLOISTER RELIEF ASSOCIATION

By _____
Secretary

Witness: _____

Alexander G. Jones, Attorney, Ex Parte	:	No. _____ Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to The Cloister Relief	:	Somerset County, Maryland
Association, an unincorporated association	:	
organized under the laws of the Common-	:	
wealth of Pennsylvania	:	

State of Pennsylvania, Berks County, to wit:

I hereby certify, that on this 8th day of March, 1978, before me, the undersigned officer, personally appeared Jean Rauser, Treasurer and Agent of The Cloister Relief Association, and made oath in due form of law as follows: The principal amount owing on the above mortgage is $34,825.04 with interest from September 8, 1977 to March 8, 1978 in the amount of $1305.94 and a per diemrate of $7.26 thereafter.

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

Marilyn R. Fogel
Notary Public

NOTARY PUBLIC
Reading, Berks County, Pa.
My Commission Expires Nov. 22, 1980

No 10,303 Chancery

KNOW ALL MEN BY THESE PRESENTS, that we, Alexander G. Jones, of Somerset County and State of Maryland, and Fidelity and Deposit Company of Maryland, a body corporate, are held and firmly bound unto the State of Maryland, in the full and just sum of forty thousand dollars ($40,000.00), current money to be paid to the State of Maryland, or its certain attorney, to which payment well and truly to be made and done, we bind ourselves and each of us, our and each of our heirs, executors, administrators or assigns, jointly and severally, firmly by these presents, sealed with our seals and dated this 5th day of April, in the year nineteen hundred and seventy-eight.

Whereas, by mortgage dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P.No. 297, folio 470, Ted Lang, Jr. conveyed to The Cloister Relief Associatinn certain real estate in Somerset County to secure the payment of the sum therein mentioned; and whereas, the said Alexander G. Jones, Attorney for the purpose of foreclosure and collection of said mortgage, by virtue of the power and authority contained in said mortgage, is authorized, upon default, to sell the property conveyed by said mortgage; and whereas, default has occurred in the terms and conditions of said mortgage and the said Alexander G. Jones is about to exercise the power of sale in said mortgage contained.

Now, therefore, the conditions of the above obligation is such, that if the above bounden Alexander G. Jones, do and shall, well and faithfully perform the trust reposed in him by said mortgage and shall abide and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of the said mortgaged property or the proceed thereof, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

(SEAL)
Alexander G. Jones

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By
Attorney in Fact

Witness: Patsy E. Oke

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

FILED
APR 7 2 51 PM '78
ARCHIVED IN LIBER 12 FOLIO 408
CHRISTOPHER D. CLK. CT. CT.
BY N. DEPUTY

THE WITHIN BOND APPROVED.

PER: J. Thurston Phelps, CLERK.

LIBER 040 PAGE 735

BOOK 010 PAGE 408

10

JONES & JONES
Attorneys at Law
Princess Anne, Maryland

Attorney's Sale

Of Valuable Commercial Property Adjacent To Shipyard And Marine Railway

Under and by virtue of the power of sale contained in a mortgage from Ted Lang, Jr. dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 470; default having occurred in said mortgage, and in the First and Second Supplemental Agreements thereto, dated December 8, 1976, the undersigned as attorney for the purpose of foreclosure of said mortgage and said Supplemental Agreements, will offer at public sale:

ON THE PREMISES KNOWN AS NORTH 10TH STREET CRISFIELD, MARYLAND

SATURDAY, APRIL 8, 1978

at or about the hour of 11:00 o'clock A.M., all those lots or parcels of land situate, lying and being in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and more particulatly described as follows: All those lots or parcels of land, situate as aforesaid, laid down and described on a plat entitled "Plat of the North Side of the Town of Crisfield filed with and as part of a deed of partition between Hance Lawson, Michael Somers, William H. Roach and Thomas J. Dixon bearing date the 10th day of February, 1884 and recorded among the Land Records of Somerset County in Liber H.F.L. No. 1, folio 130" as follows:

First: All of the two lots or parcels of land situate, lying and binding at the intersection of the north side of William Street and the east side of Tenth Street (formerly Second Street) as laid down on the aforesaid plat, said two lots being Lot No. 1 in Block No. 22 fronting 80 feet on William Street and running by and with Tenth Street a distance of 75 feet and Lot No. 2 in Block No. 22 fronting 87 feet 4 inches on William Street and running by and with Lot No. 1 a distance of 75 feet.

Second: All those lots or parcels of land, situate as aforesaid, binding on the east side of Tenth Street (formerly Second Street) having a frontage on said Tenth Street of 75 feet and extending eastward therefrom in a uniform width of 75 feet between two streets a distance of 167.33 feet and being Lot No. 1 and Lot No. 2 in Block 28 as laid down on the aforesaid plats.

Said lots are part of the land laid down and described on a plat by W. Ballard Miles dated January 8, 1942 and recorded among the Land Records of Somerset County in Plat Book No. 1, folio 32.

Together with all riparian rights incident to the ownership of said land under the laws of the State of Maryland, and subject to any restrictions placed upon the use of said property by any duly constituted governmental agency.

The land above described being the same and all the land which was conveyed unto the said Ted Lang, Jr. by The Cloister Relief Association by deed dated December 8, 1976, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 468.

The improvements consist of two concrete block buildings and additions thereto.

This property may be inspected prior to sale by appointment. Call or write to Mr. Pete Richardson, Auctioneer, 602 Victor Drive, Salisbury, Maryland 21801, telephone Area Code (301) 835-2525.

Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Attorney, in an amount equal to one-third of the bid, the balance to be due and payable within thirty days thereafter with interest at six per cent on the unpaid balance, or sooner at the option of purchaser. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State, county and municipal real estate taxes will be pro rated and adjusted as of date of sale.

ALEXANDER G. JONES, ATTORNEY
Princess Anne, Maryland 21853
Telephone: (301) 651-2747

3-17-4t

CRISFIELD, MD. April 7, 1978

THIS is to certify that the annexed Attorneys 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 Attorneys Sale for 4 weeks beginning with the issue of March 17, 1978 and ending April 7, 1978

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,303 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to The Cloister Relief	:	Somerset County, Maryland
Association, an unincorporated association:		
organized under the laws of the Common-	:	
wealth of Pennsylvania	:	

ATTORNEY'S AFFIDAVIT AS TO NOTICE TO MORTGAGOR

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 11th day of April, in the year nineteen hundred and seventy-eight, before me, the subscriber, a Notary Public of the State and 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 for foreclosure and collection of the mortgage in the above entitled proceeding filed for foreclosure and collection, that on March 21, 1978 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Ted Lang, Jr., P. O. Box 710, Crisfield, Maryland 21817 (Post Office receipt No. 049996) by certified mail; said letter was returned by the U. S. Post Office on April 6, 1978 indicating delivery had been attempted on March 22, 1978 and March 27, 1978 and the letter was returned "Unclaimed".

The aforesaid post office receipt, original letter and a copy of the letter are attached hereto to be filed in this proceeding.

On March 29, 1978 the Mortgagor appeared in the office of Jones & Jones and was given another letter setting forth the amount of the indebtedness and the Mortgagor was present at the sale on April 8, 1978.

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

Patsy E. Ake
Notary Public

Alexander G. Jones

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

LIBER 046 FOLIO 737

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

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES

CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

March 21, 1978

LIBER 046 PAGE 738

Mr. Ted Lang, Jr.
P. O. Box 710
Crisfield, Maryland 21817

Dear Mr. Lang:

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 10303 Chancery in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from Ted Lang, Jr. to The Cloister Relief Association, recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 470. The foreclosure sale is currently being advertised in the Crisfield Times, a newspaper published in Crisfield, Somerset County, Maryland: The property described in the mortgage will be offered for sale at 11:00 o'clock A.M., on Saturday, April 8, 1978 on the premises in Crisfield, Maryland. Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, in an amount equal to one-third of the bid, the balance to be due and payable within thirty days thereafter with interest at six per cent on the unpaid balance, or sooner at the option of the purchaser. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State, county and municipal real estate taxes will be pro rated and adjusted as of date of sale. A copy of the advertisement is attached to this letter for your convenience.

COPY

Very truly yours,

Alexander G. Jones
Attorney Named in Mortgage for
Foreclosure and Collection

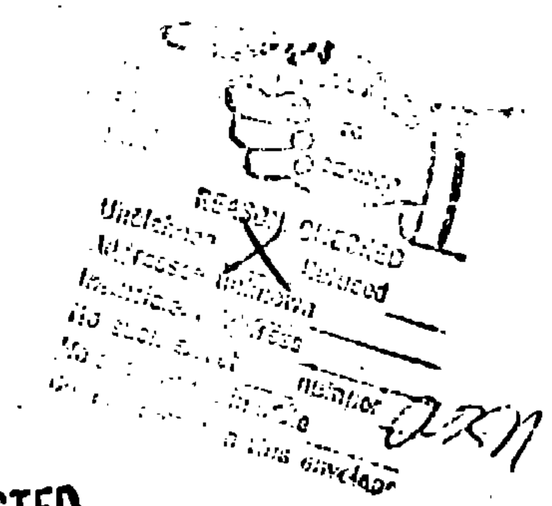
AGJ/cb

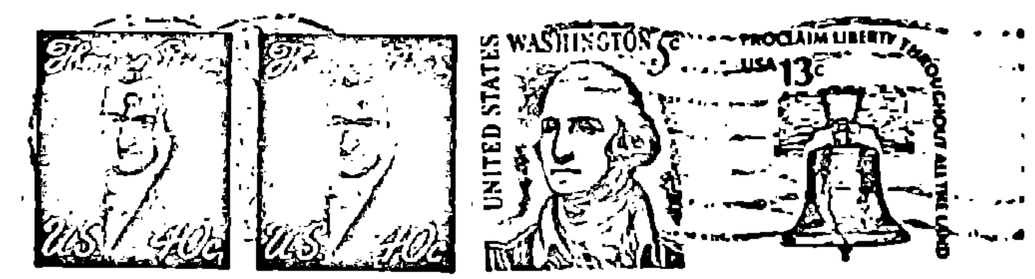
CC: William H. Pattison, Jr., Esquire
Certified Mail - No. 049996 Return Receipt Requested

FILED
MAR 17 11 00 AM '78

13

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





RETURN RECEIPT REQUESTED

CERTIFIED
No. 045996
MAIL

Mr. Ted Lang, Jr.
P. O. Box 710
Crisfield, Md. 21817

Name JBynl
1st Notice 8-22-78
2nd Notice 8-27-78
Return 46-78

LIBER 046 PAGE 739

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,303 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to The Cloister Relief	:	Somerset County, Maryland
Association, an unincorporated association	:	
organized under the laws of the Common-	:	
wealth of Pennsylvania	:	

To the Honorable, the Judges of said Court:

The report of sales of Alexander G. Jones, Attorney named in a mortgage made and executed by Ted Lang, Jr. to The Cloister Relief Association dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 470, 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 reposed in him as Attorney named in 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 Crisfield Times, 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 on the premises in Crisfield, Maryland, on the 8th day of April, 1978, at 11:00 o'clock A.M., and then and there proceed to sell the property described in said mortgag to wit:

All those lots or parcels of land situate, lying and being in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and more particularly described as follows: All those lots or parcels of land, situate as aforesaid, laid down and described on a plat entitled "Plat of the North Side of the Town of Crisfield filed with and as part of a deed of partition between Hance Lawson, Michael Somers, William H. Roach and Thomas J. Dixon bearing date the 10th day of February, 1884 and recorded among the Land Records of Somerset County in Liber H.F.L. No. 1, folio 130" as follows:

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

First: All of the two lots or parcels of land situate, lying and binding at the intersection of the north side of William Street and the east side of Tenth Street (formerly Second Street) as laid down on the aforesaid plat, said two lots being Lot No. 1 in Block No. 22 fronting 80 feet on William Street and running by and with Tenth Street a distance of 75 feet and Lot No. 2 in Block No. 22 fronting 87 feet 4 inches on William Street and running by and with Lot No. 1 a distance of 75 feet.

Second: All those lots or parcels of land, situate as aforesaid, binding on the east side of Tenth Street (formerly Second Street) having a frontage on said Tenth Street of 75 feet and extending eastward therefrom in a uniform width of 75 feet between two streets a distance of 167.33 feet and being Lot No. 1 and Lot No. 2 in Block 28 as laid down on the aforesaid plats.

Said lots are part of the land laid down and described on a plat by W. Ballard Miles dated January 8, 1943 and recorded among the Land Records of Somerset County in Plat Book No. 1, folio 32.

Together with all riparian rights incident to the ownership of said land under the laws of the State of Maryland, and subject to any restrictions placed upon the use of said property by any duly constituted governmental agency.

The land above described being the same and all the land which was conveyed unto the said Ted Lang, Jr. by The Cloister Relief Association by deed dated December 8, 1976 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 297, folio 468.

The land above described was sold to The Cloister Relief Association at and for the sum of Thirty Thousand dollars ($30,000.00), 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.

Respectfully submitted,

Alexander G. Jones, Attorney

State of Maryland, Somerset County, towit:

I hereby certify, that on this 11th day of April, in the year nineteen hundred and seventy-eight, before me, the subscriber, a Notary Public of the State and 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.

Patsy E. Oke
Notary Public

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,303 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to The Cloister Relief	:	Somerset County, Maryland
Association, an unincorporated association:		
organized under the laws of the Common-	:	
wealth of Pennsylvania	:	

ORDERED by the Circuit Court for Somerset County this 17th day of April, in the year nineteen hundred and seventy-eight, 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 18th day of May, 1978, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 8th day of May, 1978.

The report states the amount of sale to be $30,000.00.

Clerk of the Circuit Court
for Somerset County, Maryland

Alexander G. Jones, Attorney, Ex Parte	:	No. 10,303 Chancery
under power contained in mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to The Cloister Relief	:	Somerset County, Maryland
Association, an unincorporated association:		
organized under the laws of the Common-	:	
wealth of Pennsylvania	:	

ORDERED by the Circuit Court for Somerset County, in Equity, this 19th day of May, in the year nineteen hundred and seventy-eight, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Attorney named 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.

Judge

Alexander G. Jones, Attorney, Ex parte	:	No. 10,303 Chancery
under power contained in Mortgage from	:	In the Circuit Court for
Ted Lang, Jr. to The Cloister Relief	:	Somerset County, Maryland
Association, an unincorporated association:		
organized under the laws of the Common-	:	
wealth of Pennsylvania	:	

PURCHASER'S AFFIDAVIT

Commonwealth of Pennsylvania, Berks County, to wit:

I hereby certify, that on this 19th day of April, 1978, before me, the subscriber, a Notary Public of the Commonwealth and County aforesaid, personally appeared John W. Dry, Agent for The Cloister Relief Association, the purchaser of the real estate in the above entitled proceeding and he made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone except as noted above.

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.

Marilyn R. Kerger
Notary Public
NOTARY PUBLIC
Reading, Berks County, Pa.
My Commission Expires Nov. 22, 1980

John W. Dry, Agent

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

LIBER 046 PAGE 743

Jones and Jones
Attorneys At Law
Princess Anne, Md.

Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to The Colster Relief Association, an unincorporated association organized under the laws of the Commonweath of Pennsylvania.

No. 10,303 Chancery. In the Circuit Court for Somerset County, Maryland.

ORDER NISI

Ordered by the Circuit Court for Somerset County this 17th day of April, in the year nineteen hundred and seventyeight, 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 18th day of May, 1978, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 8th day of May, 1978.

The report states the amount of sale to be $30,000.00.

I. Theodore Phoebus
Clerk, of the Circuit Court
For Somerset County,
Maryland

4-21-31

CRISFIELD, MD. May 17, 19 78

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 April 21, 19 78 and ending May 5, 19 78.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S.C. Reem

18

Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania	:	No. 10,303 Chancery In the Circuit Court for 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 therein, states the following Account:

Amount of Sale			$30,000.00
Costs, Expenses and Fees:			
I. Theodore Phoebus, Clerk		$ 99.00	
Crisfield Times		151.50	
Advertising	$120.00		
Order Nisi	$ 31.50		
Daily Times, Advertising		33.80	
Attorneys Fee per Mortgage		75.00	
Auctioneer, Peter Richardson		150.00	
Fidelity & Deposit, Bond		160.00	
Trustee's Commission			
10% of first $3000.00	$ 300.00		
5% of balance	1350.00		
Total	$1650.00		
1/2 per Trustees Instructions		825.00	
Auditor's Fee		45.00	
Total Costs, Expenses and Fees			1,539.30
Balance for Distribution			$28,460.70
Statement of Mortgage Debt as of March 8, 1978			36,130.98
*Deficiency			$ 7,670.28

*Plus interest since March 8, 1978.

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

66

LIBER 846 PAGE 745

LIBER 046 PAGE 746

Alexander G. Jones, Esquire
Jones & Jones
Princess Anne, Maryland 21853

Ted Lang, Jr.
P.O. Box 710
Crisfield, Maryland 21817

Date of Filing: May 31, 1978

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600

#66

No. 10303 Chancery Case

ORDERED, by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 31st day of May, 19 78, 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 15th day of June, 19 78.

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 27th day of September, 19 78, that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

Richard M. Pollitt
Judge

LIBER 046 PAGE 747

EXEMPTIONS TO AUDITORS
(Logan C. Widdowson, Esq.)

Report of May 31, 1978 filed re: Attorneys Sale(s) (John Dry and Alexander Jones, Esq.) of real estate and personal property of Theodore Lang, Jr. in Crisfield, Maryland in April and May of 1978, as per copy of Auditors Report filed No. 10,303 Chancery in Circuit Court for Somerset County, Maryland as received regular mail (as all other notifications in this matter were received), June 2, 1978.

That, in late December 1976, it is a matter of record that, apparently, under the direction of "Sellers," hereinafter generally described as Mr. Klinefelder, Sr. and/or Jean Rauser, and/or "The Cloister Relief Association," and/or "The Crisfield Shipyard, Inc." and/or "The Windsor Mount Joy Mutual Insurance Company" and others, of Pennsylvania and Maryland, apparent agents of Sellers removed some $107,000 (one hundred and seven thousand dollars) plus, of wholesale value of my recently purchased personal property and inventory from my "Crisfield Shipyard," all of which material was included in the "Lock, Stock and Barrell" sale of personal property for $125,000, conveyed to me by Bill of Sale, and financed in full by personal property chattell for $125,000 on December 8, 1976, as well as three (3) parcels of Real Estate, together all known as "The Crisfield Shipyard" locally, for the sum of $75,000 total for Real Estate, also financed in full and mortgaged for $75,000 on December 8, 1976, all conveyed personally to me from Sellers. The $107,000 December 1976 removal was additionally recorded, documented and itemized to Local, State and Federal authorities, as well as verbally to Klinefelder and Rauser.

Early in 1978, as authorities had, intentionally or otherwise, apparently been "dragging their feet," I retained a Pennsylvania law firm to investigate and proceed with Civil Actions against Sellers regarding removals, who made written demand on Sellers re: removals and relationships of sellers, and who simultaneously notified Sellers that I had paid in full, at their (my Pennsylvania attorneys) instruction, to their Pennsylvania law firms "Client Trust Account" the quarterly shipyard mortgage payments then due in good funds, so that no mortgage deficiency ever existed. I believe that unethical communications apparently then took place. Sellers councils response to my Pennsylvania attorneys demands, rather than replying to the legal demands as required ethically, was to institute immediate "Attorneys Sales," I believe in an attempt to "bulldoze" all thrust away from the "removal" situation, and my Pennsylvania attorneys wrote me that Sellers would not accept anything other than a payment in full for entire mortgage and chattel amounts, plus attorneys fees and other charges, even though they were properly notified that my Pennsylvania attorneys were holding the mortgage payment funds. Additionally, the Sellers and their council also apparently attempted to interfere with my $800,000 lease-purchase sale of a portion of the shipyard real estate that I had closed on in December 1977 to Virginia principles, apparently to "take over" that sale, or to otherwise profit from the escalation in land values in the area, with a new deep water port apparently coming in.

There also appears to be an on-going conspiration between Sellers, my (ex) shipyard tenant, attorneys and the Court, as evidenced by witnesses, telephone records, written statements, court testimonies, and other significant data, apparently to deprive me of shipyard ownership, profit on real estate, shipyard rentals, all

local income, bill collections, credit, Civil Rights, State and Federal justice, and possibly other areas of injustice, which has done me harm for which there is no apparent remedy at law. Additionally, the auditor appointed by the Court is also serving as States Attorney on the "removal" case of December 1976, an apparent direct conflict of interest, which appointment would be illegal in the state of Virginia, for example, and should dismiss himself accordingly.

Further, Bill of Sale and Chattel of December 8 reflect a $125,000 personal property sale and debt, whereas Auditors Report of May 31 reflect a debt of $36,130.98 on personal property; and the total Real Estate Sale and mortgage debt was for $75,000 on December 8, 1976, but Auditors Report of May 31, 1978 reflects a "debt" of some $170,331.76 on real estate.

At a "locally" (only) advertised auction for "Attorneys Sale," the Sellers "bought back" the real estate for some $125,000, for a potential auction overage, due back to me, of some $50,000 +, and at the "Personal Property" auction, the alleged sale was for some $30,000 (undocumented) against the original purchase amount of $125,000; less the $107,000 of removed items. For a theoritical $18,000 of personal property "left" at shipyard, which brought some "$30,000," for an overage of some $12,000; for a total combined overage of some $62,000 due me, plus damages as the Court may award. Due to the great variance from the "Auditors Report" filed May 31, 1978, I will not dignify that report any further. The "filed" amounts appear to be as "deliberate" as the entire "Attorneys Sales." I have been advised that it probably will take years to sort out all aspects of what actually transpired, and set aside the Attorneys Sales.

This exception to the audit of May 31, 1978 is hereby filed this date to preserve my rights, and point out some of the areas of apparent Malefiecence that will be brought out in future litigation and before appropriate grievance committees, the intent of which will be to "set-aside" said Attorneys Sales in their entirety, and to give me such relief as the Courts may allow.

Witness: Mildred D. Doughty

Date: 6-13-78

My commission expires July 1, 1978.

Theodore Lang, Jr.
Post Office Box 710
Crisfield, Maryland 21817

Filed this 13TH day of June, 1978, with Clerk of the Circuit Court for Somerset County, Maryland; copies by regular U.S. Mail, postage prepaid to:

Alexander G. Jones, Esquire
Jones & Jones
Princess Anne, Maryland 21853

Logan C. Widdowson, Esquire
North Somerset Avenue
Princess Anne, Maryland 21853

LIBER 046 PAGE 749

OFFICE OF

Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. July 12, 1978

TO: Alexander G. Jones, Esq.
Jones & Jones
Princess Anne, Md. 21853

Logan C. Widdowson, Esq.
Princess Anne, Md. 21853

Theodore Lang, Jr.
P.O. Box 710
Crisfield, Md. 21817

RE: No. 10303 Chancery Case - Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to The Cloister Relief Association, etc.

The above case has been *scheduled* as follows:

Hearing on Exceptions to Audit, on Wednesday, September 27, 1978, at 11:00 A.M.

The *Court* has directed me to inform *Counsel* that unless application for postponement of the *Trial* or *Hearing* is made within *five (5)* days after receipt of this notice or an emergency has occurred thereafter, the aforementioned *trial* or *hearing* will be held as scheduled.

Requests for postponements and suggested new date *must* be in writing with copies to all attorneys.

Attention is called to the fact that lack of *notice* is no *excuse* for postponing a *trial or hearing*. It is the duty of the individual attorneys to keep check on their cases.

Counsel will file with the *Clerk* orders for *summonses* of *witnesses* at least *seven* days prior to the date of *trial*.

Please confirm this date by *filling* in the form below and returning it to this office.

Very truly yours,

(Mrs.) Alice C. Webster
Assignment Clerk

RE: No. 10303 Chy - Lang foreclosure

Wed., Sep. 27, 1978, at 11:00 A.M.

Receipt of *trial* date is hereby acknowledged for the date of _____

DATE _____ ATTORNEY _____

RE: No. 10303 Chy - Lang foreclosure

Wed., Sep. 27, 1978, at 11:00 A.M.

Receipt of *trial* date is hereby acknowledged for the date of _____

DATE July 12, 1978 ATTORNEY _____

OFFICE OF

Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. July 12, 1978

TO: Alexander G. Jones, Esq.
Jones & Jones
Princess Anne, Md. 21853

Logan C. Widdowson, Esq.
Princess Anne, Md. 21853

Theodore Lang, Jr.
P.O. Box 710
Crisfield, Md. 21817

RE: No. 10303 Chancery Case - Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to The Cloister Relief Association, etc.

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Very truly yours,

(Mrs.) Alice C. Webster
Assignment Clerk

RE: No. 10303 Chy - Lang foreclosure

Wed., Sep. 27, 1978, at 11:00 A.M.

Receipt of *trial* date is hereby acknowledged for the date of _____

DATE 12 July 78 ATTORNEY L. Widdowson

PETITION FOR JURY TRIAL, CHANGE OF VENUE AND TAPE RECORDING OF TRIAL

TO: Clerk of the Circuit Court for Somerset County, Princess Anne, Maryland

RE: No. 10303 Chancery Case, scheduled for September 27, 1978

The Court is hereby petitioned for a TRIAL BY JURY, CHANGE OF VENUE to the Urban Western Shore of Maryland, and a SECURITY TAPE RECORDING of the complete Trial, due to the nature of the case, the extremely prejudicial attitude and chauvinism of local potential Jurors due to wide notoriety and publicity, and apparent conflict of interest and/or prejudice of current local politicians, Judges and States Attorney, which will cloud and/or preclude appraisment of presentments at trial.

Denied
Rd Jones
9-14-78

Witness: Marie H. Haughty
Notary
Date: Sept 11, 1978
Commission Expires: 7-1-82

Theodore Lang, Jr.
Post Office Box 710
Crisfield, Maryland 21817

Filed this 11th day of September, 1978 with Clerk of the Circuit Court, Somerset County, Maryland. Copies by Regular U. S. Mail, postage prepaid to:

Alexander G. Jones, Esq.
Jones & Jones
Princess Anne, Maryland 21853

Logan C. Widdowson, Esq.
North Somerset Avenue
Princess Anne, Maryland 21853

SEP 19-78 B 02 919C******7.00
SEP 19-78 B 02 918D****155.00

ORDER FOR SUMMONS OF WITNESSES

RE: CASE # 10303 CHANCERY - 11:00 A.M., SEPTEMBER 27, 1978

Please cause the following witnesses to be summonsed to appear at the trial date as above:

✓ 1. Mrs. Patsy Ake
c/o Jones & Jones; Princess Anne, Maryland 21853 (651-2747)

2. Mr. Irving Brown
c/o Delmarva Electric Motors, Wilson Street, Salisbury,Md (749-1377)

3. Mr. Jordan Cunningham,Esq.
c/o Fox,Roberts & Farr
2320 North Second Street, Harrisburg, Pennsylvania 17110(717)238-6570

✓ 4. Mr. Harold Davis
RR1, Princess Anne, Maryland, 21853(546-3430)

✓ 5. Mr. Tom Dean
114 Columbia Ave, Crisfield, Md 21817 (968-0121) O

6. Mr. Woodroe Donoway
c/o Salisbury Steel, Salisbury, Maryland (546-9164)

7. Mr. John Dry,Esq.
541 Penn St, Redding, Pa. (215) 376-6721 or 683-7114

✓ 8. Capt. Roosevelt Evans
5 Hudson Street, Crisfield,Md 21817 (968-1586)

✓ 9. Mr. Joseph Frock, Sr
14 W. Main St, Crisfield,Maryland 21817 (No known Tel#) O

Mortuary Est → 10. Mr. Gus Forbush (Sr)
Somerset Ave, Crisfield,Maryland 21817 (968-0069) O

11. Mr. Gerald D. Glass,Esq.
Suite 1508, #1 S. Calvert St, Baltimore,Maryland (301)383-7677

✓ 12. Mr. Tom Green
"the Project", Crisfield,Maryland & Pocomoke City,Md (968-1810) O

13. Mr. Howard "Bud" Gunther
c/o Bay Bridge Airport, Stevensville,Md (643-5515)

✓ 14. Mr. Allan Harrison
436 Charollette Ave, Crisfield,Md 21817 (968-0077) O

✓ 15. Mr. Russell Harrison
Last known:317 Cove St,Crisfield, or thru Uncles,Ben or Allan O

16. Mr. Ken Heland,Esq.
c/o Richardson, Rogan,Anderson & Heland
130 East Main St, Salisbury, Maryland (742-8744)

✓ 17. Trooper Milton J. Hall,
State Troopers Barracks, Princess Anne, Md 21853 (749-3101)(651-1412)

✓ 18. Mr. George Shanley Jackson O
Marion, Maryland (623-8208)

19. Mr. Frank T. Johnson
4705 Bradley Blvd.#208,Bathesda,Md 20015 (986-1510)

✓ 20. Mr. Alexander "Sandy" Jones
Princess Anne, Maryland 21853 ((651-2747)(651-0548)

-Continuied-

27

ORDER FOR SUMMONS OF WITNESSES- Case # 1031 CHANCERY

(CONTINUIED) LIBER 46 754

21. Mr. J. Randy Klinefelder
21 West Main St, Ephrata, Pennsylvania 17522 (717) 733-8648 &733-2667

22. Mr. "Smokey" LeProwse
c/o 692 Fitzwater Street, Salisbury, Maryland 21801 (742-1601)

✓23. Mr. Logan Manders
c/o Logans Marine Service, 10th St, Crisfield,Md. 21817 (968-2330)
Res: Foxwood Road, Delmar, Md (896-3216)

24. Mr. Bill Pattison,Esq.
c/o Matthews & Pattison
314 High Street, Cambridge,Maryland 21816 (228-6885) (476-3952)

25. Mr. Peter Richardson
Victor Drive, Salisbury,Md 21801 (742-6220)(835-2525)

26. Mr. Tom Roberts,Esq.
c/o Fox,Roberts & Farr
2320 North Second St, Harrisburg, Pennsylvania 17110-(717)238-6570

✓ 27. Trooper Lake Scott
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now Est 28. Judge LLoyd Simpkins,Esq
Court House, Princess Anne, Md 21853 (651-1630) (651-1693)

✓ 29. Mr. Thomas Simpkins, Esq.
51 N. Somerset Ave, Princess Anne, Md 21853 (651-1400)(651-0892)

30. Mr. Nick Styke
c/o " Metland" Adm. Off, Exmore,Va(Res:Bellhaven,Va) (804) 442-6320

✓ 31. Mr. Russell "Rusty" Thomas
268 S. Somerset Ave, Crisfield,Maryland 21817 (968-2153)

✓32. Mr. Spry Thomas
c/o Spry's Arco, Rt 413, Crisfield,Maryland,21817 (968-9811)

✓ 33. Trooper Thomas
State Troopers Barracks, Princess Anne, Maryland, 21853 (749-3101)

✓ 34. Capt. Clifton Webster
Wenona, (Deal Island) Maryland (784-2148)

✓ 35. Mr. Logan Widdowson, Esq
Princess Anne, Maryland, 21853 (651-3800) (651-3215)

Filed with Clerk of the Circut Court, Somerset County,Maryland this Nineteenth(19th) day of September,1978,Eight(8) days prior to trial.

Witness: Frank D. Johnson

Date: 9-19-78

Commission Expires: 5-82

Theodore Lang Jr.
Post Office Box 710
Crisfield,Maryland 21817
(301) 968-2765

FRANK T. JOHNSON NOTARY PUBLIC SOMERSET CO. MD. WICOMICO CO. MY COMM. EXP. JUL 1, 1982

CIRCUIT COURT FOR SOMERSET COUNTY
MR. SHERIFF: Please summons the Above ~~following~~ witnesses. (2 pages)

Theodore Phoebus
Clerk of the Circuit Court
for Somerset County

28

SEP 19-78 B 02 919C******7.00
SEP 19-78 B 02 918D****155.00

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2320 North Second Street, Harrisburg, Pennsylvania 17110(717)238-6570

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114 Columbia Ave, Crisfield, Md 21817 (968-0121)

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19. Mr. Frank T. Johnson
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20. Mr. Alexander "Sandy" Jones
Princess Anne, Maryland 21853 ((651-2747)(651-0548)

LIBER 046 PAGE 755

-Continued-

ORDER FOR SUMMONS OF WITNESSES- Case # 10[illegible] CHANCERY

(CONTINUIED)

046 756

21. Mr. J. Randy Klinefelder
21 West Main St, Ephrata, Pennsylvania 17522 (717) 733-8648 &733-2667

22. Mr. "Smokey" LeProwse
c/o 692 Fitzwater Street, Salisbury, Maryland 21801 (742-1601)

23. Mr. Logan Manders
c/o Logans Marine Service, 10th St, Crisfield,Md. 21817 (968-2330)
Res: Foxwood Road, Delmar, Md (896-3216)

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Date: 9-19-78

Commission Expires: 5-82

Theodore Lang Jr.
Post Office Box 710
Crisfield,Maryland 21817
(301) 968-2765

CIRCUIT COURT FOR SOMERSET COUNTY
MR. SHERIFF: Please summons the Above ~~following~~ witnesses. (2 pages)

[signature]

Clerk of the Circuit Court
for Somerset County

SHERIFF'S RETURN

I HEREBY CERTIFY, THAT ON THE 25th DAY OF Sept. 1978 I READ THE ORDER TO THE DEFENDANT THEREIN NAMED, AND COPY LEFT WITH HIM, AS TO # 24.

James D. Johnson, Sr.
SHERIFF DORCHESTER COUNTY
Per: Deputy E. S. Roberson

LIBER 046 PAGE 757

FILED

SEP 25 11 55 AM '78

RECORDED IN
LIBER 46 FOLIO
WILLIAM PHILLIPS, CLK.CIR.CT.
BY DEPUTY

PS Form 3811, Apr. 1977 — RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- ☐ Show to whom and date delivered ____¢
- ☐ Show to whom, date, and address of delivery ____¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered ____¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery $____
- (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. Randy Kline Felder
21 West Main St.
Ephrata, Pa. 17522

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	393 886	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY: 9-22-78
POSTMARK: EPHRATA, PA. SEP 22 1978 USPO

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS

☆ GPO : 1977—O-234-337

PS Form 3811, Apr. 1977 — RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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- ☐ Show to whom, date, and address of delivery ____¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered ____¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery $____
- (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. Tom Roberts
c/o Fox Roberts & Fare
2320 North Second St.
Harrisburg, Pa. 17110

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	393 884	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY: 9/21/78
POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS

☆ GPO : 1977—O-234-337

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2320 North Second St.
Harrisburg, Pa. 17110

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REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	393 886	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY: 9/21/78
POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS

☆ GPO : 1977—O-234-337

LIBER 0416 PAGE 758

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
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1. The following service is requested (check one).
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- ☐ Show to whom, date, and address of delivery.....¢
- ☐ RESTRICTED DELIVERY
  Show to whom and date delivered.....¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery. $____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
MR. JOHN DRY
541 PENN STREET
READING, PA.

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	393887	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☑ Authorized agent
Janet Carrocci

4. DATE OF DELIVERY 9/22/78 | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

READING PA PARCEL POST STA USPO SEP 22 1978

☆ GPO : 1977—O-234-337

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

PS Form 3811, Apr. 1977

● S: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

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- ☐ Show to whom and date delivered.....¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery. $____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
MR. NICK STYKE
c/o MEATLAND FARM OFF.
EXMORE Virginia

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	393883	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☑ Authorized agent
[signature]

4. DATE OF DELIVERY | POSTMARK
EXMORE SEP 22 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

☆ GPO : 1977—O-234-337

Ge. 10,303 Chancery

No. 393883
CLERK OF THE CIRCUIT COURT
PRINCESS ANNE, MD. 21853

RECEIPT FOR CERTIFIED MAIL

SENT TO MR. NICK STYKE
c/o MEATLAND FARM OFF
STREET AND NO.
P.O., STATE AND ZIP CODE
EXMORE Virginia

POSTMARK OR DATE

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered .....
With restricted delivery .....
2. Shows to whom, date and where delivered
With restricted delivery .....

RESTRICTED DELIVERY .....
SPECIAL DELIVERY (extra fee required) .....

CONSULT POSTMASTER FOR FEES

PS Form Jan. 1978 3800 NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL (See other side)

☆ GPO: 1975—O-591-452

ON

D46 760

SEP 19-78 8 32 919C******7.00
SEP 19-78 8 32 918D****155.00

ORDER FOR SUMMONS OF WITNESSES

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-Continuied-

36

ORDER FOR SUMM[illegible]S OF WITNESSES- Case # 10[illegible] CHANCERY

(CONTINUED)

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for Somerset County

LIBER 046 FOLIO 761

37

Return

LIBER 040 PAGE 762

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-Continuied-

ORDER FOR SUMMONS OF WITNESSES- Case # 10[illegible]3 CHANCERY

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    51 N. Somerset Ave, Princess Anne, Md 21853 (651-1400)(651-0892)

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31. Mr. Russell "Rusty" Thomas
    268 S. Somerset Ave, Crisfield,Maryland 21817 (968-2153)

32. Mr. Spry Thomas
    c/o Spry's Arco, Rt 413, Crisfield,Maryland,21817 (968-9811)

33. Trooper Thomas
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34. Capt. Clifton Webster
    Wenona, (Deal Island) Maryland (784-2148)

35. Mr. Logan Widdowson, Esq
    Princess Anne, Maryland, 21853 (651-3800) (651-3215)

Filed with Clerk of the Circut Court, Somerset County,Maryland this Nineteenth(19th) day of September,1978,Eight(8) days prior to trial.

Witness: [signature]

Date: 9-19-78

Commission Expires: 5-82

Theodore Lang Jr.
Post Office Box 710
Crisfield,Maryland 21817
(301) 968-2765

CIRCUIT COURT FOR SOMERSET COUNTY
MR. SHERIFF: Please summons the Above ~~following~~ witnesses. (2 pages)

[signature]
Clerk of the Circuit Court
for Somerset County

LIBER 040 PG 783

LIBER 040 PAGE 784

SEP 19-78 B 22 919C******7.00
SEP 19-78 B 22 918D****155.00

ORDER FOR SUMMONS OF WITNESSES

RE: CASE # 10303 CHANCERY - 11:00 A.M., SEPTEMBER 27, 1978

Please cause the following witnesses to be summonsed to appear at the trial date as above:

1. Mrs. Patsy Ake
c/o Jones & Jones; Princess Anne, Maryland 21853 (651-2747)

2. Mr. Irving Brown
c/o Delmarva Electric Motors, Wilson Street, Salisbury,Md (749-1377)

3. Mr. Jordan Cunningham,Esq.
c/o Fox,Roberts & Farr
2320 North Second Street, Harrisburg, Pennsylvania 17110(717)238-6570

4. Mr. Harold Davis
RR1, Princess Anne, Maryland, 21853(546-3430)

5. Mr. Tom Dean
114 Columbia Ave, Crisfield, Md 21817 (968-0121)

6. Mr. Woodroe Donoway
c/o Salisbury Steel, Salisbury, Maryland (546-9164)

7. Mr. John Dry,Esq.
541 Penn St, Redding, Pa. (215) 376-6721 or 683-7114

8. Capt. Roosevelt Evans
5 Hudson Street, Crisfield,Md 21817 (968-1586)

9. Mr. Joseph Frock, Sr
14 W. Main St, Crisfield,Maryland 21817 (No known Tel#)

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11. Mr. Gerald D. Glass,Esq.
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12. Mr. Tom Green
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17. Trooper Milton J. Hall,
State Troopers Barracks, Princess Anne, Md 21853 (749-3101)(651-1412

18. Mr. George Shanley Jackson
Marion, Maryland (623-8208)

19. Mr. Frank T. Johnson
4705 Bradley Blvd.#208,Bathesda,Md 20015 (986-1510)

20. Mr. Alexander "Sandy" Jones
Princess Anne, Maryland 21853 ((651-2747)(651-0548)

-Continuied-

ORDER FOR SUMMONS OF WITNESSES- Case # 10[illegible]3 CHANCERY

(CONTINUED)

21. Mr. J. Randy Klinefelder
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Witness: [signature]

Date: 9-19-78

Commission Expires: 5-82

Theodore Lang Jr.
Post Office Box 710
Crisfield,Maryland 21817
(301) 968-2765

CIRCUIT COURT FOR SOMERSET COUNTY
MR. SHERIFF: Please summons the Above ~~following~~ witnesses. (2 copies)

[signature]

Clerk of the Circuit Court
for Somerset County

Non Est
9-26-78
Deputy Charles Gibbons

LIBER 040 FOLIO 765 41

SEP 19-78 B 02 919C******7.00
SEP 19-78 B 02 918D****155.00

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18. Mr. George Shanley Jackson
Marion, Maryland (623-8208)

19. Mr. Frank T. Johnson
4705 Bradley Blvd.#208,Bathesda,Md 20015 (986-1510)

20. Mr. Alexander "Sandy" Jones
Princess Anne, Maryland 21853 ((651-2747)(651-0548)

-Continuied-

ORDER FOR SUMMONS OF WITNESSES- Case # 10203 CHANCERY

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21 West Main St, Ephrata, Pennsylvania 17522 (717) 733-8648 &733-2667

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Witness: [signature]
Date: 9-19-78
Commission Expires: 5-82

Theodore Lang Jr.
Post Office Box 710
Crisfield,Maryland 21817
(301) 968-2765

CIRCUIT COURT FOR SOMERSET COUNTY
MR. SHERIFF: Please summons the Above ~~following~~ witnesses. (2 copies)
[signature]

Clerk of the Circuit Court
for Somerset County

LIBER 046 PAGE 797

Non-Est. 9/20/78
Judy L. Jones
Subject on Vacation

LIBER 046 PAGE 768 SEP 19 78 B 02 919C******7.00
SEP 19 78 B 02 918D****155.00

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-Continuied-

44

ORDER FOR SUMMONS OF WITNESSES- Case # 10203 CHANCERY

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Witness: [signature]

Date: 9-19-78

Commission Expires: 5-82

Theodore Lang Jr.
Post Office Box 710
Crisfield,Maryland 21817
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CIRCUIT COURT FOR SOMERSET COUNTY
MR. SHERIFF: Please summons the Above ~~[illegible]~~ witnesses. (2 copies)
[signature]
Clerk of the Circuit Court for Somerset County

Non. Ecl. 9/20/78
Sheryl L. Jones
Subject on Military leave

MAY 1046 PAGE 769

45

LIBER 040 PAGE 770

SEP 19-78 8 02 919C******7.00
SEP 19-78 8 02 918D****155.00

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30 11. Mr. Gerald D. Glass,Esq.
Suite 1508, #1 S. Calvert St, Baltimore,Maryland (301)383-7677

9-24-78 12:30

12. Mr. Tom Green
"the Project", Crisfield,Maryland & Pocomoke City,Md (968-1810)

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-Continued-

46

ORDER FOR SUMMONS OF WITNESSES- Case # 10203 CHANCERY

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LIBER 046 PAGE 771

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SEP21 P3:46

ORDER FOR SUMMONS OF WITNESSES- Case # 10303 CHANCERY

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35. Mr. Logan Widdowson, Esq
    Princess Anne, Maryland, 21853 (651-3800) (651-3215)

Filed with Clerk of the Circut Court, Somerset County,Maryland this Nineteenth(19th) day of September,1978,Eight(8) days prior to trial.

Witness: [signature]

Date: 9-19-78

Commission Expires: 5-82

Theodore Lang Jr.
Post Office Box 710
Crisfield,Maryland 21817
(301) 968-2765

CIRCUIT COURT FOR SOMERSET COUNTY
MR. SHERIFF: Please summons the Above ~~following~~ witnesses. (2 pages)

[signature]
Clerk of the Circuit Court
for Somerset County

LIBER 046 FOLIO 773

49

THEODORE LANG JR.	*	IN THE
Mortgagor	*	CIRCUIT COURT
vs.	*	FOR
THE CLOISTER RELIEF ASSOCIATION OF PA.	*	SOMERSET COUNTY
	*	CHANCERY 10,303

* * * * * * * * * * * * *

ORDER FOR APPEAL BY THEODORE LANG JR, MORTGAGOR

Mr. CLERK:

Enter as Appeal to the Court of Special Appeals of Maryland on behalf of Theodore Lang Jr, Mortgagor, from the memorandum of Opinion and Order entered in these actions on September 14 and September 27 , 1978.

Theodore Lang Jr
25 Asbury Ave-P.O.BOX 710
Crisfield,Maryland 21817
(301) 968-2765

CERTIFICATE OF SERVICE

I hereby certify that on this 13th Day of October ,1978, a copy of the aforegoing Order for Appeal by Theodore Lang Jr, Mortgagor, to Alexander G. Jones Esq, Princess Anne, Maryland 21853, and Logan C. Widdowson Esq, Princess Anne, MD, and John Dry,Esq, Redding, Pa.

Theodore Lang Jr

Clerk of the Circut Court
Court House
Princess Anne, Maryland, 21853

19 October 1978

Dear Ted;

Last week, on 13 October when I filed One Appeal and One Motion in Chancery Cases 10,302 & 10,303 (Both Case Files were out of the Court House, at Austin Bakers, if you will recollect) your secretary said that she did not know the amount of the check required for the filing of the Appeal,or motion, and would send me a bill, or letter stating the proper amount required, which should be in the form of a check, for the appeal, and the motion could be payed in cash or check. I would like to know the amount required for the Court of Special Appeals (Appeal of 13 Oct) in Annapolis and the Motion (of 13 October) so I can foreward same to your office, as I have not yet recieved any such notice or billing.

Sincerely,
Ted Lang

Ted Lang
P.O.Box 710
Crisfield,Md 21817

LIBER 046 PAGE 775

LIBER 046 FOL 776

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
PRINCESS ANNE, MARYLAND 21853

October 20, 1978

Mr. Ted Lang
P.O. Box 710
Crisfield
Maryland 21817

Re: No. 10303 Chancery Case

Dear Mr. Lang:

This is to advise that the proper amount to be forwarded to the Court of Special Appeals when the record is forwarded to that Court is $30.00. Please make your check payable to that Court for that amount.

Also, it is your responsiblity to contact the Court Reporter, Mr. Austin Baker, to obtain the necessary transcript of the testimony which must be included as a part of the record when forwarded to the Court of Special Appeals. The record must be in the Court of Special Appeals on or before 60 days from the date you filed your appeal, Oct. 13, 1978. (on or before December 12, 1978). If possible, it should be in the mail on Friday, December 8, 1978. At least ten days prior to that date, the record is prepared for transmission to that Court. When the record has been prepared, a statement of costs will be mailed to you including the cost for the preparation of record. Again, the transcript of the testimony must be on file before the date for mailing as the record is not complete without the testimony and can not be mailed without it. When the record is mailed to the Court of Special Appeals, a copy of the docket entries and of the index of papers forwarded to that Court will be mailed to you that same day.

If you have any further questions that I can answer please call me.

Very truly yours,

I. Theodore Phoebus

ITP/aw

COURT STENOGRAPHER

CIRCUT COURT
SOMERSET COUNTY:

23 October 1978

Re: Chancery 10,303

DEAR SIR:

Pursuant to rule 1026 A2, R.R.P, I am requesting you to prepare a transcript of the proceedings below in the above capitoned action.*Under that rule, I am required to request this transcript within ten days of the filing of the order of Appeal.

* This transcript should include all material necessary for the appeal.

Theodore Lang Jr
P.O.Box 710
Crisfield,Md 21817

LIBER 046 PAGE 777

IN THE CIRCUIT COURT FOR SOMERSET COUNTY

STATE OF MARYLAND

Alexander G. Jones, Attorney, Ex Parte, under power contained in Mortgage from Ted Lang, Jr. to the Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania.	No. 10,303 Chancery Cases

Princess Anne, Maryland,

Wednesday, September 27, 1978.

The above-entitled matter came on for hearing on Exceptions to Audit before Honorable RICHARD M. POLLITT, Associate Judge, First Judicial Circuit, beginning at 11:05 a.m.

TED LANG, JR., in proper person.

E. Austin Baker
OFFICIAL COURT REPORTER
FIRST JUDICIAL CIRCUIT COURT

I N D E X

Witnesses:	Direct	Cross	Redirect	Recross
Alexander G. Jones	5	8	-	-

E X H I B I T S

Complainant's:	Page
No. 1 - Deed, A. Wellington Tawes to Ted Lang, Jr., dated December 8, 1976, Deed, Crisfield Shipyard, Inc. to Ted Lang, Jr., dated December 8, 1976, and Deed, The Cloister Relief Association to Ted Lang, Jr., dated December 8, 1976.	11
No. 2 - Receipted statement, Jones and Jones to Ted Lang, Jr., dated December 8, 1976.	12
No. 3 - Mortgage, Ted Lang, Jr. to The Cloister Relief Association, dated December 8, 1976, and mortgage, Ted Lang, Jr. to Windsor Mount Joy Mutual Insurance Company, dated December 8, 1976.	
No. 4 - Petition for Jury Trial, Change of Venue and Tape Recording of trial.	

P R O C E E D I N G S

THE COURT: Gentlemen, we are here in No. 10,303 Chancery which is Exceptions to an audit.

Are you Mr. Lang?

MR. LANG: I am, sir.

THE COURT: Mr. Lang, do you have counsel?

MR. LANG: No, sir.

THE COURT: Mr. Lang, is that a tape recorder that is playing?

MR. LANG: It's not playing, sir.

THE COURT: It's not turned on?

MR. LANG: No, sir.

THE COURT: We will have no tape recording allowed in the court room.

MR. LANG: All right, sir.

THE COURT: Now, Mr. Lang, you filed exceptions to an audit in this case?

MR. LANG: Yes, sir.

THE COURT: The First and Final Auditor's Report.

Now, the Auditor's Report shows that there was a mortgage foreclosure and that the amount of the bid at the mortgage sale was $30,000. The Statement of Mortgage Debt filed in the case shows mortgage debt of $36,130.98. The costs, expenses and fees allowed by the auditor amount to $1,539.30. You have a balance for distribution to mortgage of $28,460.70,

or a deficiency of $7,670.28.

Specifically what items in the audit do you except to, Mr. Lang?

MR. LANG: I take exception to both amount of sales relation to the amount of deficiency and take exception to the fact there was default.

THE COURT: I'm sorry. I can't hear.

MR. LANG: I take exception to the amount of the sale and the way it was posted in the audit, and I take exception to the amount there was in fact a default.

THE COURT: Mr. Lang, those would go to whether or not the sale itself should be ratified. The sale has already been ratified by Order of Judge Horsey on May 19th.

MR. LANG: I was not informed of that, sir.

THE COURT: Well, now, there was Order Nisi published in Crisfield Times for three weeks, beginning with April 21st and ending May 5th, stating that any exception to the ratification of the sale must be filed before the 18th day of May, 1978. No exception to the ratification of sale was filed by the 18th day of May, 1978.

MR. LANG: I received no notification of that, sir. I do not take the paper.

THE COURT: Mr. Lang, are you contending that the property did not bring $30,000 at the sale?

MR. LANG: Sir, the contention is that the accountant

that filed the First and Final Auditor's Report is grossly in error.

THE COURT: What I'm trying to find out is how you contend it is in error.

Are you saying the property brought more than $30,000 at the sale?

MR. LANG: Speaking about the personal property?

THE COURT: No, sir. I'm speaking about the property that was sold pursuant to this mortgage foreclosure.

MR. LANG: The real estate?

THE COURT: The real estate described in this mortgage.

MR. LANG: It's a matter of record that the real estate brought $125,000 at this mortgage foreclosure sale.

The auctioneer was Peter Richardson.

THE COURT: All right.

Mr. Alexander Jones, did you conduct this sale?

MR. JONES: Yes, sir.

THE COURT: Would you come forward, sir, and be sworn?

Thereupon,

ALEXANDER G. JONES,

witness of lawful age, was called as a witness by the Court and, after being first duly sworn according to law, was examined and testified as follows:

DIRECT EXAMINATION

THE CLERK: Please take the stand and state your name and address for the record.

THE WITNESS: Alexander G. Jones, Linden Avenue, Princess Anne, Maryland 21853.

BY THE COURT:

Q. Mr. Jones, looking in the file, I see a mortgage dated December 8, 1976, in which Ted Lang, Jr., is mortgagor and The Cloister Relief Association is mortgagee. The mortgage recites that it's in the amount of $35,000 of which $16,000 was part of the purchase money for the property covered in that mortgage, and you were named as the attorney and agent for the mortgagee in the mortgage?

A. That is correct, sir.

Q. Now, the docket shows that on March 9, 1978, you filed a mortgage foreclosure, bond was filed on April 7, 1978 by Fidelity and Deposit Company, property was advertised in Crisfield Times four times, apparently, and affidavit in here from you that on March 29th Mr. Lang appeared in your office and you gave him a letter setting forth the particulars of the foreclosure and your affidavit also states that Mr. Lang was present at the sale on April 8th?

A. That is correct, sir.

Q. And your report of sale shows that property was sold for $30,000.

A. That is correct,sir.

Mr. Peter Richardson of Salisbury was auctioneer.

Q. Peter Richardson was the auctioneer.

The Clerk signed an Order Nisi on April 17th stating the mortgage sale would be ratified and confirmed unless cause to the contrary was shown on or before May 18th provided the Order was published for three weeks before May 8th, shows that was done, and Judge Horsey signed the Final Order of Ratification on May 19th.

Do you know what Mr. Lang is referring to when he says the property sold for $125,000?

A. He may have this confused with another mortgage foreclosure of property which he owned which was held the same day to Windsor Mount Joy Insurance Company. That's 10,302 Chancery I think that's been ratified. So has the audit.

Q. 10,302 Chancery? There was another mortgage foreclosure proceeding?

A. Yes, sir.

Q. And that property did sell for what? Do you know?

A. I think I have that, sir.

Well, court records would show it, Your Honor.

THE COURT: Mr. Clerk, can you send somebody to get that file, No. 10,302 Chancery?

THE WITNESS: Yes, sir, I do have a copy of that.

The Auditor's Report in that case did show a sale of

$125,000.

BY THE COURT:

Q. That was a separate mortgage and separate property from that covered by this mortgage?

A. Yes. It's adjacent to it, but it's different property, different title.

THE COURT: The docket entry also shows that audit was ratified and confirmed on June 16, 1978.

No exceptions were filed in that proceeding either to the sale or to the audit.

Mr. Lang, it appears from the file and the court records that the $125,000 mortgage that you are speaking of was foreclosed in another case and that sale was ratified by the Court, by Order signed by Judge Horsey on May 19, 1978, there having been no exceptions filed thereto.

So that case is not before the Court.

MR. LANG: I received no notice for that either.

THE COURT: Sir, according to the file, notice was given as required by law and rules of court.

Do you have any questions that you wish to ask Mr. Jones about his testimony?

MR. LANG: Yes, sir, I do.

Pardon me, sir. What is your name?

THE COURT: My name is Pollitt.

CROSS-EXAMINATION

BY MR. LANG:

Q. Mr. Jones, do you recognize this deed, Crisfield Shipyard to Ted Lang, Jr., deed dated 8th of December, 1976?

Real estate tax stamps will confirm that there was in fact three parcels sold to me. The real estate, total sum, being $75,000.

That transaction was handled by your office.

A. What is the question?

Q. You give me the statement that is adjacent parcel. Sir, there were three parcels sold to me by sellers for $75,000. That is a matter of record in both the county records and the records of your office, is that not so?

A. I prepared these deeds in my office. That is correct, they are a matter of record.

Q. And that the consideration for the real estate reflected thereby is $75,000 for three parcels?

A. The transfer tax paid to the Clerk on this first deed shows $80.

The documentary stamps show $52.80.

That is the deed recorded in book 297, page 468, which is the deed to you from Cloister Relief Association.

Q. Do the papers there reflect that there are in fact three parcels of property for which the total consideration was documented as $75,000?

A. The deed from Cloister is two pieces of land.

Q. One from Cloister, one from A. Wellington Tawes and Crisfield Shipyard?

A. The other deed from A. Wellington Tawes dated December 8th is recorded in book 297, page 476. Transfer tax is $30 and documentary stamps, $19.80, and that conveys several lots described as one parcel.

THE COURT: Which of those deeds were covered by this mortgage in No. 10,303, Mr. Jones?

THE WITNESS: Okay, sir. May I see the file, Your Honor?

The mortgage, which was Partial Purchase Money Mortgage dated December 8, 1976, recorded in book 297, page 477, conveyed land, land which was conveyed to Lang by Cloister, composed of two parcels of land.

THE COURT: All right, sir. And was the $16,000 purchase price under that particular deed?

THE WITNESS: The transfer tax was $80, which would be one-half of one percent, sir.

THE COURT: 16,000 --

THE WITNESS: $16,000.

THE COURT: -- as recited in the mortgage?

THE WITNESS: Yes, sir.

THE COURT: All right. Proceed, Mr. Lang, but limit yourself to this piece of property and this mortgage.

MR. LANG: Yes, sir. File these with the Court in this

case.

THE CLERK: Are these Exhibits?

THE COURT: I presume, Mr. Lang, you want to offer them in evidence?

MR. LANG: Yes.

(Deed, A. Wellington Tawes to Ted Lang, Jr., dated December 8, 1976, Deed, Crisfield Shipyard, Inc. to Ted Lang, Jr., dated December 8, 1976, and Deed, The Cloister Relief Association to Ted Lang, Jr., dated December 8, 1976, were marked Complainant's Exhibit No. 1 and received in evidence.)

BY MR. LANG:

Q. Mr. Jones, you represented me at the closing, December 8th, in your office along with Mr. Klinefelter?

A. That is correct.

Q. There is a paid statement of the bill that you gave me for that closing?

A. That is right. It took two days, you and me and Mr. Klinefelter in my office trying to work the deal out.

Q. Was I represented by any other attorney than yourself?

A. I don't think so.

MR. LANG: I present this in evidence.

(Receipted statement, Jones and Jones to Ted Lang, Jr., dated December 8, 1976, was marked Complainant's Exhibit No. 2 and received in evidence.)

BY MR. LANG:

Q. On that same date, Bill of Sale for $125,000 for the personal property of Crisfield Shipyard was documented in your office, and which represented the total amount of $200,000 that the same represented that day?

A. I didn't have anything to do with this proceeding. This is Bill of Sale from Crisfield Shipyard, Inc. to you for certain personal property, dated December 8, 1976.

Q. Would you read to the bottom there? What does it say? Jones and Jones, attorney?

A. Yes.

Q. Was it prepared in your office?

A. That is right, but it has nothing to do with this proceeding.

MR. LANG: I think it does.

THE COURT: We are not concerned with personal property, Mr. Lang. All I'm concerned with now is this mortgage.

The only thing I want to know is if you contend that there is something improper with the $35,000 amount in this

LBH 648 AU 789

mortgage or something improper about this $35,000 reported as what the property brought at the sale, or are you alleging something improper about some of the expense the auditor allowed at the sale?

MR. LANG: We are now concerned with no personal property, just real estate?

THE COURT: I'm not concerned with any personal property in these proceedings.

MR. LANG: All right. Excuse me, sir.

BY MR. LANG:

Q. This Partial Purchase Money Mortgage reflects that just stated $16,000 and $59,000 represented total sum of $75,000 for real estate purchase, is that correct?

A. There was a Purchase Money Mortgage, which is the subject of proceedings, from you to Cloister Relief Association for $35,000 of which $16,000 represents purchase money.

The other mortgage you handed me is a mortgage from you to Windsor Mount Joy, dated the same date, I believe, and recorded in book 297, page 479. That is the mortgage that was foreclosed in No. 10,302. It's not involved in this proceeding.

Q. Were there two separate real estate deals, then?

A. Yes.

Q. And two separate personal property deals?

A. No. One personal property deal.

Q. And two separate mortgage deals?

A. Yep.

Q. Which I was notified of nothing.

A. You were notified, Mr. Lang. As a matter of fact, you attended the sales.

Q. Attended the sales, agreed.

I just would like to enter this.

A. Enter whatever you want. I'm telling you what they are.

THE CLERK: Are these as one?

MR. LANG: Yes.

THE WITNESS: I have not identified those, Mr. Phoebus. I don't know what they are.

THE CLERK: Your Honor?

THE COURT: I don't know. Just go ahead and mark them, if he wants them marked. All the mortgages are in the files.

THE WITNESS: That is correct, sir, in both files.

THE COURT: Yes, sir.

BY MR. LANG:

Q. Your statement, then, there were three sales?

A. That is correct.

There was foreclosure of Windsor mortgage reported in No. 10,302 Chancery, which has been ratified and confirmed, and so has the audit.

There was sale under the Cloister mortgage which was

ratified by the Court and the audit has been filed, and that is what you took exception to.

There was a third sale of personal property which did not involve Cloister in any way. Cloister never loaned, bought or sold any personal property.

Q. And the real estate involved here, your statement, was sold for a total amount of $125,000 total?

A. No, sir. $30,000.

Q. All the real estate?

A. In this proceeding.

THE COURT: Real estate claimed in the mortgage to Cloister Relief Association, which you purchased for $16,000 and executed a mortgage for $35,000, was sold at mortgage foreclosure for $30,000. That's the one we are concerned with, Mr. Lang.

MR. LANG: Yes.

BY MR. LANG:

Q. So that these Auditor Reports that I took exception to, both jointly, were in fact two separate cases, is that what you're telling me?

A. You only excepted to one, and that was filed by the Clerk in this proceeding.

THE COURT: There are at least two separate cases filed. Whether there are any more than that, I have no idea.

MR. LANG: Well, not being an attorney, I noted exception

to Auditor's Report of 31 May. They were both dated 31 May. I was under the impression I was taking exception to both sales, both real estate and personal property.

THE COURT: You have not excepted to either of the sales, Mr. Lang. That's the problem. The sales have been ratified and confirmed by the Court and, as a result, the property has been deeded by Trustees. The only thing to which you have excepted is the Auditor's Report.

There are no claims filed by any other creditor in the Auditor's Report. There have been no proceedings of which we are aware to enforce any deficiency. The only problems before the Court, as we understand the law and the rules, are whether or not the auditor improperly allowed any cost, expense and fees.

Now, the case in which your exceptions were filed, Case No. 10,303, the costs, expenses and fees allowed by the auditor were $1,539.30.

In Case No. 10,302, to which no exceptions were filed, presumably because --

MR. LANG: Sir, would you mind repeating and give me the number again?

THE COURT: I said Case No. 10,302 reported a sale of $125,000 on a mortgage indebtedness of $170,000. The audit shows costs, expenses and fees, $4,498.30. In this case, apparently, you have not excepted.

MR. LANG: That, sir, wasn't for real estate.

THE COURT: That was Auditor's Report on the mortgage foreclosure on real estate.

MR. LANG: I take exception for all three pieces only sold for $75,000 to start with.

THE COURT: This report shows that the real estate in this case sold for $125,000.

MR. LANG: At the sale.

THE COURT: At the mortgage foreclosure sale.

MR. LANG: Only it would be mortgage in certain portion; $75,000 less, I assume, $16,000, so that the actual mortgage amount on that sale would have been grossly in error, and I state the mortgage debt as $170,000.

THE COURT: The mortgage was for $165,000.

MR. LANG: That parcel, 75.

THE WITNESS: No, sir. That parcel sold for 125.

MR. LANG: I mean sold for 125.

THE COURT: Yes, sir. You had a mortgage for $165,000 of which $59,000 was purchase price.

MR. LANG: Then there seems to be something in error here. I only paid $75,000 for three pieces. How could the Court have $170,000 that is real estate?

THE COURT: This mortgage for $165,000 was on the property for which you paid $59,000.

MR. LANG: No, sir. I believe that's in error.

THE COURT: Well, here it is, Mr. Lang.

MR. LANG: Speaking about real estate section of that mortgage?

THE COURT: I'm talking about a mortgage from you to Windsor Mount Joy Mutual Insurance Company. It covers two items of land and the principal amount of the mortgage is $165,000 of which $59,000 was the purchase price.

THE WITNESS: Your Honor, in response to question --

THE COURT: Is that clear to you?

MR. LANG: No, sir, I can't say. Difference was personal property, was it not? So that mortgage apparently was in error.

THE COURT: There is nothing in the mortgage about personal property.

Is this your signature, Mr. Lang? Right here?

MR. LANG: It looks like my signature, sir.

THE COURT: Witnessed by Mr. Jones and before Mrs. Ake, secretary in Mr. Jones' office?

MR. LANG: Mr. Jones was my counsel here, yes.

THE WITNESS: The third line refers to this proceeding, Your Honor, 10,303.

THE COURT: Referred to Auditor's Report filed in 10,303 Chancery.

THE WITNESS: No personal property was involved. In fact, no personal property.

THE COURT: No personal property in either one of

them, according to the files.

THE WITNESS: That is correct.

THE COURT: Now, Mr. Lang, I don't know exactly what your purpose is in being here, but the only proceeding before this Court is an exception to an audit.

The two mortgages were duly filed for foreclosure, proper bonds were filed, proper advertisement was made, sales were, on the face of the jacket, properly conducted, the Order Nisi was run in the newspaper for the amount of time required under the rules, and the Court has ratified the sales of these two properties without any exception being filed.

This Court is not in a position now to set aside the sale of these properties or to rule on the validity of these mortgages not in these proceedings.

The only question before this Court on Exception to Auditor's Report is whether or not the auditor made proper allowance of costs, expenses and fees. If you have any evidence that you wish to offer to the Court that there was anything improper in the costs, expenses and fees allowed by the auditor, I will be glad to hear from you, sir, but other than that, this is not the proper forum to attack the validity of the mortgages or any other problems between you and the party from whom you purchased this property.

MR. LANG: All right, sir.

Is the Court aware that my shipyard payments were current

for the 8th March due date, on that date, 8 March, 1978, and that all City, County and State real estate taxes -- * WERE PAID IN FULL! (02)

THE COURT: Are you saying you were not in default on the mortgage?

MR. LANG: Yes, sir, technically. May I finish my statement?

THE COURT: Why did you not file objection to the property being sold before it was sold, Mr. Lang?

MR. LANG: I was not informed by either certified mail or subpoena or anything else of the ratification of this. I figured anybody can do anything they want, apparently, but they would have to come to court some day and I thought that was this day.

THE WITNESS: I think the record will show that notice was given.

MR. LANG: Might I finish, sir?

THE COURT: Go ahead.

MR. LANG: County and State real estate tax and all utilities of some $1,730 plus were paid in full by me in January and February with the 8 March '78 shipyard obligations satisifed by my check number 593, dated 8 March, 1978, in the amount of $2,500 made to the Client's Trust Account of Fox, Roberts & Farr, along with two 1-year interest bearing notes in total amount of $4,848 to satisfy the 8 March obligations under the terms of the shipyard sale of 8 December, 1976, to me for a total of

1 $6,578 with taxes and utilities paid by me, insure the payments
2 were met as I had at that time an $800,000 lease-purchase
3 contract of sale on one part of the shipyard, and certainly
4 were not default any.
5 Pennsylvania attorneys retained by me, the law firm
6 of Fox, Roberts & Farr, instructed me to pay the payment through
7 their Client's Trust Fund in escrow, which was done as instructed,
8 and they notified Pennsylvania attorney, John Dry of Reading,
9 Pennsylvania, attorney for Pennsylvania sellers of shipyard,
10 by verbal communication on 8th of March that they held sufficient
11 funds and simultaneously made demand on attorney Dry regarding
12 apparent questionable legality of the paperwork of the sale to
13 me on 8 December, 1976, and answer to missing $107,000 plus
14 documented materials removed by lawyers of the sellers of the
15 shipyard from the shipyard after the sale to me on 8 December,
16 1976, while the shipyard was in their care, custody and control.
17 So that in fact, technically, sir, no default existed
18 and Jones and Jones posted this defaming default action, advertis-
19 ing through the area, and starting damaging attorney sales.
20 THE COURT: Mr. Lang, there are other proceedings to
21 take if a person has a mortgage foreclosure when they are not
22 in default. The court can stop the sale if some effort is made
23 to contact the court and prove that the mortgage is not in
24 default.
25 There was an affidavit filed in these cases by an agent

of the mortgage holders that the mortgages were in default. The sales were held and sales have been ratified without exceptions being filed to them.

This Court has no authority to set aside the sales at this point. Now, if somebody has committed fraud against you, you may file suit against them for it, but not in this proceeding.

I will say to you again, Mr. Lang, that the only thing that this Court can consider on Exceptions to Auditor's Report is whether or not the auditors made improper allowance of costs, expenses and fees or other allowances in the audit. Unless you are prepared to offer evidence on those particular questions, then there is not much we can accomplish here.

MR. LANG: My last thing was the fact my relief, which is apparent, No. 10,303 Chancery in the Circuit Court for Somerset County, that in fact, the real estate amount is $16,000 on that mortgage.

THE COURT: That is correct, sir. That was the purchase price for real estate covered by that mortgage, according to the mortgage itself.

MR. LANG: And the sale of the real estate amounted to $30,000.

THE COURT: Yes, sir. That's what the Trustee has reported.

MR. LANG: Apparently, according to the First and Final

Auditor's Report, Mr. Logan Widdowson, auditor, the total cost of expenses and fees of that No. 303, $1,539.30.

THE COURT: That is correct, sir.

MR. LANG: Balance for distribution, $28,460.

THE COURT: Yes, sir.

MR. LANG: But the real estate amount documented apparently was $16,000.

THE COURT: No, sir. The mortgage was $35,000. The purchase price of real estate was $16,000. The mortgagor took back a mortgage for more than what you paid for the property, apparently.

MR. LANG: Sir, this is why I filed exception and that's why I retained attorneys in Pennsylvania to look into this.

THE COURT: Why don't you have an attorney here representing you today?

MR. LANG: Certain questions I wanted to ask myself, sir.

THE COURT: Well, the mortgage, which you say appears to be your signature, is in proper form and is duly witnessed, and the mortgage is for $35,000 of which $16,000 was the purchase price.

There was a Supplemental Agreement signed the same date between you and the Cloister Relief Association setting forth what the payments were to be.

MR. LANG: What you're stating is that while I paid

$16,000, the mortgage came to much more than that?

THE COURT: The mortgage, sir, was for $35,000.

MR. LANG: Which included certain amount of personal property.

THE COURT: No, sir. The mortgage says nothing about personal property. It says mortgage on real estate.

MR. LANG: There is bill of sale for $125,000.

THE COURT: I know nothing about a bill of sale for personal property.

MR. LANG: Then I would simply, since we are at that point, apparently confined to No. 303 in Chancery, and you are restricting this to an Auditor's Report, I would like to state that I was apparently either misled or under a different impression when I signed that mortgage. I signed for $16,000 on that piece of real estate and not a cent more, and that I will just have to look into this thing a little bit further.

There are additional things, but if you wish to keep this to this particular vein at this time --

THE COURT: I have no choice but to keep to this particular thing.

If you allege that somebody defrauded you in some fashion, then you have a perfect right to show, but this is not the proper forum for it. This is not the proper case for it.

MR. LANG: I also petitioned on the 11th of September

for a jury trial, change of venue and a tape recording which is denied.

THE COURT: There is no such thing as jury trial in Exception to Auditor's Report and that motion of yours was denied by Judge Horsey on September 14, 1978.

MR. LANG: Could I put this in file?

THE COURT: File anything you want to, sir.

THE CLERK: Your Honor, it's just a copy.

THE COURT: All right. He wants to file it. Let him file it.

THE CLERK: As Exhibit, Your Honor?

THE COURT: Yes.

THE WITNESS: May I say something?

THE COURT: Yes, sir.

THE WITNESS: Mr. Lang is saying that I misled him. I deny it. He knew about this transaction. He had due notice of the sales. He attended all the sales. As a matter of fact, he purchased some of the property at the sale, the personal property, and this proceeding has been fully complied with according to the law of this State and the rules of this Court.

And as to all these people that are losing valuable time sitting in the court room, I was not the one who summonsed them. Mr. Lang did. I have no idea why they are here.

THE COURT: I don't either, except apparently Mr. Lang had them summonsed.

Mr. Lang, do you have anything else you want to present on the Auditor's Report in this case?

MR. LANG: Might I ask some related questions of Mr. Jones?

THE COURT: Related to what, sir?

MR. LANG: Related to the shipyard situation.

THE COURT: No, sir. I'm not concerned with that. I'm concerned with the costs, expenses and fees allowed by the auditor in this mortgage foreclosure.

MR. LANG: This is not the time nor place to bring up anything about the personal property, then?

THE COURT: No, sir, nothing to do with the personal property.

MR. LANG: And this is not the proper court to see about whether there is another technical default?

THE COURT: No, sir.

MR. LANG: Nor discuss the sale amount versus the mortgage amount?

THE COURT: The sale has been ratified, confirmed and I presume the property deeded.

MR. LANG: I mean the original sale and original mortgage.

THE COURT: You are too late to challenge that in these proceedings.

MR. LANG: Uh-huh. All right, sir.

In summation, then I would just state apparently there is something in error here wherein real estate purchased for $16,000 apparently was mortgaged for the amount of $36,000.

THE COURT: $35,000.

MR. LANG: $35,000 when in fact, if it were sold, $30,000 less $15,000, $16,000, apparently not that deficient, but rather an overage.

That is all I have to say, sir.

THE COURT: All right, sir. Step down, Mr. Jones.

(Witness withdrew from stand.)

MR. LANG: Might I question --

(Thereupon, Mr. Lang conferred with the Court at the bench.)

THE COURT: If somebody has done you wrong, you can sue them.

MR. LANG: Thank you, sir.

THE COURT: I suspect a lot of people here today can sue you for breach of process, but that's not before me.

Now, is there anything else you wish to present, Mr. Lang, limited to the Auditor's Report?

MR. LANG: No, sir, there is nothing to present at this time concerning the Auditor's costs and expense.

THE COURT: The Exceptions are denied and the Auditor's Report is ratified.

The Court apologizes to all those people who were

brought here needlessly. The Court had nothing to do with it.

(Thereupon, at 11:55 a.m., the within matter was concluded.)

MAR. 19 1980
OFFICIAL COURT REPORTER
FIRST JUDICIAL CIRCUIT COURT
LIBER 046 PAGE 805

DEC 10-76 B #24340 *****30.00
DEC 10-76 B #24339 *****19.80
DEC 10-76 B #24338 *****10.50

This Deed, made this 8th day of December, in the year nineteen hundred and seventy-six, by A. Wellington Tawes, of Somerset County and State of Maryland, and Crisfield Shipyard, Inc., a Maryland corporation, Witnesseth:

That for and in consideration of the sum of ten dollars and other good, valuable and sufficient considerations, receipt of which is hereby acknowledged, the said A. Wellington Tawes hereby grants and conveys unto [illegible] Jr., all those lots or parcels of land in Crisfield Election District, Somerset County, Maryland, laid down and described on a plat entitled "Plat of the North Side of the Town of Crisfield filed with and as a part of a deed of partition between Hance Lawson, Michael Somers, William H. Roach and Thomas J. Dixon bearing date the 10th day of February, 1884 and recorded among the Land Records of Somerset County in H.F.L. No. 1, folio 130", and described thereon as lying and binding in part on the east side of Second Street, on the north side of and bounded in part by William Street and on the west side of but not adjacent to Caroline Street and lying and binding on the south side of the Little Annamessex River and being more particularly described as being comprised of Lots Nos. 1, 2 and 3 in Blocks Nos. 34, 40, 46 and 52; Lots Nos. 1 and 2 in Block No. 58; Lot No. 1 in Block No. 64 and Lots Nos. 3 in Blocks Nos. 22 and 28.

Said lots or parcels of land were conveyed unto A. Wellington Tawes by a deed from Wallace M. Quinn and Augusta C. Quinn dated September 3, 1956 and recorded among the Land Records of Somerset County in Liber G.J.B. No. 188, folio 199 (which conveyed Lot No. 3 in Block No. 52 and Lot No. 2 in Block No. 58); by deed from Wallace M. Quinn and Augusta C. Quinn and Egbert L. Quinn, widower, dated October 30, 1956 and recorded among the aforesaid Land Records in Liber G.J.B. No. 188, folio 201(which conveyed Lot No. 3 in Blocks Nos. 22, 28, 34, 40 and 46 and Lot No. 1 in Block No. 64); by deed from Jennie E. Coulbourn to A. Wellington Tawes and A. Earl Dize, as tenants in common, dated February 11, 1928 and recorded among the aforesaid Land Records in Liber G.W.L. No. 96, folio 207 (which conveyed Lots No. 1 in Block Nos. 40, 46 and 52, Lots Nos. 1 and 2 in Block No. 34, Lots Nos. 2 in Block Nos. 40, 46 and 52, Lot No. 1 in Block No. 58); the interest of the said A. Earl Dize in said

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ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

lots was conveyed unto the said A. Wellington Tawes by deed dated March 12, 1937 and recorded among the aforesaid Land Records in Liber J.M.T. No. 112, folio 574.

To which said deeds and plat and all the references in them contained, special reference is here made for a more complete and accurate description of the land and premises hereby conveyed.

Together with the buildings and improvements thereupon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining; together with all riparian rights incident to the ownership of said land under the laws of the State of Maryland, and subject to any restrictions placed upon the use of said property by any duly constituted governmental agency.

To have and to hold the said land and premises above described and mentioned and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Ted Lang, Jr., his heirs and assigns, in fee simple.

And the said grantor covenants that he will warrant specially the property hereby granted and conveyed and that he will execute such further assurances of said land as may be requisite.

And the said Crisfield Shipyard, Inc. joins in the execution of this deed for the sole purpose of releasing any interest it may have acquired under a certain Agreement of Sale by and between A. Wellington Tawes and Crisfield Shipyard, Inc. dated November 30, 1972 and unrecorded.

As witness the hand and seal of the grantor and the corporate seal of Crisfield Shipyard, Inc. and the signature of G. R. Klinefelter, its President, the day and year first above written.

Witness: _____ _____ (SEAL)
A. Wellington Tawes

CRISFIELD SHIPYARD, INC.

Attest: _____ By _____
President

LIBER 237 PAGE 477

LIBER 046 PAGE 808

LIBER 237 PAGE 478

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 8th day of December, in the year nineteen hundred and seventy-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared A. Wellington Tawes and he acknowledged the aforegoing deed to be his act and deed, and signed same in my presence.

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

Patsy E. Oke
Notary Public

State of Pennsylvania, Lancaster County, to wit:

I hereby certify, that on this 8th day of December, in the year nine-hundred and seventy-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared G. R. Klinefelter, President of Crisfield Shipyard, Inc., and acknowledged the aforegoing deed to be the act and deed of said corporation.

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

Notary Public

MY COMMISSION EXPIRES JANUARY 2, 1979
Member, Pennsylvania Association of Notaries

Date 12/9/76

I hereby certify that all State and County taxes levied against the property have been paid.
Dated, 12/9/76

Treasurer for Somerset County

DATE 12/9/76
DULY TRANSFERRED ON THE
ASSESSMENT BOOKS OF SOMERSET
COUNTY, MARYLAND
DEPT. OF ASSESSMENTS AND TAXATION
SOMERSET COUNTY, MD.
BY Janice McAlister
CLERK

FILED

Dec 9 4 10 PM '76

RECORDED IN
LIBER 237 FOLIO 478
ETC., ETC.
BY DEPUTY

LIBER 237 PAGE 474

DEC 10 76 B 24337 ****265.0
DEC 10 76 B 24336 ****174.9
DEC 10 76 B 24335 ******7.0

This Deed, made this 8th day of December, in the year nineteen hundred and seventy-six, by Crisfield Shipyard, Inc., a Maryland corporation,

Witnesseth:

That for and in consideration of the sum of ten dollars and other good, valuable and sufficient considerations, receipt of which is hereby acknowledged, the said Crisfield Shipyard, Inc. hereby grants and conveys unto Ted Lang, Jr., of Virginia Beach, Virginia, all those tracts or parcels of land situate in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and more particularly described as follows: All of those tracts or parcels of land situate as aforesaid; the said land being bounded on the Southwest by Eleventh Street, on the Southeast by Williams Street; on the Northeast by Tenth Street; andon the Northwest by the Crisfield Harbor Line; being all of that land which was conveyed unto Crisfield Shipyard, Inc. by Clarence E. Tolley and Audrey L. Tolley, his wife, by deed dated February 8, 1971 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 258, folio 615.

To which said deed and all the references in it contained, special reference is here made for a more complete and accuratedescription of the land and premises hereby conveyed.

Together with the buildings and improvements thereupon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenancesand advantages, to the same belonging, or in anywise appertaining; together with all riparian rights incident to the ownership of said land under the laws of the State of Maryland, and subject to any restrictions placed upon the use of said property by any duly constituted governmental agency.

To have and to hold the said land and premises above described and mentioned and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Ted Lang, Jr., his heirs and assigns, in fee simple.

And the said grantor covenants that it will warrant specially the property hereby granted and conveyed and that it will execute such further assurances of said land as may be requisite.

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ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

LIBER 046 PAGE 809

As witness the corporate seal of Crisfield Shipyard, Inc. and the signature of G. R. Klinefelter, its President, the day and year first above written.

CRISFIELD SHIPYARD, INC.

By _____
President

Attest: _____
Secretary

State of Pennsylvania, Lancaster County, to wit:

I hereby certify, that on this 8th day of December, in the year nineteen hundred and seventy-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared G. R. Klinefelter, President of Crisfield Shipyard, Inc., and acknowledged the aforegoing deed to be the act and deed of said corporation, and pursuant to the provisions of the Annotated Code of Maryland, Real Property, Section 14-113 certified that the within conveyance is part of a transaction in which there is a sale or other transfer of all or substantially all of the property and assets of the corporation and that the provisions of the Annotated Code of Maryland, Corporations and Associations, Section 3-105 have been complied with.

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

_____
Notary Public
CLAY TOWNSHIP, LANCASTER COUNTY
MY COMMISSION EXPIRES JULY 2, 1979
Member, Pennsylvania Association of Notaries

Date 12/9/76

12/9/76

I hereby certify that all State and County taxes against the property have been paid.
Dated, 12/9/76

FILED
DEC 9 4 18 PM '76

LIBER 237 PAGE 475

DEC 10 76 B #24332 *****80.00
DEC 10 76 B #24331 *****52.80
DEC 10 76 B #24330 ******7.00

This Deed, made this 8th day of December, in the year nineteen hundred and seventy-six, by The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania, Witnesseth:

That for and in consideration of the sum of ten dollars and other good, valuable and sufficient considerations, receipt of which is hereby acknowledged, the said The Cloister Relief Association, an unincorporated association as aforesaid, hereby grants and conveys unto Ted Lang, Jr., of Virginia Beach, Virginia, all those lots or parcels of land situate, lying and being in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and more particularly described as follows: All those lots or parcels of land, situate as aforesaid, laid down and described on a plat entitled "Plat of the North Side of the Town of Crisfield filed with and as a part of a deed of partition between Hance Lawson, Michael Somers, William H. Roach and Thomas J. Dixon bearing date the 10th day of February, 1884 and recorded among the Land Records of Somerset County in H.F.L. No. 1, folio 130" as follows:

First: All of the two lots or parcels of land, situate, lying and binding at the intersection of the north side of William Street and the east side of Tenth Street (formerly Second Street) as laid down on the aforesaid plat, said two lots being lot No. 1 in Block No. 22 fronting 80 feet on William Street and running by and with Tenth Street a distance of 75 feet and Lot No. 2 in Block No. 22 fronting 87 feet 4 inches on William Street and running by and with Lot No. 1 a distance of 75 feet.

Second: All those lots or parcels of land, situate as aforesaid, binding on the east side of Tenth Street (formerly Second Street) having a frontage on said Tenth Street of 75 feet and extending eastward therefrom in a uniform width of 75 feet between two streets a distance of 167.33 feet and being lot No. 1 and Lot No. 2 in Block No. 28 as laid down on the aforesaid plats.

Said lots are part of the land laid down and described on a plat by W. Ballard Miles dated January 8, 1943 and recorded among the Land Records of Somerset County in Plat Book No. 1, folio 32.

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ATTORNEYS AT LAW
PRINCESS ANNE, MD. 21853

The land above described beingthe same and all the land which was conveyed

unto The Cloister Relief Association by Jack M. Swift and Daisy B. Swift, his wife, by deed dated February 13, 1973 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 271, folio 336.

To which said deed and plat and all the references in them contained, special reference is here made for a more complete and accurate description of the land and premises hereby conveyed.

Together with the buildings and improvements thereupon erected, made or being; and all and every, the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or in anywise appertaining.

To have and to hold the said land and premises above described and mentioned and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Ted Lang, Jr., his heirs and assigns, in fee simple.

And the said grantor covenants that it will warrant specially the property hereby granted and conveyed and that it will execute such further assurances of said land as may be requisite.

As witness the hand and seal of Ralph Burkholder, President of The Cloister Relief Association, the day and year first above written.

THE CLOISTER RELIEF ASSOCIATION

Attest: [signature] Secy

By: [signature]
President

State of Pennsylvania, Lancaster County, to wit:

I hereby certify, that on this 8th day of December, in the year nineteen hundred and seventy-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Ralph Burkholder, President of The Cloister Relief Association, and he acknowledged the aforegoing deed to be the act and deed of said association.

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

FILED

DEC 9 4 15 PM '76

[signature]
Notary Public

Deed

The Cloister Relief Association

To

Ted Lang, Jr.
844 North Plantation Drive
Virginia Beach, Va 23454

Crisfield Election District

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

LIBER 0:6 813

PLAINTIFF'S EXHIBIT
1

PLAINTIFF'S EXHIBIT
2

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

December 8, 1976

Mr. Ted Lang, Jr.
844 N. Plantation Drive
Virginia Beach, Va.

FOR PROFESSIONAL SERVICES RENDERED

In re: Settlement of transaction with Cloister Relief Association, Crisfield Shipyard, Inc. and Windsor Mount Joy Mutual Insurance Company on December 8, 1976 and December 9, 1976 including participation in negotiations, preparation of supplemental agreements, discussion of terms and conditions of transaction $200.00

Paid Jones & Jones 6. Ch ck 4608(M) 12/20/76 18 Rec'd 70

LIBER 046 PAGE 814

PARTIAL
PURCHASE MONEY

Mortgage

Ted Lang, Jr.

To

The Cloister Relief Association

LIBER 297 PAGE 470

DEC 10-76 B #24334 *****62.70
DEC 10-76 B #24333 *****12.00

This Mortgage made this 8th day of December, in the year of our Lord one thousand nine hundred and seventy-six, by Ted Lang, Jr., of Virginia Beach, Virginia.

Whereas, the said Ted Lang, Jr. is indebted unto The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania, in the full and just sum of thirty-five thousand dollars ($35,000.00), ($16,000) being purchase money for the real estate hereinafter described, with interest from the date hereof at the rate of seven and one-half per cent (7½%) per annum, which said indebtedness is evidenced by the bill obligatory of the said Ted Lang, Jr. for said sum, dated evenly herewith, payable to the order of the said The Cloister Relief Association in eighty quarterly installments of eight hundred forty-eight dollars and forty cents ($848.40) each, the first of said installments being due and payable three months from the date hereof and the remaining installments on even date of each succeeding third month thereafter until fully paid, said installments to be credited first to interest and the balance to principal of said indebtedness; and whereas, for the purpose of further securing the payment of said sum and interest, this mortgage is executed.

Now, therefore, this mortgage witnesseth: That for and in consideration of the premises and the sum of one dollar, the said Ted Lang, Jr. hereby grants and conveys unto The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania, all those lots or parcels of land situate, lying and being in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and moreparticularly described as follows: All those lots or parcels of land, situate as aforesaid, laid down and described on a plat entitled "Plat of the North Side of the Town of Crisfield filed with and as a part of a deed of partition between Hance Lawson, Michael Somers, William H. Roath and Thomas J. Dixon bearing date the 10th day of February, 1884 and recorded among the Land Records of Somerset County in Liber H.F.L. No. 1, folio 130" as follows:

First: All of the two lots or parcels of land situate, lying and binding at the intersection of the north side of William Street and the east side of Tenth Street (formerly Second Street) as laid down on the aforesaid plat, said two lots being Lot No. 1 in Block No. 22 fronting 80 feet on William Street and running by and with Tenth Street a distance of 75 feet and lot No. 2 in Block No. 22 fronting 87 feet 4 inches on William Street and running by and with Lot No. 1 a distance of 75 feet.

LIBER 297 PAGE 479

DEC 10-76 B 24342 ****349.80
8tDEC 10-76 Rec December ****12.00

LIBER 046 PAGE 816

PURCHASE MONEY

Mortgage

Ted Lang, Jr.

To

Windsor Mount Joy Mutual
Insurance Company

This Mortgage made this 8th day of December in the year of our Lord one thousand nine hundred and seventy-six, by Ted Lang, Jr., of Virginia Beach, Virginia.

Whereas, the said Ted Lang, Jr. is indebted unto Windsor Mount Joy Mutual Insurance Company, a Pennsylvania corporation, in the full and just sum of one hundred sixty-five thousand dollars ($165,000.00), ($ 59,000.00) of which is purchase money for the real estate hereinafter described, with interest from the date hereof at the rate of seven and one-half per cent (7½%) per annum, which said indebtedness is evidenced by the bill obligatory of the said Ted Lang, Jr. for said sum, dated evenly herewith, payable to the order of the said Windsor Mount Joy Mutual Insurance Company in eighty quarterly installments of thirty-nine hundred ninety-nine dollars and sixty cents ($3999.60) each, the first of said installments being due and payable three months from the date hereof, and the remaining installments on even date of each succeeding third month thereafter until fully paid, said installments to be credited first to interest and the balance to principal of said indebtedness; and whereas, for the purpose of further securing the payment of said sum and interest, this mortgage is executed.

Now, therefore, this mortgage witnesseth: That for and in consideration of the premises and the sum of one dollar, the said Ted Lang, Jr. hereby grants and conveys unto Windsor Mount Joy Mutual Insurance Company, a Pennsylvania corporation, its successors or assigns, all those lots or parcels of land situate in the City of Crisfield, Crisfield Election District, Somerset County, Maryland, and more particularly described as follows:

First: All those lots or parcels of land, situate as aforesaid, laid down and described on a plat entitled "Plat of the North Side of the Town of Crisfield filed with and as a part of a deed of partition between Hance Lawson, Michael Somers, William H. Roach and Thomas J. Dixon bearing date the 10th day of February, 1884 and recorded among the Land Records of Somerset County in H.F.L. No.1, folio 130", and described thereon as lying and binding in part on the east side of Second Street, on the north side of and bounded in part by William Street and on the west side of but not adjacent to Caroline Street and lying and binding on the south side of the Little Annamessex River and being more particularly described as being comprised of Lots Nos. 1, 2 and 3 in Blocks Nos. 34, 40, 46 and 52; Lots Nos. 1 and 2 in Block No. 58; Lot

PETITION FOR JURY TRIAL, CHANGE OF VENUE AND TAPE RECORDING OF TRIAL

TO: Clerk of the Circuit Court for Somerset County, Princess Anne, Maryland

RE: No. 10303 Chancery Case, scheduled for September 27, 1978

The Court is hereby petitioned for a TRIAL BY JURY, CHANGE OF VENUE to the Urban Western Shore of Maryland, and a SECURITY TAPE RECORDING of the complete Trial, due to the nature of the case, the extremely prejudicial attitude and chauvinism of local potential Jurors due to wide notoriety and publicity, and apparent conflict of interest and/or prejudice of current local politicians, Judges and States Attorney, which will cloud and/or preclude appraisment of presentments at trial.

Denied by Rul 9-14-78

Witness: Marie H. Knighty
Notary

Date: Sept. 11, 1978

Commission Expires: 7-1-82

Theodore Lang, Jr.
Post Office Box 710
Crisfield, Maryland 21817

Filed this 11th day of September, 1978 with Clerk of the Circuit Court, Somerset County, Maryland. Copies by Regular U. S. Mail, postage prepaid to:

Alexander G. Jones, Esq.
Jones & Jones
Princess Anne, Maryland 21853

Logan C. Widdowson, Esq.
North Somerset Avenue
Princess Anne, Maryland 21853

TRUE COPY, TEST: _____, CLERK.

LIBER 046 817

PLAINTIFF'S EXHIBIT 4

LIBER U46 PAGE 818

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
PRINCESS ANNE, MARYLAND 21853
301-651-1555

November 29, 1978

Mr. Theodore Lang, Jr.
P.O. Box 710
Crisfield, Md. 21817

Re: No. 10303 Chancery Case
Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted. Lang, Jr. to The Cloister Relief Association, etc.

Dear Mr. Lang:

Enclosed herewith is Statement of Costs and copies of the docket entries and index which will be forwarded to the Court of Special Appeals.

If you desire to look at the record before it is forwarded to that Court, please do so before Friday, December 8, 1978.

Very truly yours,

I. Theodore Phoebus

ITP/aw

Enc. 3

cc: Alexander G. Jones, Esq., Princess Anne, Md.
Logan C. Widdowson, Esq., Auditor, Princess Anne, Md.

STATEMENT OF COSTS

Plaintiff's Costs	$ 99.00	Paid
Defendant's Costs	$ 179.50 (Paid $162.00)	Paid 17.50 12/7/78
Preparation of Record	25.00	Paid 12/7/78
Stenographer's Costs	56.00	Paid

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

I, I. Theodore Phoebus, Clerk of the Circuit Court for Somerset County, Maryland, do hereby certify that the above and aforegoing is a true and correct copy of the Docket Entries and Statement of Costs and all of the original papers in the case of Alexander G. Jones, Attorney, Ex Parte under power contained in Mortgage from Ted Lang, Jr. to The Cloister Relief Association, an unincorporated association organized under the laws of the Commonwealth of Pennsylvania, the same being No. 10303 Chancery Case in this Court.

IN TESTIMONY WHEREOF, I hereunto subscribe my name and affix the Seal of said Court this 8th day of November, 1978.

I. Theodore Phoebus

I. Theodore Phoebus, Clerk of the Circuit Court for Somerset County, Maryland

LIBER 046 PAGE 819

MAR. 19 1980
Exd.

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Ronald F. Wright
and Rebecca Wright, his wife,
and then by assignement to Wade
D. Ward, for Foreclosure and
Collection.

No. 10519 Chancery

In the Circuit Court

For Somerset County

State of Maryland

JAN 25 79 B 524575D*****10.00
JAN 25 79 B 524574D*****50.00

Mr. Clerk:

Please file the attached mortgage and non-military service affidavit and enter the appearance of Wade D. Ward for the purpose of foreclosure and collection.

Wade D. Ward, Attorney and
Assignee

FOR MORTGAGE SEE LIBER 265, FOLIO 227

FOR ASSIGNMENT SEE LIBER 312, FOLIO 367.

265/227

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mortgage from Ronald F. Wright and Rebecca Wright, his wife, and then by assignment to Wade D. Ward, for Foreclosure and Collection.	No. Chancery In the Circuit Court For Somerset County State of Maryland

NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 28th day of ~~September~~ December, 1978, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, and he made oath in due form of law that he knows the Defendants herein and that to the best of his knowledge, information and belief:

(1) Said Defendants are not in the Military Service of the United States of America.

(2) Said Defendants are not in the Military Service of any National allied with the United States of America.

(3) Said Defendants have not been ordered to report for induction under the Selective Training and Service Act.

(4) Said Defendants are not members of the Enlisted Reserve Corps who have been ordered to report for Military Service.

Donna W. Hickman
Notary Public

DONNA W. HICKMAN NOTARY PUBLIC SOMERSET CO. MD.

LIBER 040 PAGE 822

Wade D. Ward, Assignee Ex Parte for the purpose of foreclosure and collection under power contained in a mortgage from Ronald F. Wright and Rebecca Wright, his wife, and then by assignment to Wade D. Ward for foreclosure and collection	No. 10519 Chancery In the Circuit Court For Somerset County State of Maryland

STATEMENT OF MORTGAGE DEBT

Original amount of mortgage	$ 4,700.00
Less - amount paid on principal	382.61
Amount owed on principal	$ 4,317.39
Amount owed on insurance payment	158.00
Amount owed on interest 2/15/78-2/20/79	366.97
	$ 4,842.36

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 12th day of February, 1979, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President, of the Eastern Shore National Bank, a United States Banking Corporation, the plaintiff in the above entitled cause, and made oath in due form of law that the foregoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and Notarial Seal.

Philip W. Tawes
Notary Public

Maryland

No. 10519 Chancery Case

WESTERN SURETY COMPANY

One of America's Oldest Bonding Companies

CHICAGO • SIOUX FALLS • DALLAS
PALO ALTO • BALA-CYNWYD, PA.

BOOK 010 PAGE 452

TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS:

FORM No. 19-TM- 3758

That we, Wade D. Ward, as Principal, and the WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, as Surety, authorized to do business in the State of Maryland, are held and firmly bound in the sum of Five thousand and no/100---------- ($ 5,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $500,000.00)
to be paid to the said State of Maryland or its certain Attorney, to which payment well and truly to be made, we bind ourselves and our legal representatives, jointly and severally, by these presents.

Sealed with our seals and dated this 12th day of February, 19 79.

WHEREAS, the above bounden Wade D. Ward

by virtue of the power contained in a mortgage from Ronald F. Wright and Rebecca (his wife)

to Eastern National Bank

bearing date the 31st day of December 1971 and recorded among

the mortgage records of Somerset County

in Liber I.T.D. No. 265 Folio 227

and Wade D. Ward
is about to sell the land and premises described in said mortgage, default having been made in the payment of the money as specified, and in the conditions and covenants therein contained.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden

Wade D. Ward

do and shall well and truly and faithfully perform the trust reposed in him under the mortgage aforesaid, and shall abide by and fulfill any order or decree which shall be made by any Court of Equity in relation to the sale of said mortgaged 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

As to Principal

Principal

As to Surety

Principal

WESTERN SURETY COMPANY

By J. Reinke

J. Reinke, Ass't. Sec.

Countersigned by John Willard Tower Maryland Resident Agent

FILED

FEB 14 1 02 PM '79

THE WITHIN BOND APPROVED.

PER: I. Theodore Phoebus, CLERK.

1268—3-75

LIBER 1148 - 823

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mortgage from Ronald F. Wright and Rebecca Wright, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	No. 10519 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 Ronald F. Wright and Rebecca Wright, his wife, to the Bank of Crisfield, now the Eastern Shore National Bank, a United States Banking Corporation, dated December 31, 1971, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 265 folio 227, 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 and Herald, once in each of three successive weeks before the day of sale, he did, pursuant to said notice, attend on the Post Office steps in Crisfield, Maryland, on Tuesday, February 20, 1979, 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 the Fairmount Election District, Somerset County, State of Maryland, and being located on the north side of the county road leading from Fairmount to Rumbley, beginning at a locust post at

at the north corner of the land of John W. Ford and by and with the middle of a lane, S 32 E 41 perches to a post on the county road; thence by and with said county road S 38 45' W 17½ perches to the road gate; thence by and with a fence along the east side of said John Ford's lane, N 38 W, 45½ perches to a locust post located in the middle of a ditch; thence by and with the middle of said ditch to the place of beginning; and containing five and one-half (5½) acres, more or less, and being the same and all that property conveyed to Pauline V. Jones from Virginia T. Owens by deed dated August 20, 1963 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 219 folio 306; and being the same and all that property conveyed unto Ronald F. Wright and Rebecca Wright, his wife, from Pauline V. Jones by deed dated December 31, 1971 and recorded among the aforesaid land records in Liber I.T.P. No. 264 folio 277.

And the said property was sold to the Eastern Shore National Bank, a United States Banking Corporation, it being then and there the highest bidder therefor, at and for the sum of Fifty Seven Hundred Dollars ($5,700.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Wade D. Ward

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 23rd day of February, 1979, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney and Assignee, of the foreclosure of Ronald F. Wright and Rebecca Wright, his wife, and he made oath in due form of law that the matters and facts contained in the Report of Sale are true and correct to the best of his knowledge, information and belief.

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

Notary Public

LIBER 046 PAGE 825

LIBER 046 PAGE 826

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mort- gage from Ronald F. Wright and Rebecca Wright, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.	No. 10519 Chancery In the Circuit Court for Somerset County State of Maryland

O R D E R N I S I

ORDERED, that the sale of the property mentioned these proceedings and the distribution of the process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 26th day of March, 1979, 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 19th day of March, 1979.

The report states the amount of sale being Fifty Seven Hundred Dollars ($5,700.00).

Dated: Feb. 22, 1979.

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 Ronald F. Wright and Rebecca Wright, his wife, and then by assignment to Wade D. Ward, for Foreclosure and Collection.	No. 10519 Chancery In the Circuit Court For Somerset County State of Maryland

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 29th day of March, 1979, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, aforesaid, personally appeared Robert Lee Tawes, Jr., Executive Vice President of the Eastern Shore National Bank, a United States Banking Corporation, he being the duly authorized agent for said Bank in making this affidavit, it being the purchaser of the real estate in the above entitled proceedings and made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone but the Eastern Shore National Bank.

2. That other interest in said purchase as principal is none.

3. That he 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.

John Willard Tawes
Notary Public

NOTARY PUBLIC SOMERSET COUNTY

LIBER 046 PAGE 828

Wade D. Ward Esq.
Main Street
Crisfield, Md. 21817

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power contained in a mortgage from Ronald F. Wright and Rebecca Wright, his wife, and then by assignment to Wade D. Ward for foreclosure and collection.

No. 10519 Chancery
In the Circuit Court
For Somerset County
State of Maryland

ORDER NISI

ORDERED, that the sale of the property mentioned these proceedings and the distribution of the process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 26th day of March, 1979, 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 19th day of March, 1979.

The report states the amount of sale being Fifty Seven Hundred Dollars ($5,700.00).

Dated: February 22, 1979.

I. Theodore Phoebus, Clerk
True Copy, Test:

3-2-3t

CRISFIELD, MD. 3-9- **19** 79

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 2, **19** 79 **and ending** March 16, **19** 79.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

By S.C Rogers

PUBLIC SALE OF VALUABLE PROPERTY

Wade D. Ward, Solicitor

By virtue of the power and authority contained in a mortgage from Ronald F. Wright and Rebecca Wright, his wife, to the Bank of Crisfield, a body corporate, now the Eastern Shore National Bank, a United States Banking Corporation, dated December 31, 1971, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 265 folio 227 which said mortgage has been duly assigned to the undersigned by the said Eastern Shore National Bank, a body corporate, by assignment dated December 27, 1978 and recorded among the Land Records of Somerset County, Maryland, for the purpose of foreclosing and collection, default having occurred under the conditions of said mortgage, I will sell at public auction on the steps of the Post Office in Crisfield, Maryland, on Tuesday,

February 20, 1979

at or about the hour of 2:00 p.m., all that lot or parcel of land situate, lying and being in the Fairmount 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 north side of the county road leading from Fairmount to Rumbley, beginning at a locust post at the north corner of the land of John W. Ford and by and with the middle of a lane, S 32 E 41 perches to a post on the county road; thence by and with said county Road s 38 45' W 17½ perches to the road gate; thence by and with a fence along the east side of said John Ford's lane, N 38 W, 45½ perches to a locust post located in the middle of a ditch; thence by and with the middle of said ditch to the place of beginning; and containing five and one-half (5½) acres, more or less, and being the same and all that property conveyed to Pauline V. Jones from Virginia T. Owens by deed dated August 20, 1963 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 219 folio 306; and being the same and all that property conveyed unto Ronald F. Wright and Rebecca Wright, his wife, from Pauline V. Jones by deed dated December 31, 1971 and recorded among the aforesaid land records in Liber I.T.P. No. 264 folio 277.

The property is improved with a dwelling.

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 for Somerset County, the unpaid portion to bear interest at the rate of eight per centum (8%) per annum.

Taxes, assessments and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps and cost of recording at expense of purchaser or purchasers.

Wade D. Ward
Attorney
Assignee of said Mortgage
2-2-3t

CRISFIELD, MD. March 9, 1979

THIS is to certify that the annexed Public 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 Public Sale for 3 weeks beginning with the issue of February 2, 19 79 and ending February 16, 19 79

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

046 829

UEC 830

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power contained in a
mortgage from Ronald F. Wright
and Rebecca Wright, his wife,
and then by assignment to
Wade D. Ward, for Foreclosure
and Collection.

No. 10519 Chancery

In the Circuit Court

For Somerset County

State of Maryland

FINAL ORDER

Ordered by this Court this 19th day of April 1979, 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.

Lloyd L. Simpkins
Judge

P00 4799470

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Rebecca Wright
STREET AND NO. Fairmount
P.O., STATE AND ZIP CODE Md 21811

POSTAGE	$ .15
CERTIFIED FEE	.80 ¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	.45 ¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$ 1.40

CONSULT POSTMASTER FOR FEES
OPTIONAL SERVICES
RETURN RECEIPT SERVICE

POSTMARK OR DATE
FEB 9 1979

PS Form 3800, Apr. 1976

P00 4799469

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Ronald F Wright
STREET AND NO.
P.O., STATE AND ZIP CODE Fairmount Md 21811

POSTAGE	$ .15
CERTIFIED FEE	.80 ¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	.45 ¢
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$ 1.40

CONSULT POSTMASTER FOR FEES
OPTIONAL SERVICES
RETURN RECEIPT SERVICE

POSTMARK OR DATE
FEB 9 1979

PS Form 3800, Apr. 1976

In the Matter of
Wade D. Ward, Assignee
of a mortgage from
Ronald F. Wright and
Rebecca Wright, his wife,
to the Eastern Shore National
Bank.

No. 10519 Chancery

In the Circuit Court

For Somerset County

State of Maryland

AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 29th day of March, 1979, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Wade D. Ward, Attorney and Assignee, of the foreclosure of Ronald F. Wright and Rebecca Wright, his wife, and he made oath that he mailed a certified U. S. Postage prepaid letter to Ronald F. Wright and Rebecca Wright, his wife, Fairmount, Maryland, 21871, and copies of the receipts are attached hereto.

As witness my hand and seal the day and year first above written.

John Hallard Jones
Notary Public

NOTARY PUBLIC SOMERSET COUNTY, MARYLAND

LIBER 046 FOLIO 831

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
☐ Show to whom and date delivered ..... ¢
☐ Show to whom, date, and address of delivery ..... ¢
☐ RESTRICTED DELIVERY
Show to whom and date delivered ..... ¢
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery $____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Rebecca Wright
Fairmount Md 21871

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. | INSURED NO.
4 X 594 276

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. Rebecca Wright
DATE OF DELIVERY
3-22-79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

POSTMARK
FEB 22 1979
U.S.P.O.
WESTOVER, MD.

☆GPO: 1977—0—249-595

Wade D. Ward, Assignee	:	No. 10519 Chancery
Ex Parte for the purpose		
of Foreclosure and Collection	:	In the Circuit Court
under power contained in a		
mortgage from Ronald F. Wright	:	For Somerset County
and Rebecca Wright, his wife,		
and them by assignment to	:	State of Maryland
Wade D. Ward, for Foreclosure		
and Collection	:	

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 therein, states the following Account:

Amount of Sale			$ 5,700.00
Fees, Costs, Expenses, Etc.:			
I. Theodore Phoebus, Clerk		$ 112.00	
Crisfield Times		106.89	
Philip Tawes, Bond		20.00	
William B. Daugherty, Auctioneer		75.00	
Postage, Registered Mail		2.89	
Wade D. Ward, Attorney's Fee		75.00	
Wade D. Ward, Attorney's Commission		435.00	
10% of $3,000.00	$ 300.00		
5% of $2,700.00	135.00		
Logan C. Widdowson, Auditor		45.00	
Carlos Bozman, Treasurer		226.95	
Total Fees, Costs, Expenses, Etc.			1,098.73
Balance to be distributed			$ 4,601.27
Eastern Shore National Bank			4,852.36
Deficiency			$ - 251.09

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.

YOUR AUDITOR hereby certifies that the Maryland Rules of Procedure have been complied with by mailing on the date of the filing of the Audit notice of this report to the following parties by regular U.S. Mail, postage prepaid:

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3600
knt
#82

Wade D. Ward, Esquire
946 West Main Street
Crisfield, Maryland 21817

Mr. Ronald F. Wright
Fairmount, Maryland 21871

Mrs. Rebecca Wright
Fairmount, Maryland 21871

Date of Filing: January 24, 1980

Logan C. Widdowson, Auditor

LAW OFFICE
LOGAN C. WIDDOWSON
NORTH SOMERSET AVE.
PRINCESS ANNE, MD. 21853
651-3500

knt
#82

LIBER 040 PAGE 834

No. 10,519 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 24th day of January, 19 80 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 8th day of February, 19 80.

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 11th day of March, 19 80 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

MAR. 19 1980
Exd