JUL 26-83 B 524185D*****10.00
JUL 26-83 B 524184D*****60.00

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from George D. Evans
and Tommie Lee Evans, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection

NO. 11,586 Chancery

IN THE CIRCUIT COURT FOR

SOMERSET COUNTY

STATE OF MARYLAND

Dear Mr. Clerk:

Please docket the above entitled case and file among the papers the following documents:

1. The original Purchase Money Mortgage from George D. Evans and Tommie Lee Evans, his wife, to the Eastern Shore National Bank, a body corporate, dated February 27, 1978 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 305, folio 742.

2. Military Affidavit.

3. Statement of Debts.

Wade D. Ward, Assignee

BOOK 050 PAGE 01

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from George D. Evans
and Tommie Lee Evans, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection

NO. 11,586

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

BOOK 050 PAGE 02

STATEMENT OF DEBTS

| | |
|---|---|
| Original Amount of Principal | $ 27,000.00 |
| Amount paid on Principal | 2,492.71 |
| Amount due on Principal as of July 14, 1983 | $ 24,507.29 |
| Interest due as of July 14, 1983 | 515.41 |
| TOTAL AMOUNT DUE | $ 25,022.70 |

(SEAL)
Robert L. Tawes, Jr.
President, Eastern Shore National
Bank
Crisfield, Maryland

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 14th day of July, 1983, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert L. Tawes, Jr., President of the Eastern Shore National Bank, and he made oath in due form of law that the aforegoing is a true statement of the amount of the mortgage claim under the mortgage filed in the said cause now remaining due and unpaid.

WITNESS my hand and Notarial Seal.

Notary Public

VERA C. TYLER
NOTARY
PUBLIC
SOMERSET CO., MD.

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from George D. Evans
and Tommie Lee Evans, his wife,
and then by assignment to Wade
D. Ward for foreclosure and
collection

NO. 11,586

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

MILITARY AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that 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 George D. Evans and Tommie Lee Evans, his wife, and he made oath in due form of law that he knows the defendants herein and that to the best of his information, knowledge and belief:

1. Said defendants are not in the military service of the United States.

2. Said defendants are not in the military service of any nation allied with the United States.

3. Said defendants have not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

4. Said defendants are not a member of the Enlisted Reserve Corps who have been ordered to report for military service.

Wade D. Ward, Attorney and
Assignee

SUBSCRIBED AND SWORN TO
BEFORE ME THIS 22nd DAY
OF July, 1983.

Vera O. Tyler
Notary Public

BOOK 050 PAGE 03

Book 11 Page 264

# 11,586

Maryland

# Western Surety Company

BOOK 050 PAGE 04

## TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 60026465

That we, R. Scott Davis and 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 and no/100----------($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 26th day of August, 19 83.

WHEREAS, the above bounden R. Scott Davis and Wade D. Ward

by virtue of the power contained in a mortgage from George D. Evans and Tommie Lee Evans

to Eastern Shore National Bank

bearing date the 27th day of February, 1978 and recorded among

the mortgage records of Somerset County

in Liber ITP No. 305 Folio 742

and R. Scott Davis 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

R. Scott Davis and 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

As to Principal

Vera O. Tyler — Principal

Vera O. Tyler — Principal

As to Surety

K. Sowers

A. Vieron

WESTERN SURETY COMPANY

By _____ President

Countersigned by _____ Maryland Resident Agent

AUG 29 9 24 AM '83

THE WITHIN BOND APPROVED

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

Per J. Theodore Phoebus, Clerk

1268—5-81

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

| | |
|---|---|
| Wade D. Ward, Assignee<br>Ex Parte for the purpose<br>of Foreclosure and Collection<br>under power obtained in a<br>mortgage from George D. Evans<br>and Tommie Lee Evans, his wife<br>and then by assignment to<br>Wade D. Ward for foreclosure<br>and collection | No. 11,586 Chancery<br><br>In the Circuit Court<br><br>For Somerset County<br><br>State of Maryland |

AFFIDAVIT OF COMPLIANCE WITH RULE W74a.2.(c)

STATE OF MARYLAND,

SOMERSET COUNTY, to wit:

I HEREBY CERTIFY, that on this 4th day of October, A.D., 1983, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Wade D. Ward and made oath in due form of law as follows:

That on August 25, 1983, in compliance with Rule W74a.2.(c) he mailed a notice of the time, place and terms of sale to George D. Evans and Tommie Lee Evans, his wife, Mortgagors, c/o Crisfield Flower Shop, 219 Main Street, Crisfield, Maryland 21817, and their home address, R.F.D. 1, Marion, Maryland 21838, these being the last known addresses of the said Mortgagors; that said notice was mailed by registered mail pursuant to the Maryland Rules on August 25, 1983, and that the receipt and return receipt are attached hereto.

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

BOOK 050 PAGE 05

Notary Public

BOOK 050 PAGE 06

11,586

PS Form 3811, Dec. 1980

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- [X] Show to whom and date delivered ..... 60¢
- [ ] Show to whom, date, and address of delivery.. ___¢
- 2. [ ] RESTRICTED DELIVERY ___¢
  (*The restricted delivery fee is charged in addition to the return receipt fee.*)

TOTAL $___

3. ARTICLE ADDRESSED TO:
Tommie Lee Evans
c/o Crisfield Flower Shop
219 Main Street
Crisfield, Maryland 21817

4. TYPE OF SERVICE:
- [ ] REGISTERED
- [ ] INSURED
- [X] CERTIFIED
- [ ] COD
- [ ] EXPRESS MAIL

ARTICLE NUMBER: P 261 751 294

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE [ ] Addressee [X] Authorized agent

Tommie Lee Evans

5. DATE OF DELIVERY: 8/26/83

POSTMARK: REGISTERED, CRISFIELD, MD, AUG 26 1983

6. ADDRESSEE'S ADDRESS (*Only if requested*)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

PS Form 3811, Dec. 1980

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- [X] Show to whom and date delivered ..... ___¢
- [ ] Show to whom, date, and address of delivery.. ___¢
- 2. [ ] RESTRICTED DELIVERY ___¢
  (*The restricted delivery fee is charged in addition to the return receipt fee.*)

TOTAL $___

3. ARTICLE ADDRESSED TO:
George D. Evans
c/o Crisfield Flower Shop
219 Main Street
Crisfield, Maryland 21817

4. TYPE OF SERVICE:
- [ ] REGISTERED
- [ ] INSURED
- [X] CERTIFIED
- [ ] COD
- [ ] EXPRESS MAIL

ARTICLE NUMBER: P 261 751 293

(Always obtain signature of addressee or agent)

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

Tommie Lee Evans

5. DATE OF DELIVERY: 8/26/83

POSTMARK: REGISTERED, CRISFIELD, MD, AUG 26 1983

6. ADDRESSEE'S ADDRESS (*Only if requested*)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

## P 261 751 294

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO: Tommie Lee Evans
STREET AND NO.: 219 Main Street
P.O., STATE AND ZIP CODE: Crisfield, MD 21817

| | |
|---|---|
| POSTAGE | $.20 |
| CERTIFIED FEE | .75¢ |
| SPECIAL DELIVERY | ¢ |
| RESTRICTED DELIVERY | ¢ |
| SHOW TO WHOM AND DATE DELIVERED | .60¢ |
| 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 | $1.55 |

POSTMARK OR DATE: CRISFIELD, MD USPO AUG 25 1983

PS Form 3800, Apr. 1976

## P 261 751 292

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO: Tommie Lee Evans
STREET AND NO.: RFD 1
P.O., STATE AND ZIP CODE: Marion, MD 21838

| | |
|---|---|
| POSTAGE | $.20 |
| CERTIFIED FEE | .75¢ |
| SPECIAL DELIVERY | ¢ |
| RESTRICTED DELIVERY | ¢ |
| SHOW TO WHOM AND DATE DELIVERED | .60¢ |
| 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 | $1.55 |

POSTMARK OR DATE: CRISFIELD, MD AUG 25 1983

PS Form 3800, Apr. 1976

## P 261 751 293

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO: George D. Evans
STREET AND NO.: 219 Main Street
P.O., STATE AND ZIP CODE: Crisfield, MD 21817

| | |
|---|---|
| POSTAGE | $.20 |
| CERTIFIED FEE | 75¢ |
| SPECIAL DELIVERY | ¢ |
| RESTRICTED DELIVERY | ¢ |
| SHOW TO WHOM AND DATE DELIVERED | 60¢ |
| 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 | $1.55 |

POSTMARK OR DATE: CRISFIELD, MD AUG 25 1983 USPO

PS Form 3800, Apr. 1976

P 261 751 291

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

| | |
|---|---|
| SENT TO George D. Evans | |
| STREET AND NO. RFD 1 | |
| P.O., STATE AND ZIP CODE Marion, MD 21838 | |
| POSTAGE | $ .20 |
| CERTIFIED FEE | .75 ¢ |
| SPECIAL DELIVERY | ¢ |
| RESTRICTED DELIVERY | ¢ |
| SHOW TO WHOM AND DATE DELIVERED | .60 ¢ |
| 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 | $ 1.55 |
| POSTMARK OR DATE | |

CONSULT POSTMASTER FOR FEES — OPTIONAL SERVICES — RETURN RECEIPT SERVICE

CRISFIELD MD AUG 25 1983 USPO

PS Form 3800, Apr. 1976

BOOK 650 PAGE 67

WARD & DAVIS
ATTORNEYS-AT-LAW
P.O. BOX 647
CRISFIELD, MD. 21817

Undelivered
Addressee unknown
Insufficient address
No such street or No
No such street or No
Do not remove this envelope

RETURN RECEIPT REQUESTED

CERTIFIED
P 261 751 291
MAIL

CRISFIELD, MD 21817 AUG 1983

United States WASHINGTON 50 — Designed by Love of Liberty — America's Light Fueled by Truth and Reason — 50¢ 1.00 USA

CLAIM CHECK NO. 980131

George D. Evans
RFD 1
Marion, Maryland 218

☐ HOLD

DATE 8/26
1ST NOTICE 8-31
2ND NOTICE 9-10
RETURN

CERTIFIED

Detached from PS Form 3849—A Oct. 1980

DATE 09-13-83
1ST NOTICE 9/21/83 HP
2ND NOTICE 09-28-83
RETURN

CLAIM CHECK NO. 982290

☐ HOLD

Detached from PS Form 3849—A Oct. 1980

WARD & DAVIS
ATTORNEYS-AT-LAW
P.O. BOX 647
CRISFIELD, MD. 21817

Undelivered
Addressee unknown
Insufficient address
No such street or No
No such street or No
Do not remove this envelope

RETURN RECEIPT REQUESTED

CERTIFIED
P 261 751 292
MAIL

CRISFIELD, MD 21817 AUG 1983

United States WASHINGTON 50 — Designed by Love of Liberty — America's Light Fueled by Truth and Reason — 50¢ 1.00 USA

CLAIM CHECK NO. 980130

Tommie Lee Evans
RFD 1
Marion, Maryland 21838

☐ HOLD

DATE 8/26
1ST NOTICE 8-31
2ND NOTICE 9-10
RETURN

CERTIFIED

Detached from PS Form 3849—A Oct. 1980

DATE 09-13-83
1ST NOTICE 9/21/83 HP
2ND NOTICE 09-28-83
RETURN

CLAIM CHECK NO. 982292

☐ HOLD

Detached from PS Form 3849—A Oct. 1980

11,586

BOOK 050 PAGE 08

PUBLIC SALE - GEORGE D. EVANS

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of August 10,17,24, 1983.

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this ninth day of September, A.D: 1983.

Wendolyn A. Roberts
Notary Public

109.20

11,586

Wade D. Ward,
Solicitor
R. Scott Davis,
Solicitor

# Public Sale Of Valuable Property

Under and by virtue of the power of sale and authority contained in a Mortgage from George D. Evans and Tommie Lee Evans, his wife, to the Eastern Shore National Bank, a United States Banking Corporation, dated February 27, 1978, and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 305, folio742 which said mortgage has been duly assigned to the undersigned by the said Eastern Shore National Bank, by assignment dated May 10, 1983, and duly 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, we will sell as public auction on the steps of the Post Office in Crisfield, Maryland on

TUESDAY,
AUGUST 30, 1983

at or about the hour of 2:00 p.m., all that lot or parcel of land situate, lying and being in the Brinkley's Election District, Somerset County, State of Maryland, and more particularly described as follows:

All that lot or parcel of land situate as aforesaid, beginning at the county road known as Route #667 and the old existing road which separates the property owned or formerly owned by William Hall; thence running in a northerly direction by and with said old road a distance of 347 feet, more or less, to a ditch; thence running in a westerly direction by and with the center of said ditch a distance of 338 feet, more or less, to a marker and another ditch; thence running in a southerly direction by and with said ditch a distance of 347 feet, more or less, to the aforesaid county road #667; thence running by and with said county road in an easterly direction a distance of 338 feet, more or less, to the place of beginning; and being a part, only, of that property conveyed to Eugene E. Muller and Rose B. Muller, his wife, from George Anger and Katherine M. Anger, his wife, by deed dated August 31, 1971 and recorded in Liber I.T.P. No. 262, folio 407; and being the same and all that property conveyed unto William Clinton Marshall and Hilda Marshall, his wife, from Eugene E. Muller and Rose B. Muller, his wife, by deed dated July 25, 1973 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 275, folio 45; and being the same and all that property conveyed unto George D. Evans and Tommie Lee Evans, his wife, from William Clinton Marshall and Hilda Marshall, his wife, by deed dated February 27, 1978 and duly recorded among the aforesaid Land Records in Liber I.T.P. No. 305, folio 740.

TERMS OF SALE: One-fourth 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 ten per cent (10%) per annum. Taxes, ground rent, and water rent, if any, to be adjusted to date of sale. All other public charges and assessments, payable on an annual basis 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, if any, shall be borne by the purchaser.

Wade D. Ward
Trustee
R. Scott Davis
Trustee

8-10-31

BOOK 050 PAGE 09

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from George D. Evans
and Tommie Lee Evans, his wife,
and then by assignment to
Wade D. Ward for foreclosure and
collection.

No. 11,586 Chancery

In the Circuit Court

For Somerset County

State of Maryland

BOOK 050 PAGE 10

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Wade D. Ward, Assignee of the mortgage made and executed by George D. Evans and Tommie Lee Evans, his wife, to the Eastern Shore National Bank, a United States Banking Corporation, dated February 27, 1978 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 305, folio 742, 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 consolidation of said case and after giving bond with security approved by the Clerk of the 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 twenty days notice of the time, place, manner, and terms of sale by advertisement in the Crisfield Times, once in each consecutive weeks before the day of the sale he did pursuant to said notice attend on the Post Office steps in Crisfield, Maryland on Tuesday, August 30, 1983 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 Brinkley's Election District, Somerset County, State of Maryland, beginning at the county road known as Route #667 and the old existing road which separates the property owned or formerly owned by William Hall; thence running in a northerly direction by and with said old road a distance of 347 feet, more

or less, to a ditch; thence running in a westerly direction by and with the center of said ditch a distance of 338 feet, more or less, to a marker and another ditch; thence running in a southerly direction by and with said ditch a distance of 347 feet, more or less, to the aforesaid county road #667; thence running by and with said county road in an easterly direction a distance of 338 feet, more or less, to the place of beginning; and being a part, only, of that property conveyed to Eugene E. Muller and Rose B. Muller, his wife, from George Anger and Katherine M. Anger, his wife, by deed dated August 31, 1971 and recorded in Liber I.T 262, folio 407; and being the same and all that property conveyed unto William Clinton Marshall and Hilda Marshall, his wife, from Eugene E. Muller and Rose B. Muller, his wife, by deed dated July 25, 1973 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 275, folio 46; and being the same and all that property conveyed unto George D. Evans and Tommie Lee Evans, his wife, from William Clinton Marshall and Hilda Marshall, his wife, by deed dated February 27, 1978 and duly recorded among the aforesaid Land Records in Liber I.T.P. No. 305, folio 740.

And the said property was sold to Equitable Bank NA, a Maryland Banking Corporation, it being then and there the highest bidder thereof, at and for the sum of Thirty Five Thousand Five Hundred Dollars ($35,500.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Wade D. Ward

**AFFIDAVIT**

BOOK 050 PAGE 12

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 31st day of August, 1983, 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 George D. Evans and Tommie Lee Evans, 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 Notarial Seal the day and year as first above written.

Nina O. Tyler
Notary Public

NOTARY PUBLIC
SOMERSET

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from George D. Evans
and Tommie Lee Evans, his wife
and then by assignment to
Wade D. Ward for foreclosure
and collection.

No. 11,586 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 process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3RD day of October, 1983, provided a copy of this Order be inserted in some weekly newspaper printd in Somerset County, once in each of three successive weeks before the 23RD day of September, 1983.

The report states the amount of sale being Thirty Five Thousand Five Hundred Dollars ($35,500.00).

Dated: August 31, 1983

I. Theodore Phoebus
I. Theodore Phoebus, Clerk

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from George D. Evans
and Tommie Lee Evans, his wife
and then by assignment to
Wade D. Ward for foreclosure
and collection

No. 11,586 Chancery

In the Circuit Court

For Somerset County

State of Maryland

BOOK 050 PAGE 14

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND,

SOMERSET COUNTY, to wit:

I HEREBY CERTIFY, that on this 27th day of September, A.D., 1983, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Sam S. Riddick, Credit Manager of Equitable Bank, N.A., the purchaser named in this Report of Sale, and made oath in due form of law, pursuant to the provisions of the Rules of Procedure, with specific reference to Section BR6, sub-paragraph 3, as follows:

1. That Sam S. Riddick, Credit Manager of Equitable Bank, N.A., attended the sale of the property described in these proceedings held in Crisfield, Maryland, on August 30, 1983, and purchased the same for THIRTY FIVE THOUSAND FIVE HUNDRED DOLLARS ($35,500.00).

2. That he was not acting as agent for anyone and that no one, other than the Bank, was interested in the purchase thereof except other independent bidders.

3. That he has not, either directly or indirectly, discouraged anyone from bidding for said property either at or prior to such sale.

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

Vera O. Tyler
Notary Public

VERA O. TYLER
NOTARY
PUBLIC

| | |
|---|---|
| Wade D. Ward, Assignee<br>Ex Parte for the purpose<br>of Foreclosure and Collection<br>under power obtained in a<br>mortgage from George D. Evans<br>and Tommie Lee Evans, his wife<br>and then by assignment to<br>Wade D. Ward for foreclosure<br>and collection | No. 11,586 Chancery<br><br>In the Circuit Court<br><br>For Somerset County<br><br>State of Maryland |

AFFIDAVIT OF AUCTIONEER

I HEREBY CERTIFY that at the request of the Assignee assigned in the captioned proceedings that I offered the property described in the annexed advertisement of sale at public sale at the Post Office Steps, Crisfield, Maryland at 2:00 P.M., on Tuesday, August 30, 1983 and sold the property to the Equitable Bank, N.A. at and for the sum of Thirty Five Thousand Five Hundred Dollars ($35,500.00), said buyer being at that price the highest bidder thereof, and I have not paid nor will pay, directly or indirectly, any sum or consideration for employing me or for aiding to employ me to make such sale.

William Daugherty
William Daugherty, Auctioneer

SUBSCRIBED and sworn to before me this 30th day of August, 1983.

Vera O. Tyler
Notary Public

My Commission Expires: 7/1/86

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collec-
tion under power obtained
in a mortgage from
George D. Evans and
Tommie Lee Evans, his
wife and then by Assign-
ment to Wade D. Ward for
foreclosure and collection.

No. 11,586 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 process thereof be ratified and confirmed unless cause to the contrary thereof be shown on or before the 3rd day of October, 1983, 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 23rd of September, 1983.

The report states the amount of sale being Thirty Five Thousand Five Hundred Dollars ($35,500.00).

Dated August 31, 1983.

I. Theodore Phoebus
Clerk

True Copy, Test:
I. Theodore Phoebus
Clerk

9-7-3t

BOOK 050 PAGE 16

CRISFIELD, MD. 9-28- 19 83

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 Sept.7, 1983 and ending Sept. 21, 1983.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

| | |
|---|---|
| Wade D. Ward, Assignee<br>Ex Parte for the purpose<br>of Foreclosure and Collection<br>under power obtained in a<br>mortgage from George D. Evans<br>and Tommie Lee Evans, his wife<br>and then by assignment to<br>Wade D. Ward for foreclosure<br>and collection | No. 11,586 Chancery<br>In the Circuit Court<br>For Somerset County<br>State of Maryland |

FINAL ORDER

ORDERED, by the Circuit Court for Somerset County, Maryland this 6th day of October, 1983 that the sale made and reported by the 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 Attorney and Assignee allowed the commissions and such proper expenses as he shall produce vouchers for to the Auditor.

Lloyd L. Simpkins
Judge

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from George D. Evans
and Tommie Lee Evans, his wife
and then by assignment to
Wade D. Ward for foreclosure
and collection

*
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*
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NO. 11,586 CHANCERY

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

BOOK 050 PAGE 18

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | $ 35,500.00 |
| Fees, Costs, Expenses, etc.: | | |
| I. Theodore Phoebus, Court costs | $ 136.00 | |
| Crisfield Times | 145.60 | |
| Philip Mahan, Taxes | 140.00 | |
| William Daugherty, Auctioneer | 100.00 | |
| Philip Tawes, Bond Premium | 90.00 | |
| Attorney's Fees | 75.00 | |
| Logan C. Widdowson, Auditor | 65.00 | |
| Ward & Davis, Commission | 1,925.00 | |
| Postmaster | 8.77 | |
| Total Fees, Costs, Expenses, etc. | $2,685.37 | |
| Balance to be Distributed | | $ 32,814.63 |
| Mortgage Debt | | |
| Principal Balance | 24,507.29 | |
| Interest as of 10/31/83 | 1,174.09 | |
| Interest from 11/1/83 thru 11/29/83 | 169.12 | |
| Total Mortgage Debt | | 25,850.50 |
| Surplus | | $ 6,964.13 |

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:

George D. Evans
c/o Crisfield Flower Shop
219 Main Street
Crisfield, MD 21817

Tommie Lee Evans
c/o Crisfield Flower
Shop
219 Main Street
Crisfield, MD 21817

Wade D. Ward, Esquire
946 West Main Street
Crisfield, MD 21817

LOGAN C. WIDDOWSON
ATTORNEY AT LAW
NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
651-2600

LCW/gjb
11/14/83
83 # 142

Logan C. Widdowson, Auditor

Date of Filing: November 14, 1983

No. 11,586 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 14th day of November, 19 83 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 83.

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 29th day of November, 19 84 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Phoebus
CLERK

FEB 21 1985
Etd

BOOK 050 PAGE 19

BOOK 050 PAGE 20

Wade D. Ward, Assignee
Ex Parte for the purpose of
Foreclosure and Collection
under power obtained in a
mortgage from Iku W. Huang and
Jo Huang, his wife, and then
by assignment to Wade D. Ward
for foreclosure and collection

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CIVIL NO. 95-CA-00033

Dear Mr. Clerk:

Please docket the above entitled case and file among the papers the following documents:

1. The original Purchase Money Mortgage from Iku W. Huang and Jo Huang, his wife, to the Eastern Shore National Bank, a body corporate, dated August 11, 1978 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 309, folio 183.

2. Military Affidavit.

3. Statement of Debts.

Wade D. Ward, Assignee

Wade D. Ward, Assignee
Ex Parte for the purpose of
Foreclosure and Collection
under power obtained in a
mortgage from Iku W. Huang and
Jo Huang, his wife, and then
by assignment to Wade D. Ward
for foreclosure and collection

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
CIVIL NO. 85CA00033

STATEMENT OF DEBTS

| | |
|---|---|
| Original Amount of Principal | $50,000.00 |
| Amount paid on Principal | 5,953.04 |
| Amount due on Principal | 44,046.96 |
| Interest due to August 15, 1984 | 2,480.91 |
| TOTAL AMOUNT DUE | $46,527.87 |

Bobby L. Marshall
Vice President of
Eastern Shore National Bank
Crisfield, Maryland

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that on this 15th day of August, 1984, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Bobby L. Marshall, Vice President of the Eastern Shore National Bank, and he made oath in due form of law that the aforegoing 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 050 PAGE 21

WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: 7/1/86

AUG 17 12 02 PM '84

BOOK 050 PAGE 22

Wade D. Ward, Assignee
Ex Parte for the purpose of
Foreclosure and Collection
under power obtained in a
mortgage from Iku W. Huang and
Jo Huang, his wife, and then
by assignment to Wade D. Ward
for foreclosure and collection

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CIVIL NO. 85CA000033

MILITARY AFFIDAVIT

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY that before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Bobby L. Marshall, Vice President of the Eastern Shore National Bank, and he made oath in due form of law that he knows the defendants herein, Iku W. Huang and Jo Huang, his wife, and that to the best of his information, knowledge and belief:

1. Said defendants are not in the military service of the United States.

2. Said defendants are not in the military service of any nation allied with the United States.

3. Said defendants have not been ordered to report for induction under the Selective Training and Service Act of 1940 as amended.

4. Said defendants are not a member of the Enlisted Reserve Corps who have been ordered to report for military service.

Bobby L. Marshall,
Vice President of
Eastern Shore National Bank

SUBSCRIBED AND SWORN TO
BEFORE ME THIS 15th DAY
OF August, 1984.

Notary Public
My Commission Expires: 7/1/86

Maryland

Bond Book 11 Page 402

# Western Surety Company

## TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 60026466

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 FORTY-SEVEN THOUSAND AND NO/100----------($47,000.00) 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 14TH day of SEPTEMBER, 1984.

WHEREAS, the above bounden WADE D. WARD

by virtue of the power contained in a mortgage from I. K. U. W. HUANG AND JO HUANG

to EASTERN SHORE NATIONAL BANK

bearing date the 11TH day of AUGUST, 1978 and recorded among

the mortgage records of SOMERSET COUNTY

in Liber _____ No. 309 Folio 183

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

BOOK 050 PAGE 23

As to Principal

Leonard L. Howard

Wade D. Ward
Principal

As to Surety

K. Stoakes

A. Vicar

Principal

WESTERN SURETY COMPANY

By Joe Kirby
President

Countersigned by _____ FILED Maryland Resident Agent

SEP 18 12 00 PM '84

APPROVED AND FILED:
TEST: Theodore Phoebus, CLERK

RECORDED IN
LIBER NO. _____ FOLIO _____
THEODORE PHOEBUS, CLK. CIR. CT.
BY _____ DEPUTY

1208—5-81

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 obtained in a
mortgage from Iku W. Huang and
Jo Huang, his wife, and then
by assignment to Wade D. Ward
for foreclosure and collection

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CIVIL NO. 85-CA-00033

BOOK 050 PAGE 24

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Wade D. Ward, Assignee of the mortgage made and executed by Iku W. Huang and Jo Huang, his wife, to the Eastern Shore National Bank, a United States Banking Corporation, dated August 11, 1978 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 309, folio 183, 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 consolidation of said case and after giving bond with security approved by the Clerk of the 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 twenty days notice of the time, place, manner, and terms of sale by advertisement in the Marylander & Herald, once in each consecutive weeks before the day of the sale he did pursuant to said notice attend on the Court House steps in Princess Anne, Maryland on Tuesday, September 18, 1984 at 2:00 p.m. then and there proceed to sell the property described in said mortgage, to wit:

All those lots or parcels of land situate, lying and being in the East 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, lying and being as laid down and described on a plat prepared by Edward H. Richardson Associates, Inc., which said plat is attached to a deed recorded in Liber I.T.P. No. 282, folio 107; and beginning at a point marked "B" on said plat thence S 47° 25' 00" E a distance of 470.25 feet to a point; thence S 36° 00' 00" E a distance of 136.13 feet to a point; thence S 14° 15' 00" W a distance of of 1,270.50 feet to a stone marker; thence S 83° 00' 00" W a distance of 343.20 feet to a point; thence N 85° 30' 00" W a distance of 202.13 feet to a point; thence S 50° 45' 00" W a distance of 730.13 feet to a point; thence N 28° 00' 00" W a distance of 115.50 feet to a point; thence N 14° 00' 00" W a distance of 1,665.50 feet to a point; thence N 76° 00' 00" E a distance of 148.50 feet to a point; thence N 11° 30' 00" E a distance of 230.00 feet to a point; thence S 49° 01' 04" E a distance of 150.00 feet to a concrete monument; thence S 49° 01' 04" E a distance of 397.9 feet to a point; thence S 42° 36' 06" W a distance of 249.76 feet to a concrete monument; thence S 64° 16' 02" E a distance of 489.2 feet to a concrete monument; thence N 36° 30' 20" E a distance of 1,111.0 feet to a concrete monument and place of beginning; and containing 50 acres and being a part, only, of that property conveyed unto Stuart B. Hunt and Bettie Jean Hunt, his wife, by deed from Norman Hewson and Madga H. Hewson, his wife, duly recorded in Liber I.T.P. No. 275, folio 75; and being the same and all that property conveyed to Donald W. Mahan and Hazel I. Mahan, his wife, from Stuart B. Hunt and Bettie Jean Hunt, his wife, by deed dated August 1, 1974 and recorded in Liber I.T.P. No. 282, folio 107.

PARCEL II: All that lot or parcel of land situate, as aforesaid, being located on the West side of and binding upon the county road known as McCormack Swamp Road and being bound on the North by the lands of M. Adele Mitzel and on the South and East by the lands of Donald W. Mahan and Hazel I. Mahan, his wife, and being the remainder of all that land conveyed to Stuart B. Hunt and Bettie Jean Hunt, his wife, from Penelope

Jane Kaiserlian, Power of Attorney for Norman Hewson and Madga H. Hewson, his wife, by deed dated July 16, 1973 and recorded in Liber I.T.P. No. 275, folio 75; and containing 12 1/2 acres of land, more or less; and being the same and all that property conveyed to Donald W. Mahan and Hazel I. Mahan, his wife, by deed from Stuart B. Hunt and Bettie Jean Hunt, his wife, by deed dated June 30, 1975 and recorded in Liber I.T.P. No. 287, folio 740.

The above two parcels of land being the same and all that property conveyed unto Iku W. Huang and Jo Huang, his wife, from Donald W. Mahan and Hazel I. Mahan, his wife, by deed dated August 11, 1978 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 309, folio 180.

And the said property was sold to Eastern Shore National Bank, a United States Banking Corporation, it being then and there the highest bidder thereof, at and for the sum of Forty Eight Thousand Dollars ($48,000.00) 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 18th day of September, 1984, 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 Iku W. Huang and Jo Huang, 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 Notarial Seal the day and year as first above written.

03.117

48' 49 52

Notary Public

My Commission Expires: 7/1/86

Wade D. Ward, Assignee
Ex Parte for the purpose of
Foreclosure and Collection
under power obtained in a
mortgage from Iku W. Huang and
Jo Huang, his wife, and then
by assignment to Wade D. Ward
for foreclosure and collection

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CIVIL NO. 85CA-00033

AFFIDAVIT OF COMPLIANCE WITH RULE W74a.2.(c)iii

STATE OF MARYLAND,

SOMERSET COUNTY, to wit:

I HEREBY CERTIFY, that on this 17th day of October, A.D., 1984, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Wade D. Ward and made oath in due form of law as follows:

That on September 5, 1984, in compliance with Rule W74a.2.(c)iii he mailed a notice of the time, place and terms of sale to Iku W. Huang and Jo Huang, his wife, Mortgagors, c/o James Carnahan, 925 Meadows Lane, Schenectady, New York 12309, these being the last known addresses of the said Mortgagors; that said notice was mailed by registered mail pursuant to the Maryland Rules on September 5, 1984, and that the receipt and return receipt are attached hereto.

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

Notary Public

BOOK 050 PAGE 27

My Commission Expires: 7/1/86

PS Form 3811, July 1983

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- ☒ Show to whom and date delivered _____ $
- ☐ Show to whom, date, and address of delivery _____ $
- 2. ☐ RESTRICTED DELIVERY _____ $
  (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $_____

3. ARTICLE ADDRESSED TO: Mrs. Jo Huang
c/o James Carnahan
925 Meadows Lane
Schenectady, New York 12309

4. TYPE OF SERVICE:
- ☐ REGISTERED ☐ INSURED
- ☒ CERTIFIED ☐ COD
- ☐ EXPRESS MAIL

ARTICLE NUMBER
P 575 984 690

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
5. Eileen J. Carnahan

DATE OF DELIVERY

POSTMARK (Only be affixed on reverse side)
SEP 10 1984

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

★ GPO: 1982-379-693

P 575 984 691

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Mr. Iku W. Huang | |
| Street and No. c/o James Carnahan 925 Meadows Lane | |
| P.O., State and ZIP Code Schenectady, New York 12309 | |
| Postage | $ .20 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | .60 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.55 |
| Postmark or Date | |

CRISFIELD, MD SEP 10 1984 USPO

★ U.S.G.P.O. 1983-403-517

PS Form 3800, Feb. 1982

P 575 984 690

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Mrs. Jo Huang | |
| Street and No. c/o James Carnahan 925 Meadows Lane | |
| P.O., State and ZIP Code Schenectady, New York 12309 | |
| Postage | $ .20 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | .60 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.55 |
| Postmark or Date | |

CRISFIELD, MD SEP 10 1984 USPO

★ U.S.G.P.O. 1983-403-517

PS Form 3800, Feb. 1982

BOOK 050 PAGE 28

| | |
|---|---|
| Wade D. Ward, Assignee<br>Ex Parte for the purpose<br>of Foreclosure and Collection<br>under power obtained in a<br>mortgage from Iku W. Huang and<br>Jo Huang, his wife, and then<br>by assignment to Wade D. Ward<br>for foreclosure and collection | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85CA-00033 |

## AFFIDAVIT OF PURCHASER

STATE OF MARYLAND,

SOMERSET COUNTY, to wit:

I HEREBY CERTIFY, that on this 27th day of September, A.D., 1984, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert L. Tawes, Jr., President of the Eastern Shore National Bank, the purchaser named in this Report of Sale, and made oath in due form of law, pursuant to the provisions of the Rules of Procedure, with specific reference to Section BR6, sub-paragraph 3, as follows:

1. That Robert L. Tawes, Jr., President of the Eastern Shore National Bank, attended the sale of the property described in these proceedings held in Princess Anne, Maryland, on September 18, 1984, and purchased the same for FORTY EIGHT THOUSAND DOLLARS ($48,000.00).

2. That he was not acting as agent for anyone and that no one, other than the Bank, was interested in the purchase thereof except other independent bidders.

3. That he has not, either directly or indirectly, discouraged anyone from bidding for said property either at or prior to such sale.

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

BOOK 050 PAGE 29

Vera O. Tyler
Notary Public

My Commission Expires: 7/1/86

Wade D. Ward, Assignee
Ex Parte for the purpose of
Foreclosure and Collection
under power obtained in a
mortgage from Iku W. Huang and
Jo Huang, his wife, and then
by assignment to Wade D. Ward
for foreclosure and collection

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CIVIL NO. 85CA-00033

BOOK 050 PAGE 30

AFFIDAVIT OF AUCTIONEER

I HEREBY CERTIFY that at the request of the Assignee assigned in the captioned proceedings that I offered the property described in the annexed advertisement of sale at public sale at the Court House Steps, Princess Anne, Maryland at 2:00 P.M., on Tuesday, September 18, 1984 and sold the property to the Eastern Shore National Bank at and for the sum of Forty Eight Thousand Dollars ($48,000.00), said buyer being at that price the highest bidder thereof, and I have not paid nor will pay, directly or indirectly, any sum or consideration for employing me or for aiding to employ me to make such sale.

William E. Dykes, Jr.
William E. Dykes, Jr., Auctioneer

SUBSCRIBED and sworn to before me this 27th day of September, 1984.

Ina O. Tyler
Notary Public

My Commission Expires: 7/1/86

FILED

Wade D. Ward, Assignee
Ex Parte for the purpose of
Foreclosure and Collection
under power obtained in a
mortgage from Iku W. Huang and
Jo Huang, his wife, and then
by assignment to Wade D. Ward
for foreclosure and collection

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
CIVIL NO. 85CA-00033

NOTICE

NOTICE is hereby issued this 20th day of September, 1984, that the sale of the property mentioned in the above mentioned proceedings and reported by Wade D. Ward, Assignee, be ratified and confirmed unless cause to the contrary be shown on or before the 15th day of October, 1984, provided a copy of this Notice be inserted in some newspaper published in this County, once in each of three (3) successive weeks before the 15th day of October, 1984.

The Report of Sale states the amount of sale to be Forty Eight Thousand Dollars ($48,000.00).

Lloyd L. Simpkins
Judge

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 9/26, 19 84, and ending 10/10, 19 84 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lisa Price M+H.
Publisher.

Printer's Fee: $23.38 per insertion

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
State of Maryland
CIVIL NO. 85CA-00033

Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Iku W. Huang and Jo Huang, his wife, and then by assignment to Wade D. Ward for foreclosure and collection

NOTICE

NOTICE is hereby issued this 20th day of September, 1984, that the sale of the property mentioned in the above mentioned proceedings and reported by Wade D. Ward, Assignee, be ratified and confirmed unless cause to the contrary be shown on or before the 15th day of October, 1984, provided a copy of this Notice be inserted in some newspaper published in this County, once in each of three (3) successive weeks before the 15th day of October, 1984.

The Report of Sale states the amount of sale to be Forty Eight Thousand Dollars ($48,000.00).

Lloyd L. Simpkins
Judge

True Copy, Test:
LT. Phoebus, Clerk

80-9/26-3tMH

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 8/29, 19 84, and ending 9/12, 19 84 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lisa Price M+H.
Publisher.

Printer's Fee: $96.25 per insertion

WADE D. WARD
Attorney At Law
~~P.O. Box~~ 647
Crisfield, Maryland 21817

**PUBLIC SALE**
OF VALUABLE PROPERTY

Under and by virtue of the power of sale and authority contained in a mortgage from Iku W. Huang and Jo Huang, his wife, to the Eastern Shore National Bank, a United States Banking Corporation, dated August 11, 1978, and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 309, folio 183 which said mortgage has been duly assigned to the undersigned by the said Eastern Shore National Bank, by assignment dated June 28, 1984, and duly recorded among the Land Records of Somerset County, Maryland, for ths 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 Court House in Princess Anne, Maryland on

TUESDAY
SEPTEMBER 18, 1984

at or about the hour of 2:00 P.M., all those lots or parcels of land situate, lying and

Wade D. Ward, Assignee
Ex Parte for the purpose
of Foreclosure and Collection
under power obtained in a
mortgage from Iku W. Huang and
Jo Huang, his wife, and then
by assignment to Wade D.
Ward for foreclosure and
collection

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CIVIL NO. 85CA-00033

FINAL ORDER

ORDERED, by the Circuit Court for Somerset County, Maryland this 29th day of October, 1984 that the sale made and reported by the 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 Notice passed in said cause; and the Attorney and Assignee be allowed the commissions and such proper expenses as he shall produce vouchers for to the Auditor.

Lloyd L. Simpson
Judge

| | | |
|---|---|---|
| Wade D. Ward, Assignee Ex Parte for the purpose of Foreclosure and Collection under power obtained in a mortgage from Iku W. Huang and Jo Huang, his wife, and then by assignment to Wade D. Ward for foreclosure and collection | * | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85CA-00033 |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $48,000.00 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | 152.00 | |
| Philip Tawes Insurance Agency, Bond Premium | | 141.00 | |
| William Dykes, Auctioneer | | 100.00 | |
| Attorney's fee | | 100.00 | |
| The Daily Times | | 124.70 | |
| Marylander & Herald | | 358.89 | |
| Philip Mahan, Treasurer | | 322.21 | |
| Wade Ward, Commission | | 2,550.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Postmaster | | 3.54 | |
| Total Fees, Costs, Expenses, etc. | | | $ 3,917.34 |
| Balance to be Distributed | | | $44,082.66 |
| Mortgage Debt: Principal Balance | $44,046.96 | | |
| Interest to 8/1/84 | 2,480.91 | | |
| Interest from 8/2/84 to 11/30/84 | 5,581.02 | | |
| Total Mortgage Debt | | | $52,108.89 |
| Deficit | | | $ 8,026.23 |

ALL EXCEPTIONS to said report must be filed within ten (10) days of the date of the filing of this report. 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:

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

LCW/gjb
11/15/84
84 # 166

Wade D. Ward, Esquire
946 West Main Street
Crisfield, MD 21817

Mr. Iku W. Huang
c/o James Carnahan
925 Meadows Lane
Schenectady, NY 12309

Mrs. Jo Huang
c/o James Carnahan
925 Meadows Lane
Schenectady, NY 12309

Logan C. Widdowson, Auditor

Date of Filing: November 15, 1984

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

No. 85CA00033 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 15th day of November, 19 84 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 26 day of November, 19 84.

L. Theodore Parker
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

| | | |
|---|---|---|
| Wade D. Ward, Assignee<br>Ex Parte for the purpose of<br>Foreclosure and Collection<br>under power obtained in a<br>mortgage from Iku W. Huang and<br>Jo Huang, his wife, and then<br>by assignment to Wade D. Ward<br>for foreclosure and collection | * | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85CA-00033 |

AMENDED FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made a re-examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, restates the following Account:

| | | |
|---|---|---|
| Amount of Sale | | $ 48,000.00 |
| Fees, Costs, Expenses, etc. | | |
| I. Theodore Phoebus, Court Costs | $ 152.00 | |
| Philip Tawes Insurance Agency, Bond Premium | 141.00 | |
| William Dykes, Auctioneer | 100.00 | |
| Attorney's fee | 100.00 | |
| The Daily Times | 124.70 | |
| Marylander & Herald | 358.89 | |
| Philip Mahan, Treasurer | 322.21 | |
| Wade Ward, Commission | 2,550.00 | |
| Logan C. Widdowson, Auditor | 65.00 | |
| Postmaster | 3.54 | |
| Total Fees, Costs, Expenses, Etc. | | $ 3,917.34 |
| Balance to be Distributed | | $ 44,082.66 |
| Mortgage Debt: Principal Balance | $44,046.96 | |
| Interest to 8/15/84 | 2,480.91 | |
| Interest from 8/16/84 to 11/30/84 | 1,226.22 | |
| Total Mortgage Debt | | $ 47,754.09 |
| Deficit | | 3,671.43 |

ALL EXCEPTIONS to said report must be filed within ten (10) days of the date of the filing of this report. 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:

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

Wade D. Ward, Esquire
946 West Main Street
Crisfield, MD 21817

Mr. Iku W. Huang
c/o James Carnahan
925 Meadows Lane
Schenectady, NY 12309

Mrs. Jo Huang
c/o James Carnahan
925 Meadows Lane
Schenectady, NY 12309

Logan C. Widdowson, Auditor

Date of Filing: November 29, 1984

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3069

LCW/gjb
11/29/84
84 # 167

No. 85CA00133 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 26th day of November, 19 84 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 December, 19 84.

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 11th day of December, 19 84 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

FEB 21 1985
Ed.

JAN -3-84 B 928473D*****10.00
JAN -3-84 B 928472D*****60.00

BOOK 050 PAGE 40

| | | |
|---|---|---|
| ROBERT B. TAYLOR<br>P. O. Box 671<br>Salisbury, MD 21801 | * | NO. 11,698 EQUITY |
| Substitute Trustee | * | IN THE CIRCUIT COURT |
| vs. | * | |
| RAY'S SEAFOOD, INC.<br>Jersey Road<br>Crisfield, MD 21817 | * | FOR SOMERSET COUNTY, |
| Defendant | * | STATE OF MARYLAND |

**********

ORDER TO DOCKET FORECLOSURE OF DEED OF TRUST

Mr. Clerk:

Please docket the above-entitled cause of action, together with:

(1) Certified copy Deed of Trust from Ray's Seafood, Inc. to Michael K. Bloxham and Jesse K. Swartz, Trustees, dated February 7, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 320, Folio 282 attached hereto as Exhibit A.

(2) Certified copy of Deed of Appointment of Substitute Trustee, appointing Robert B. Taylor as Substitute Trustee; attached hereto as Exhibit B.

(3) Statement of Mortgage Debt under oath by Homer E. McCreary ; attached hereto as Exhibit C.

Robert B. Taylor

Robert B. Taylor, Substitute Trustee
ADKINS, POTTS & SMETHURST
One Plaza East, 6th Floor
P. O. Box 671
Salisbury, MD 21801
(301) 749-0161

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

ROBERT B. TAYLOR
Substitute Trustee

vs.

RAY'S SEAFOOD, INC.
Defendant

* NO. 11,698 EQUITY

IN THE CIRCUIT COURT

* FOR SOMERSET COUNTY,

STATE OF MARYLAND.

*********

STATEMENT OF MORTGAGE DEBT

I HEREBY CERTIFY and affirm that there is presently due and owing to Maryland National Bank on the indebtedness of Ray's Seafood, Inc. under a Deed of Trust between Ray's Seafood, Inc., grantor, and Michael K. Bloxham and Jesse K. Swartz, Trustees, dated February 7, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 320, Folio 282, the following amounts:

| | |
|---|---|
| Initial Principal Balance $ 110,000.00 | |
| Less: Principal Payments $ 39,000.00 | |
| Outstanding Principal Balance as of Dec 19, 1983 | $ 71,000.00 |
| Plus: Accrued interest to Dec 19, 1983 | $ 5,262.39 |
| Other: | $ |
| TOTAL INDEBTEDNESS | $ 76,262.39 |

(Interest currently accrues at $ 23.66 per diem)

I make this statement on behalf of Maryland National Bank in my capacity as its loan officer.

BOOK 050 PAGE 41

Homer E. McCreary

STATE OF MARYLAND
COUNTY OF Carroll

I HEREBY CERTIFY that on this 19 day of December, 1983, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Homer E. McCreary who is known (or satisfactorily proven) to me to be the person whose name is subscribed to the foregoing, and the agent of Maryland National Bank, and made oath that the foregoing is a true

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

Exhibit C

statement of the amount of the Deed of Trust claim under the Deed of Trust filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and notarial seal.

Cynthia W. Byrd
Notary Public

My commission expires: 7/1/86

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

Judicial 13—Maryland—Mortgagee's or Attorney's Bond (1-65)

Bond Book 11 Page 343
Chancery 11,698 Case

IN THE CIRCUIT COURT OF SOMERSET COUNTY

STATE OF MARYLAND

ROBERT B. TAYLOR, SUBSTITUTE TRUSTEE
Plaintiff

VS.

RAY'S SEAFOOD, INC.
Defendant

BOND OF DEED OF TRUST FORECLOSURE

KNOW ALL MEN BY THESE PRESENTS: That we, Robert B. Taylor, Substitute Trustee 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 Ninety Thousand Dollars and No Cents ---------- Dollars ($90,000.00 ---), 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 20th day of March, in the year of our Lord, nineteen hundred and eighty-four.

WHEREAS, the above bounden Robert P. Taylor, Substitute Trustee

by virtue of the power contained in a mortgage Deed of Trust from RAY'S SEAFOOD, INC. to Michael K. Bloxham and Jesse K. Swartz, Trustees bearing date the 7th day of February, 19 80 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 320 Folio 282 and pursuant to proceedings designated as Case No. 11,698 Equity in the Circuit Court for Somerset County, Maryland, the said Robert B. Taylor, Substitute Trustee,

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 ROBERT B. TAYLOR, SUBSTITUTE TRUSTEE

BOOK 050 PAGE 43

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

ROBERT B. TAYLOR, SUBSTITUTE TRUSTEE
(SEAL)
(SEAL)

UNITED STATES FIDELITY AND GUARANTY COMPANY

By
Gordon D. Gladden, Attorney-in-Fact

BOND APPROVED AND FILED AS
PER: CLERK

(CERTIFIED COPY)

# POWER OF ATTORNEY

BOOK 050 PAGE 44

No. 85905

*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

Gordon D. Gladden

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

Gordon D. Gladden

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 13th day of June, A. D. 1975.

UNITED STATES FIDELITY AND GUARANTY COMPANY

(Signed) By Charles W. Boone
*Vice-President.*

(SEAL)

(Signed) F. J. Willey
*Assistant Secretary.*

STATE OF MARYLAND,
CITY OF BALTIMORE, } ss:

On this 13th day of June A. D. 1975, before me personally came Charles W. Boone Vice-President of UNITED STATES FIDELITY AND GUARANTY COMPANY, and F. J. Willey, 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 Charles W. Boone and F. J. Willey 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 78

(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 his 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 his 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 13th day of June A. D. 1975

(SEAL) (Signed) Robert H. Bouse
*Clerk of the Superior Court of Baltimore City.*

FS 17 9-67

Bond Book 11 Page 344

Bond Book 11 Page 345

## COPY OF RESOLUTION

*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*, W. J. D. Somerville, Jr. , 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

Gordon D. Gladden

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 20th day of March A. D. 1984

W J D Somerville Jr

*Assistant Secretary*

BOOK 050 PAGE 45

| | | |
|---|---|---|
| Maryland National Bank | : | No. 11698 Chancery |
| vs | : | In the Circuit Court for |
| Rays Seafood, Inc. | : | Somerset County, Maryland |

Notice of Bankruptcy Pursuant to 11 USC 301
Staying Fruther Action Pursuant to 11 USC 362
and Bankruptcy Rule 301

BOOK 050 PAGE 46

Rays Seafood, Inc. filed bankruptcy pro se in the U.S. Bankruptcy Court District of Maryland on March 21, 1984, Case No. 84-B-042C.

Rays Seafood, Inc. pro se

By Wanda L. Whittington

Wanda L. Whittington, Secretary

AO 82B
(Rev. 1/83)

ORIGINAL

4001793

RECEIPT FOR PAYMENT

UNITED STATES BANKRUPTCY COURT

For The

_____ District of Maryland

RECEIVED FROM Norman Whittington, III 1:40 P.M.

Chapter 11

CASE NO. OR OTHER REFERENCE 84-B-0426 DATE 3/21/1984

| ACCOUNT | AMOUNT | |
|---|---|---|
| Filing Fee | 200 | 00 |
| Copy Fee | | |
| Miscellaneous Fee | | |
| Recovery: U.S. Trustee | | |
| Recovery: Standing Trustee | | |
| Unclaimed Funds | | |
| ☐ Other _____ (Specify) | | |
| TOTAL ► | 200 | 00 |

| CASH | CHECK | MONEY ORDER |
|---|---|---|
| ✓ | | |

DEPUTY CLERK [signature]

*All checks, money orders, drafts, etc. are accepted subject to collection. Full credit will not be given until the negotiable instrument has been accepted by the financial institution on which it was drawn.*

Official Form No. 1 — Petition for Voluntary Bankruptcy

TUTBLANK [illegible]
TUTTLE LAW PRINT PUBLISHERS, RUTLAND VT 05701

United States Bankruptcy Court for the ..... District of .....

In re
Ray's Seafood, Inc.
N. T. Whittington, Jr., President
Crisfield, Maryland 21817

*Debtor (include here all names used by debtor within last 6 years)*

Case No. 84-B-0426
11,698

**VOLUNTARY CASE: DEBTOR'S PETITION**

1. Petitioner's post-office address is Box 350, Crisfield, Maryland 21817

2. Petitioner has resided (or has had his domicile or has had his principal place of business or has had his principal assets) within this district for the preceding 180 days (or for a longer portion of the preceding 180 days than in any other district).

3. Petitioner is qualified to file this petition and is entitled to the benefits of Title 11, United States Code as a voluntary debtor.
(If appropriate)

4. A copy of petitioner's proposed plan, dated ....., is attached (or Petitioner intends to file a plan pursuant to ☒ Chapter 11) (or ☐ Chapter 13) of title 11, United States Code).

Wherefore petitioner prays for the entry of an order for relief under ☐ Chapter 7 (or ☐ Chapter 13) of Title 11, United States Code.

Signed: .....
*Attorney for Petitioner.*

Address: .....

Ray's Seafood Inc.
N. T. Whittington Pres
(Petitioner signs if not represented by attorney.)
*Petitioner.*

State of Maryland
County of Somerset } ss:

I, N. T. Whittington, Jr., President Ray's Seafood, Inc. the petitioner named in the foregoing petition, certify under penalty of perjury that the foregoing is true and correct.

Executed on 21 March 1984

Ray's Seafood Inc.
N. T. Whittington
Pres
*Petitioner.*

BOOK 050 PAGE 47

TUTBLANK REGISTERED U. S. PAT. OFFICE
TUTTLE LAW PRINT, PUBLISHERS, RUTLAND, VT 05701

# CLIENTS' WORK SHEET OF CREDITORS

| Date Debt Contracted | Name of Creditor (List Alphabetically) | Address of Creditor | What For | Balance Due |
|---|---|---|---|---|
| 1983 | Bayside Seafood | Box 7, Crisfield, Md. 21817 | Crabs | $12,951.00 |
| | Marvin Bordelon | c/o David S. Boccio<br>Smink & Scheuermann, P.C.-D.C.20005 | Marketing | 8,383.64 |
| | C & P Telephone Company | P. O. Box 657, Baltimore 21265 | Phone | 1,076.03 |
| | Catlett Trucking | Dividing Creek Road<br>New Port, N. J. | Trucking | 1,289.50 |
| | Chester Mack | P. O. Box 1642, Salisbury 21801 | Truck Service | 1,308.13 |
| | Connelly Containers | P. O. Box 426,Bala Cynwyd,Pa. 19004 | Boxes | 1,587.26 |
| | Crisfield Printing | 504 W.Main St., Crisfield 21817 | Printing | 330.69 |
| | Delmarva Power & Light | P. O. Box 71, Crisfield 21817 | Electricity | 2,539.37 |
| | Glenwood Evans | Jersey Road, Crisfield 21817 | Storage | 753.30 |
| | L. Forbush & Son | 1000 W. Main St., Crisfield 21817 | Hardware supplies | 1,308.55 |
| | Holt Paper Company | 125 Bateman St., Salisbury 21801 | Supplies | 1,093.67 |
| | Independent Can | 1001 S. Lakewood Ave., Balto 21224 | Cans | 2,407.24 |
| | MCI | P. O. Box 2450,ArlingtonVa.22022 | Phone | 5,074.27 |
| | Marion Texaco | Box 68, Marion 21838 | Gas & Service | 5,268.32 |
| | Mason Paper | Box 287, Salisbury 21801 | Supplies | 717.94 |
| | Rental Uniform | P. O. Box 3328,Portsmouth, Va. 23701 | Uniforms | 711.94 |

March 21, 1984
Date Submitted

Ray's Seafood Inc, M. L. Whitelow Pr.
Signed

BOOK 050 PAGE 48

CLIENTS' WORK SHEET OF CREDITORS (continued)

| | | | |
|---|---|---|---|
| Tidewater Express | Route 413, Crisfield 21817 | Trucking | 817.52 |
| Dickie Tyler | Chesapeake Ave., Crisfield 21817 | Crabs | 3,807.00 |
| Ward & Davis | Box 647,Crisfield 21817 | Legal | 666.02 |
| W.D.W.,Inc. | 14th & Market, Pocomoke 21851 | Insurance | 9,376.24 |

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March 21, 1984

Ray's Seafood, Inc
[illegible] Pres.

| | | |
|---|---|---|
| merican Writing Supply<br>801 Avenue of the Stars<br>os Angeles, Calif 90067<br>13-553-6333 | Crisfield Printing<br>504 W. Main St.<br>Crisfield 21817<br>968-1595 | Holt Paper Company<br>125 Bateman St<br>Salisbury 21801<br>742-7577 |
| ayside Seafood<br>ox 7<br>risfield 21817<br>68-2200 | City of Crisfield<br>Crisfield, Md. 21817 | Independent Can<br>1001 S. Lakewood Ave<br>Baltimore 21224<br>327-1520<br>BOOK 050 PAGE 50 |
| lue POINT Crab Company<br>. O. Box 226<br>risfield, Maryland 2817 | Delmarva Power & Light<br>P. O. Box 71<br>Crisfield 21817<br>968-1414 | Internal Revenue Service |
| uilder's Mart<br>ox 208<br>risfield, Md 21817<br>68-1255 | Marvin Bordelon, Treasurer<br>c/o David S. Boccio<br>Smink & Scheuermann, P.C.<br>777 Fourteenth St. N.W. #330<br>Washington, D.C. 20005<br>202-638-3033 | Jarman Refrigeration<br>Box 1855<br>Salisbury, Md. 21801<br>749-7781 |
| & P Telephone<br>. O. Box 657<br>altimore 21265 | Eastern Disposal<br>P. O. Box 1915<br>Salisbury, Md. 21801<br>742-8246 | Jones & Jones<br>Box 186<br>Princess Anne 21853<br>651-2747 |
| arson's Marine<br>risfield, Md. 21817<br>68-0565 | Glenwood Evans<br>Jersey Road<br>Crisfield 21817<br>968-1717 | Gerald Klotz |
| atlett Trucking<br>ividing Creek Road<br>lew Port, N. J.<br>19-447-4507 | Emery<br>B[U]x 7<br>Scranton, Penn 18577<br>717-346-7193 | MCI<br>P. O. Box 2450<br>Arlington, Va. 22022<br>800-624-1010 |
| enterport Clam, Inc.<br>. O. Box 162<br>rkshire, N. Y. 13736 | Federal Express<br>P. O.Box 72<br>Dept. A<br>Memphis, Tenn. 38194 | Mapp & Mapp<br>P. O. Box 30<br>Accomac, Va. 23301<br>804-787-2424 |
| [illegible] Insurance<br>x 519<br>[illegible] 21801<br>51-0505 | L. Forbush & Son Hardware<br>1000 W. Main Street<br>Crisfield, Md. 21817<br>968-0220 | Marion Texaco<br>Box 68<br>Marion, Md. 21838<br>623-2661 |
| hester Mack<br>. O. Box 1642<br>alisbury, Md. 21801<br>42-0111 | GMAC<br>P. O. Box 2097<br>Salisbury, Md. 21801<br>742-3105 | Maryland - Comptroller<br>Dept. of Human Resources<br>1100 Eutaw St<br>Baltimore 21201<br>383-5330 |
| onnelly Containers<br>. O. Box 426<br>ala Cynwyd, Penn 19904<br>15-839-6400 | Grier Tire Company<br>Box 1605<br>Salisbury, Md. 21801<br>742-3227 | Maryland National Bank<br>P. O. Box 17047<br>Baltimore, Md. 21203<br>244-6624 |

| | | |
|---|---|---|
| Maryland National<br>Industrial Finance Corp<br>00 E. Joppa Road<br>uite 605<br>owson, Md. 21204 | Tidewater Express<br>Route 413<br>Crisfield, Md. 21817<br>968-1676 | Md. Dept of Natural Resources<br>Tawes State Office Building<br>Annapolis 21401 |
| Mason Paper<br>Box 287<br>alisbury 21801<br>49-3400 | Dickie Tyler<br>Chesapeake Ave<br>Crisfield 21817<br>968-0605 | Maryland Comptroller<br>Income Tax Division<br>Annapolis 21401 |
| New England Business<br>Services, Inc.<br>Groton,<br>Massachusetts 01471<br>617-448-6111 | Ward and Davis<br>Box 647<br>Crisfield 21817<br>968-1100 | |
| North East Florida Crab<br>9159 New Berlin Road<br>Jacksonville, Fla 32226<br>904-751-0242 | [illegible] | |
| [illegible] | W.D.W.Inc.<br>14th & Market<br>Pocomoke City 21851<br>957-3298 | Trust of Jean Scott<br>C/O R. L. Chamberlin, Jr.<br>Princess Anne 21853<br>651-0505 |
| RTC Transportation<br>P. O. Box 308<br>orest Park, Ga. 30051 | | Whittington Farms, Inc.<br>P. O. Box 70<br>Marion, Md. 21838 |
| Rental Uniform<br>P. O. Box 3328<br>Portsmouth, Va. 23701<br>804-485-1100 | | Golda B. Whittington<br>P. O. Box 70<br>Marion, Md. 21838 |
| Somerset County Treasurer<br>Box 309<br>Princess Anne 21853 | | N. T. Whittington, Jr.<br>P. O. Box 70<br>Marion, Md. 21838<br>623-8282 |
| Southland Container<br>8230 Sandy Court<br>Jessup, Md. 20794<br>792-2088 | | |
| Clarence Sterling & Son<br>1012 W. Main Street<br>Crisfield 21817<br>968-1222 | | BOOK 050 PAGE 51 |
| Raymond T. and Joan<br>Sterling<br>Daugherty Town Road<br>Crisfield 21817 968-1563 | | |

Official Form No. 1 — Petition for Voluntary Bankruptcy

TUTBLANK REGISTERED U. S. PAT. OFFICE
TUTTLE LAW PRINT, PUBLISHERS, RUTLAND VT 05701

11,698

United States Bankruptcy Court for the ..... District of .....

In re
Ray's Seafood, Inc.
N. T. Whittington, Jr., President

*Debtor (include here all names used by debtor within last 6 years)*

Case No. .....

BOOK 050 PAGE 52

**VOLUNTARY CASE: DEBTOR'S PETITION**

1. Petitioner's post-office address is Box 350, Crisfield, Maryland 21817

2. Petitioner has resided (or has had his domicile or has had his principal place of business or has had his principal assets) within this district for the preceding 180 days (or for a longer portion of the preceding 180 days than in any other district).

3. Petitioner is qualified to file this petition and is entitled to the benefits of Title 11, United States Code as a voluntary debtor.

(If appropriate)

4. A copy of petitioner's proposed plan, dated ..... is attached (or Petitioner intends to file a plan pursuant to ☒ Chapter 11) (or ☐ Chapter 13) of title 11, United States Code).

Wherefore petitioner prays for the entry of an order for relief under ☐ Chapter 7 (or ☐ Chapter 13) of Title 11, United States Code.

I hereby certify that the foregoing is a true copy of the original thereof now on file in this office.

Dated this 22nd day of March 19 84

M. Cross
Clerk, U.S. Bankruptcy Court
for the District of Maryland

Signed: Gary Rothenberg
Attorney for Petitioner.

Address: 1300 Equitable Bank Center
Baltimore, Maryland 21201
539-1812

(Petitioner signs if not represented by attorney.)

.....
Petitioner.

State of Maryland
County of Somerset } ss:

I, N. T. Whittington, Jr., President the petitioner named in the foregoing petition, certify under penalty of perjury that the foregoing is true and correct.

Executed on 21 March 1984

N. T. Whittington, Jr.
Ray's Seafood, Inc.
Petitioner.

RBT-4/5/84

| | | |
|---|---|---|
| ROBERT B. TAYLOR | * | NO. 11,698 EQUITY |
| Substitute Trustee | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| RAY'S SEAFOOD, INC. | * | STATE OF MARYLAND |
| Defendant | * | |

* * * * * * * * * * * * * * *

MOTION TO WITHDRAW BOND

The undersigned Substitute Trustee hereby moves for withdrawal from this proceeding of the "Bond of Deed of Trust Foreclosure", dated March 20, 1984, by the undersigned Substitute Trustee and United States Fidelity and Guaranty Company and the return thereof to the undersigned Substitute Trustee on the following grounds:

1. The Defendant filed a proceeding in the U.S. Bankruptcy Court for the District of Maryland and, by virtue thereof, the sale of the property in this proceeding may be cancelled.

2. The undersigned Substitute Trustee believes that the circumstances warrant cancellation of the bond to avoid the cost thereof.

WHEREFORE the undersigned prays the Court as aforesaid.

Robert B. Taylor
Robert B. Taylor,
Substitute Trustee

ADKINS, POTTS & SMETHURST
One Plaza East, 6th Floor
Salisbury, Maryland 21801

BOOK 050 PAGE 53

ORDER

This 9th day of April, 1984, the aforegoing Motion is hereby granted by the Court.

Lloyd L. Griffin
Judge

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

BOOK 050 PAGE 54

| | | |
|---|---|---|
| ROBERT B. TAYLOR | * | NO. 11,698 EQUITY |
| Substitute Trustee | * | |
| | * | IN THE CIRCUIT COURT |
| vs. | * | |
| | * | FOR SOMERSET COUNTY |
| RAY'S SEAFOOD, INC. | * | |
| Defendant | * | STATE OF MARYLAND |
| | * | |

**********

LINE

The attached documents are hereby filed in the proceeding and consist of (i) Affidavit of Homer E. McCreary, dated July 16, 1984, to which there is attached, as Exhibit A, (ii) the Consent Order Modifying Automatic Stay that is refered to therein and also in the advertisement of sale published or to be published by the undersigned in the Crisfield Times, beginning July 18, 1984.

Robert B. Taylor
Robert B. Taylor
Substitute Trustee

ADKINS, POTTS & SMETHURST
One Plaza East, 6th Floor
Salisbury, MD 21801

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

FILED

JUL 13 10 55 AM '84

REGISTER OF
LIBER
FOLIO
CLERK OF CIRCUIT COURT
BY

RBT-7/11/84

AFFIDAVIT OF HOMER E. MCCREARY

STATE OF MARYLAND )
) to wit:
CITY OF BALTIMORE )

I HEREBY CERTIFY that on this 16 day of July, 1984, before me, the subscriber, a Notary Public in and for the State and City aforesaid, personally appeared HOMER E. MCCREARY who made oath in due form of law as follows:

1. That he is over 18 years of age and is competent to testify to the matters set forth herein.

2. That he is an Assistant Vice President of Maryland National Bank, a National Banking Association, and in his capacity as such has full power and authority to make this affidavit on its behalf.

3. That on May 14, 1984, the United States Bankruptcy Court for the District of Maryland entered in Case No. 84-B-0426 a Consent Order Modifying Automatic Stay (hereinafter the "Consent Order"), a certified copy of which is attached hereto as Exhibit A, in Maryland National Bank v. Ray's Seafood, Inc., Motion No. M84-0297B.

4. Under Paragraph 1.a. and 1.d. of the Consent Order, Ray's Seafood, Inc., is required to pay to Maryland National Bank by no later than 3: P.M. on June 1, 1984, the sum of $2100.00 (hereinafter the "June 1 payment") by check delivered to him or by wire transfer.

BOOK 050 PAGE 55

5. That he has not received the June 1 payment and it has not been paid to Maryland National Bank by wire transfer.

6. That on June 7, 1984, by letter of that date, William L. Hallam, counsel to Maryland National Bank, sent to Ray's Seafood,

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& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

RBT-7/11/84

BOOK 050 PAGE 56

Inc., and to Gary R. Greenblatt, Esquire, by first class mail in accordance with Paragraph 3 of the Consent Order, the notice of default in regard to the June 1 payment, a copy of which is attached hereto as Exhibit B.

7. That the matters set forth herein are true to the best of his knowledge, information, and belief.

Homer E. McCreary

SWORN TO AND SUBSCRIBED BEFORE ME on the date and year aforesaid.

Noulette Jackson
NOTARY PUBLIC

My commission expires: July 1, 1986

FILED

JUL 13 10 55 AM '84



LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

EXHIBIT A

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

| | | |
|---|---|---|
| IN RE: | * | |
| RAY'S SEAFOOD, INC. | * | Case No.: 84-B-0426 |
| Debtor | * | |
| * * * * * * * | | |
| MARYLAND NATIONAL BANK | * | |
| Movant | * | |
| v. | * | |
| RAY'S SEAFOOD, INC. | * | Motion No.: M84-0297B |
| Respondent | * | |
| * * * * * * * | | |

I hereby certify that the foregoing is a true copy of the original thereof now on file in this office.
Dated this 26th day of June 1984
M. Cox
Clerk, U.S. Bankruptcy Court
for the District of Maryland

FILED
1984 MAY 24 PM '84
U.S. BANKRUPTCY COURT

CONSENT ORDER MODIFYING AUTOMATIC STAY

A Motion for Relief from Automatic Stay having been filed by the Maryland National Bank, and Maryland National Bank having alleged that the indebtedness of the Debtor to the Maryland National Bank is in excess of $83,000, plus interest, costs, expenses and attorneys' fees under a validly perfected Deed of Trust dated February 7, 1980 on real property owned by the Debtor known as Ray's Seafood, Inc., Jersey Road, Crisfield, Maryland 21817, that the Maryland National Bank has a validly perfected security interest in the Debtor's personal property, including inter alia, all of the Debtor's accounts, contract rights, inventory and equipment of any nature and collections thereof, warehouse receipts, chattel paper, instruments, general intangibles, furniture, furnishings, machinery

REMMER, BOWEN & REMMER
10 Light Street
Baltimore, Md. 21202

FILED
MAY 14 1984
UNITED STATES BANKRUPTCY COURT
BALTIMORE, MARYLAND

and fixtures, crops or goods, and all proceeds and products of the foregoing, by virtue of a Secured Promissory Note dated February 7, 1980, Loan and Security Agreement dated February 7, 1980, and financing statements filed among the records of Somerset County at Liber 320, Folio 291, dated February 7, 1980, and at the State Department of Assessments and Taxation at ID #132670, Film 2467, Folio 001657, dated February 11, 1980, and that the Debtor is in default under the above-described Deed of Trust dated February 7, 1980, Secured Promissory Note dated February 7, 1980, Loan and Security Agreement dated February 7, 1980, and financing statements dated February 7, 1980 and February 11, 1980 (hereinafter collectively referred to as the "Loan and Security Documents"), and it appearing that the parties to the aforesaid action filed by the Maryland National Bank desire that this Court enter a consent order modifying the stay imposed by §362 of the Bankruptcy Code, it is therefore,

ORDERED, this 14th day of May, 1984, by the United States Bankruptcy Court for the District of Maryland:

1. That the stay of §362 of the Bankruptcy Code be, and hereby is, modified to permit the Maryland National Bank to foreclose on, repossess and reclaim, or otherwise enforce its rights under the Loan and Security Documents, provided however, that the Maryland National Bank shall not foreclose on its Deed of Trust nor repossess or reclaim the personal property encum-

HEMMER, DOWEN & HEMMER

bered by its lien, if the Debtor complies with the following requirements:

a. Beginning on May 1, 1984, and thereafter on or before the 1st day of each month and continuing until confirmation of the Debtor's Chapter 11 Plan, the Debtor shall pay to the Maryland National Bank $2,100.00, or an amount equal to the monthly payment as calculated under the Deed of Trust dated February 7, 1980, whichever amount shall be greater, to be applied to the Debtor's indebtedness to the Maryland National Bank in accordance with the terms of the Loan and Security Documents. As security for said payment, the Debtor shall assign to the Maryland National Bank a Lease ~~dated~~ _____, ~~1984~~, by and between the Debtor and Charles Friedman;

b. In addition to the $2,100.00 payments described in paragraph 1.a. supra, beginning on May 15, 1984 and thereafter on or before the 15th day of each month and continuing until confirmation of the Debtor's Chapter 11 Plan, or until the Debtor is current in the payments of installments due to Maryland National Bank under the Loan and Security Documents, whichever is sooner, the Debtor shall pay to the Maryland National Bank $2,000.00 per month which shall be first applied to the Maryland National Bank's out-of-pocket expenses, including but not limited to, pre-petition real property taxes and charges paid by the Maryland National Bank, pre-petition advertising expenses for the foreclosure sale and the Maryland National Bank's pre-petition attorneys' fees, which pre-

HEMMICK, HOWEN & HEMMICK



BOOK 050 PAGE 59

petition fees and expenses total $15,478.26, and then the payments shall be applied to accrued and outstanding interest;

c. Beginning on May 15, 1984 and thereafter on or before the 15th day of each month and continuing until confirmation of the Debtor's Chapter 11 Plan or until the Debtor is current in the payment of installments due to Maryland National Bank under the Loan and Security Documents, whatever is sooner, the Debtor shall remit to the Maryland National Bank all proceeds of pre-petition accounts receivable theretofore collected. Until such proceeds are remitted to the Maryland National Bank, the Debtor shall segregate them from all other monies and shall hold them in a separate bank account. The Debtor shall advise the Maryland National Bank of the location and account number of said account and shall permit the Maryland National Bank, its agents, servants and employees, including but not limited to, a Certified Public Accountant chosen by the Maryland National Bank to inspect and examine its financial records pertaining to said account and to its pre-petition accounts receivable, whether at the Debtor's premises or elsewhere, upon reasonable notice and at reasonable times. The Debtor shall not delay or otherwise prevent or interfere with such inspection. In addition, Maryland National Bank may without further notice, verify account balances by contacting account debtors. Proceeds of any pre-petition accounts receivable remitted to Maryland National Bank shall be applied in accordance with paragraph 1.b hereof.

SEMMES, BOWEN & SEMMES
10 Light Street
Baltimore, Md 21202

d. The Debtor shall make the payments to the Maryland National Bank provided for in paragraphs 1.a., 1.b., and 1.c. hereof by certified check, treasurer's check or wire transfer. If the 1st or 15th day of any month falls on a Saturday, Sunday, or legal holiday, payments shall be due on the first banking day thereafter. If the payments are by wire transfer, they must be received by the Maryland National Bank no later than 3:00 p.m. on the date payment is due. If the payments are by certified check, said payments shall be mailed to the Maryland National Bank, c/o Homer McCreary, Mail Stop 022901, 10 Light Street, Baltimore, Maryland 21202, by certified mail, return receipt requested.

e. The Debtor's Chapter 11 Plan shall provide for the payment in full of the Debtor's remaining indebtedness to the Maryland National Bank, including post-petition attorneys' fees and expenses after application of the payments made in accordance with paragraph 1.a., 1.b. and 1.c. hereof to the extent that the claim of the Maryland National Bank is an allowed secured claim under the Bankruptcy Code.

f. After confirmation of the Chapter 11 Plan, the Debtor shall make all payments provided for therein and shall comply with all terms thereof with respect to its obligations to the Maryland National Bank.

g. During the pendency of its Chapter 11 proceeding, the Debtor shall maintain adequate casualty insurance on its real property and shall cause the Maryland National Bank to be named as loss payee.





SEMMES, BOWEN & SEMMES

2. That, if the Debtor's Chapter 11 proceeding is converted to a proceeding under Chapter 7 of the Bankruptcy Code, the automatic stay with respect to actions against the Debtor, property of the Debtor, or property of the Estate shall be lifted without further hearing with respect to any action by the Maryland National Bank to enforce its rights under the aforesaid Loan and Security Documents. Should the Debtor's Chapter 11 proceeding be converted, this order shall be binding on the Debtor and shall not be binding on the Chapter 7 trustee.

3. That, if the Debtor fails to make any payments to the Maryland National Bank provided for herein, or in its confirmed Chapter 11 Plan, or fails to comply with any terms and conditions of its confirmed Chapter 11 Plan with respect to the Debtor's obligations to the Maryland National Bank, or if the Debtor fails to comply with any of the terms and conditions of the Loan and Security Documents, the Maryland National Bank may accelerate the indebtedness of the Debtor and give notice to the Debtor of its default and of said acceleration by certified mail, return receipt requested, addressed to Ray's Seafood, Inc., c/o Norman T. Whittington, Jr., President, Jersey Road, Crisfield, Maryland 21617. A copy of said notice shall also be sent by first-class mail to Gary R. Greenblatt, Esquire, Schwartz & Greenblatt, 1300 Equitable Bank Center, 100 South Charles Street, Baltimore, Maryland 21201. If, within ten (10) days after mailing of the notice by the Maryland National Bank, the Debtor makes the monthly payments as pro-

SEMMES, BOWEN & SEMMES

vided for herein, or as provided for in the Debtor's confirmed Chapter 11 Plan, or cures its default under the Loan and Security Documents or under its confirmed Chapter 11 Plan, the Maryland National Bank shall waive the acceleration of the entire indebtedness and the Debtor's default. If, within ten (10) days after mailing of the notice by the Maryland National Bank, the Debtor does not make the payments to the Maryland National Bank provided for herein, or in its Chapter 11 Plan with respect to the Debtor's obligations to the Maryland National Bank, or does not comply with the other terms and conditions of the Loan and Security Documents or of its confirmed Chapter 11 Plan, the stay of §362 of the Bankruptcy Code shall be lifted as provided for in paragraph 1 hereof and the Maryland National Bank may reclaim, repossess and otherwise fully enforce its rights under the Loan and Security Documents, and foreclose and otherwise fully enforce its rights under the Deed of Trust dated February 7, 1980 in the Circuit Court of Maryland for Somerset County with respect to the real property. In the event that the Maryland National Bank forecloses on the Debtor's real property, it shall file a copy of the Auditor's Report and the Report of Sale with this Court within thirty (30) days after final ratification of the Auditor's Report. For purposes of giving notice to the Debtor as provided for herein, the Maryland National Bank shall be required only to send such notice addressed in the manner set forth above.

5. That, except as expressly provided for herein, or in any confirmed Plan or Order confirming a Plan, all of the

HEMMIN, IRWIN & HEMMIN

terms and conditions of the Loan and Security Documents shall remain in full force and effect and the rights of the Maryland National Bank shall not be affected by these proceedings.

CONSENTED TO:

BOOK 050 PAGE 64

Richard M. Kremen

Richard M. Kremen

cc:

William L. Hallam

William L. Hallam

Susan J. Klein

Susan J. Klein

Semmes, Bowen & Semmes
10 Light Street
Baltimore, Maryland 21202
(301) 539-5040

Attorneys for the Maryland National Bank

Gary R. Greenblatt
Schwartz & Greenblatt
1300 Equitable Bank Center
100 South Charles Street
Baltimore, Maryland 21201
(301) 539-1812

Attorneys for Ray's Seafood, Inc., Debtor

N. Thomas Whittington, Jr.

FILED

James F. Schneider
James F. Schneider,
Bankruptcy Judge

SEMMES, BOWEN & SEMMES
10 Light Street
Baltimore, Md. 21202

Judicial 13—Maryland—Mortgagee's or Attorney's Bond (1-55)

Bond Book 11 page 388

IN THE CIRCUIT COURT OF SOMERSET COUNTY

STATE OF MARYLAND

| | |
|---|---|
| ROBERT B. TAYLOR, SUBSTITUTE TRUSTEE<br>Plaintiff<br>VS.<br>RAY'S SEAFOOD, INC.<br>Defendant | BOND OF DEED OF TRUST FORECLOSURE<br>~~TO SELL~~ |

KNOW ALL MEN BY THESE PRESENTS: That we, Robert B. Taylor, Substitute Trustee as Principal, and the 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 One Hundred Thousand Dollars and No Cents ---------- Dollars ($100,000.00---), 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 31st day of July, in the year of our Lord, nineteen hundred and eighty-four.

WHEREAS, the above bounden Robert B. Taylor, Substitute Trustee

by virtue of the power contained in a ~~mortgage~~ Deed of Trust from RAY'S SEAFOOD, INC., to Michael K. Bloxham and Jesse K. Swartz, Trustees bearing date the 7th day of February, 19 80 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 320 Folio 282 and pursuant to proceedings designated as Case No. 11,698 Equity in the Circuit Court for Somerset County, Maryland, the said Robert B. Taylor, Substitute Trustee

BOOK 050 PAGE 65

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 ROBERT B. TAYLOR, SUBSTITUTE TRUSTEE

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

Donnie J. Leach

ROBERT B. TAYLOR, SUBSTITUTE TRUSTEE

Robert B. Taylor (SEAL)

(SEAL)

UNITED STATES FIDELITY AND GUARANTY COMPANY

By Gordon D. Gladden
Gordon D. Gladden, Attorney-in-Fact

Bond Approved and Filed
Test: Deborah Parks, clerk

681

(CERTIFIED COPY)

# POWER OF ATTORNEY

No. 85905 BOOK 050 PAGE 66

*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

Gordon D. Gladden

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

Gordon D. Gladden

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 13th day of June, A. D. 1975.

UNITED STATES FIDELITY AND GUARANTY COMPANY

(Signed) By Charles W. Boone
*Vice-President.*

(SEAL)

(Signed) F. J. Willey
*Assistant Secretary.*

STATE OF MARYLAND,
CITY OF BALTIMORE, } ss:

On this 13th day of June A. D. 1975, before me personally came Charles W. Boone Vice-President of UNITED STATES FIDELITY AND GUARANTY COMPANY, and F. J. Willey, 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 Charles W. Boone and F. J. Willey 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 78.

(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 his 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 his 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 13th day of June A. D. 1975

(SEAL) (Signed) Robert H. Bouse
*Clerk of the Superior Court of Baltimore City.*

FS 17 8-67

Bond Book 11 Page 389

Bond Book 11 Page 390

COPY OF RESOLUTION

*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*, W. J. D. Somerville, Jr., 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

Gordon D. Gladden

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 31st day of July A. D. 19 84

W J D Somerville Jr

*Assistant Secretary.*

BOOK 050 PAGE 67

FILED

AUG 2 3 20 PM '84

RECORDED IN LIBER NO. 11 FOLIO 389

CLERK OF CIRCUIT COURT

BY _____ DEPUTY

ROBERT B. TAYLOR
Substitute Trustee

vs.

RAY'S SEAFOOD, INC.
Defendant

* NO. 11,698 EQUITY

* IN THE CIRCUIT COURT

* FOR SOMERSET COUNTY

* STATE OF MARYLAND

* * * * * * * * * * BOOK 050 PAGE 68

AMENDED STATEMENT OF MORTGAGE DEBT

I HEREBY CERTIFY and affirm that there is presently due and owing to Maryland National Bank on the indebtedness of Ray's seafood, inc., under a Deed of Trust between Ray's Seafood, Inc., grantor, and Michael K. Bloxham and Jesse K. Swartz, Trustees, dated February 7, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 320, Folio 282, the following amounts:

| | | |
|---|---|---|
| Total Principal Loaned | $ 110,000.00 | |
| Less: Principal Repaid | $ 39,000.00 | |
| Outstanding Principal Balance | | $ 71,000.00 |
| Plus: Accrued Interest to August 6, 1984 | | $ 6,234.78 |
| Unpaid Balance of Principal and Interest | | $ 77,234.78 |
| Plus: Attorney's fees per note | | $ 11,439.36 |
| Plus: Real estate taxes paid to Town of Crisfield | | $ 9,318.20 |
| TOTAL INDEBTEDNESS DUE AND OWING | | $ 97,992.34 |

(Interest currently accrues at $ 30.00 per diem)

I further certify that the note of Ray's Seafood, Inc., that is secured by the mortgage provides that Ray's Seafood, Inc., shall pay all costs of collection thereof, including an attorney's fee of fifteen percentum of the then unpaid balance of principal and interest if this note shall be referred to an attorney for collection and that, by letter dated November 23, 1983, I referred the note to an attorney for collection. At that time, the then

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

FILED
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unpaid balance of principal and interest was $75,647.06.

I further certify that the aforesaid statement of indebtedness reflects credit for payment to Maryland National Bank of all sums received by it in payment of such indebtedness, inclusive of payments receive subsequent to the commencement of Case No. 84-B-0426 in the United States Bankruptcy Court for the District of Maryland.

I make this statement on behalf of Maryland National Bank in my capacity as its loan officer.

Homer E. McCreary

STATE OF MARYLAND
COUNTY OF Wicomico

I HEREBY CERTIFY that on this 6th day of August, 1984. before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Homer E. McCreary who is known (or satisfactorily proven) to me to be the person whose name is subscribed to the foregoing and the agent of Maryland National Bank, and made oath that the foregoing is a true statement of the amount of the Deed of Trust claim under the Deed of Trust filed in the said cause now remaining due and unpaid.

AS WITNESS my hand and notarial seal.

Donnie J. Leech
Notary Public

DONNIE J. LEECH NOTARY PUBLIC WICOMICO CO., MD.

My commission expires:
July 1, 1986

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& SMETHURST
SIXTH FLOOR
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SALISBURY, MD 21801

RBT-3/21/84

BOOK 050 PAGE 70

| | | |
|---|---|---|
| ROBERT B. TAYLOR, Substitute Trustee, | * | NO. 11,698 EQUITY |
| Plaintiff, | * | IN THE CIRCUIT COURT |
| vs. | * | |
| RAY'S SEAFOOD, INC., | * | FOR SOMERSET COUNTY |
| Defendant | * | STATE OF MARYLAND |

* * * * * * * * * *

REPORT OF SALE

Robert B. Taylor, as Substitute Trustee under a Deed of Trust by Ray's Seafood, Inc., dated February 7, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 320, Folio 282 (the "Deed of Trust") acting under and by virtue of a power of sale contained in the Deed of Trust, respectfully reports as follows:

That after default had occurred under the terms of said Deed of Trust and at the request of the party secured thereby, and after having given bond with security for the faithful performance of the trust as required by law, and after having given due notice of the time, place, manner and terms of sale by advertisement inserted in The Crisfield Times, a newspaper published in Somerset County, Maryland, at least once a week for at least three successive weeks before the day of sale, as will more fully appear by the publication certificate to be filed herein, he did, on August 6, 1984, beginning at the hour of 11 A.M., at the premises being foreclosed, by auctioneer, offer for sale at public auction the property covered by said Deed of Trust.

And the said Trustee, by auctioneer, then and there sold said property unto Raymond Tom Sterling and Joan M. Sterling, his wife, as the successful bidder at and for the bid of Ninety Six Thousand Dollars ($ 96,000.00), it being the highest and final bid

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that was made at the aforesaid public auction.

AND, as in duty bound, etc.

Robert B. Taylor (SEAL)
Robert B. Taylor,
Substitute Trustee

STATE OF MARYLAND
COUNTY OF Wicomico

I HEREBY CERTIFY that on this 8th day of August, 1984, before me, the Subscriber, a Notary Public of the State of Maryland, personally appeared Robert B. Taylor, Substitute Trustee, and made oath in due form of law that the facts stated in the foregoing Report of Sale are true, and that the sale thereby reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Lynn Adkins
Notary Public

My Commission Expires:
July 1, 1986

LYNN ADKINS NOTARY PUBLIC WICOMICO CO., MD.

BOOK 050 PAGE 71

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& SMETHURST
SIXTH FLOOR
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SALISBURY, MD. 21801

RBT-3/21/84

BOOK 050 PAGE 72

| | | |
|---|---|---|
| ROBERT B. TAYLOR, Substitute Trustee, | * | NO. 11,698 EQUITY |
| Plaintiff, | * | IN THE CIRCUIT COURT |
| vs. | * | |
| RAY'S SEAFOOD, INC. | * | FOR SOMERSET COUNTY, |
| Defendant | * | STATE OF MARYLAND |

* * * * * * * *

## AFFIDAVIT BY PURCHASER

STATE OF MARYLAND, COUNTY OF WICOMICO

I HEREBY CERTIFY that, before me, a Notary Public of the State and County aforesaid, personally appeared RAYMOND TOM STERLING

and made oath in due form of law that, on August 6, 1984, at or shortly after the hour of 11 A.M. he attend the public auction held in this proceeding at the premises being foreclosed, which are located on Jersey Road in Crisfield, Maryland, and then and there offered the bid of $ 96,000.00, which was declared the successful bid, and that:

1. In making the bid he was acting as agent for the following principals: Self and Joan M. Sterling, his wife.

2. That there are no other principals who are interested or for whom he was bidding.

3. He has not directly or indirectly discouraged anyone from bidding for the property.

AS WITNESS my hand and notarial seal this 6th day of ~~March~~ August, 1984.

Cheryl Ann Marsh
Notary Public

CHERYL ANN MARSH NOTARY PUBLIC WICOMICO COUNTY, MD.

My Commission Expires:
July 1, 1986

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& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

RBT-3/21/84

| | | |
|---|---|---|
| ROBERT B. TAYLOR, Substitute Trustee, | * | NO. 11,698 EQUITY |
| Plaintiff, | * | IN THE CIRCUIT COURT |
| vs. | * | |
| RAY'S SEAFOOD, INC. | * | FOR SOMERSET COUNTY |
| Defendant | * | STATE OF MARYLAND |

* * * * * * * * * * * * * * * *

SHOW CAUSE ORDER

ORDERED, by the Circuit Court of Somerset County, this 9th day of August, 1984, that the foreclosure sale of the property mentioned in these proceedings, made and reported by Robert B. Taylor, Substitute Trustee, be RATIFIED AND CONFIRMED, unless cause to the contrary thereof be shown on or before the 10th day of September, 1984. Provided, a copy of this order be inserted in some daily newspaper printed in Somerset County, once in each of three successive weeks, before the 7th day of September, 1984.

The Report states the amount of the foreclosure sale to be Ninety Six Thousand Dollars ($ 96,000.00).

Hugh T. Phillips
JUDGE

BOOK 050 PAGE 73

FILED
AUG 3 10 AM '84

RBT-9/25/84

ROBERT B. TAYLOR,
Substitute Trustee,

Plaintiff

vs.

RAY'S SEAFOOD, INC.

Defendant

* NO. 11,698 EQUITY
* IN THE CIRCUIT COURT
* FOR SOMERSET COUNTY
* STATE OF MARYLAND

BOOK 050 PAGE 74

* * * * * * * * * * * *

AFFIDAVIT REGARDING NOTICE OF SALE

STATE OF MARYLAND, COUNTY OF WICOMICO

I HEREBY CERTIFY, that on this 25th day of September, 1984, before me, the subscriber, a Notary Public of the aforesaid jurisdiction personally appeared Robert B. Taylor who made oath in due from of law that as Substitute Trustee of the Deed of Trust filed in this proceeding he caused to be mailed by certified U.S. mail, on July 25, 1984, notice of the time, place and terms of the sale made in this proceeding on August 6, 1984, to the maker of the Deed of Trust, the record owner of the property and every other party, if any, entitled to such notice under Maryland Rule W74a.2.(c) and Section 7-105(b) of the Real Property Article of the Annotated Code of Maryland, addressed to the last known address of such maker, record owner or other party.

AND said Robert B. Taylor further made oath that, to his best knowledge, information and belief the aforesaid notification satisfied the requirements of Maryland Rule W74a.2.(c) and Section 7-105(b) of the Real Property Article of the Annotated Code of Maryland, which have been complied with.

Donnie J. Leech
Notary Public

DONNIE J. LEECH NOTARY PUBLIC WICOMICO CO., MD.

My commission expires:
July 1, 1986

LAW OFFICES
ADKINS, POTTS
& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

RBT-9/25/84

| | | |
|---|---|---|
| ROBERT B. TAYLOR, Substitute Trustee, Plaintiff | * | NO. 11,698 EQUITY |
| | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| RAY'S SEAFOOD, INC. Defendant | * | STATE OF MARYLAND |

* * * * * * * * * * * *

## CERTIFICATE OF PUBLICATION

ROBERT B. TAYLOR
Substitute Trustee,
Plaintiff,
vs.
RAY'S SEAFOOD, INC.
Defendant
NO. 11,698 EQUITY
IN THE CIRCUIT
COURT
FOR SOMERSET
COUNTY
STATE OF
MARYLAND

**Show Cause Order**

ORDERED, by the Circuit Court of Somerset County, this 9th day of August, 1984, that the foreclosure sale of the property mentioned in these proceedings, made and reported by Robert B. Taylor, Substitute Trustee, be RATIFIED AND CONFIRMED, unles cause to the contrary thereof be shown on or before the 10th day of September, 1984. Provided, a copy of this order be inserted in some daily newspaper printed in Somerset County, once in each of three successive weeks, before the 7th day of September, 1984.

The Report states the amount of the foreclosure sale to be Ninety Six Thousand Dollars ($93,000.00).

Lloyd L. Simpkins
Judge

True Copy Test:
L. Theodore Phoebus
Clerk
8/15/3x

CRISFIELD, MD. 8-15- 19 84

THIS is to certify that the annexed Show Cause Order has been published in the CRISFIELD TIMES, a weekly newspaper published in Somerset County, Maryland, according to the terms and requirements contained in said Show Cause Order for 3 weeks beginning with the issue of August 15, 19 84 and ending August 29, 19 84.

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

BOOK 050 PAGE 75

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& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

RBT-3/21/84

| | | |
|---|---|---|
| ROBERT B. TAYLOR, Substitute Trustee, | * | NO. 11,698 EQUITY |
| Plaintiff, | * | IN THE CIRCUIT COURT |
| vs. | * | |
| RAY'S SEAFOOD, INC. | * | FOR SOMERSET COUNTY, |
| Defendant | * | STATE OF MARYLAND |

BOOK 050 PAGE 76

* * * * * * * * * *

AUCTIONEER'S AFFIDAVIT

I HEREBY CERTIFY that at the request of Robert B. Taylor I offered real estate located on Jersey Road in Crisfield, Maryland, for sale by public auction held on the premises on August 6, 1984, beginning at 11 A.M., and sold same to Raymond T. Sterling, as buyer thereof at and for the price of Ninety Six Thousand Dollars said buyer being at that price the highest bidder therefor, and that I have not paid and will not pay, directly or indirectly, any sum or consideration for employing me or for aiding to employ me to make the sale reported above as auctioneer.

By: Pete Richardson
Pete Richardson
P. O. Box 51
Willards, MD 21874

SUBSCRIBED AND SWORN TO BEFORE ME ON August 7th, 1984

Notary Public

My Commission Expires:
July 1, 1986

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& SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
SALISBURY, MD. 21801

RBT-9/21/84

| | | |
|---|---|---|
| ROBERT B. TAYLOR, Substitute Trustee, | * | NO. 11,698 EQUITY |
| Plaintiff | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| RAY'S SEAFOOD, INC. | * | STATE OF MARYLAND |
| Defendant | * | |

* * * * * * * * * * * * *

FINAL ORDER OF RATIFICATION OF TRUSTEE'S REPORT OF SALE

ORDERED BY THE COURT, this 21 day of September, 1984, that the foreclosure sale made and reported in these proceedings by Robert B. Taylor, Substitute 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 Show Cause Order passed in said cause; and the Trustee allowed the usual commissions and such proper expenses as he shall produce vouchers for to the Auditor.

R. E. Lowry
Judge

ADKINS, POTTS & SMETHURST
ATTORNEYS AT LAW
SIXTH FLOOR
ONE PLAZA EAST
P. O. BOX 671
SALISBURY, MARYLAND 21801
(301) 749-0161

E. DALE ADKINS, JR. (1915-1982)
RAYMOND S. SMETHURST, JR.
HENRY M. RUTLEDGE
ROBERT B. TAYLOR
SALLY D. ADKINS

JOHN C. SEIPP
EUGENIA C. WOOTTON

COUNSEL
CHARLES J. POTTS

November 14, 1984

Logan C. Widdowson, Esquire
47 N. Somerset Avenue
Princess Anne, Maryland 21853

BOOK 050 PAGE 78

Re: Request for auditor's report in No. 11,698 Equity, in the Circuit Court for Somerset County

Dear Logan:

This will discuss briefly the services of Pete Richardson as auctioneer in this matter. He did considerably more than call the sale, including posting a large sign on the premises and special advertisement, of which a copy of that run in The Daily Times is enclosed. A similar ad appeared in The Baltimore Sun. I also believe that he showed the property prior to date of sale and handled various inquiries (some long-distance) about it. I believe he earned his fee.

I note also that he was employed at the specific request of Raymond T. Sterling, made by John Robins, Esquire, with the understanding he would receive 3% of the price for the sale of the realty.

Very truly yours,

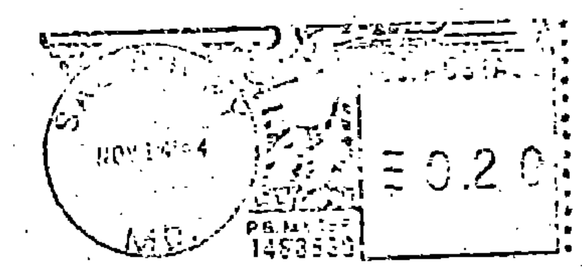
Bob Taylor

Robert B. Taylor

RBT:ha
cc: John B. Robins, IV, Esquire
Pete Richardson

BOOK 650 PAGE 79

LAW OFFICES
ADKINS, POTTS & SMETHURST
SIXTH FLOOR
ONE PLAZA EAST
P. O. BOX 671
SALISBURY, MARYLAND 21801




Logan C. Widdowson, Esquire
47 N. Somerset Avenue
Princess Anne, Maryland 21853

| | | |
|---|---|---|
| ROBERT B. TAYLOR,<br>Substitute Trustee | * | NO. 11,698 EQUITY |
| Plaintiff | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| RAY'S SEAFOOD, INC. | * | STATE OF MARYLAND |
| Defendant | * | BOOK 050 PAGE 80 |
| | * | |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 to Date of Settlement | | | 2,002.60 |
| | | | 98,002.60 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | 183.00 | |
| Avery W. Hall Insurance Agency, Inc., Bond | | 400.00 | |
| Crisfield Times | | | |
| Advertising | 361.20 | | |
| Order Nisi | 39.20 | 400.40 | |
| Auctioneer's Fee | | 2,880.00 | |
| Trustee's Fee | | 4,950.00 | |
| Town of Crisfield | | 2,316.28 | |
| State and County Taxes | | 12,232.14 | |
| Auditor's Fee | | 65.00 | |
| Certified Mail | | 10.00 | |
| Total Fees, Costs, Expenses, etc. | | $23,436.82 | |
| Balance to be Distributed | | | $74,565.78 |
| Mortgage Debt: Principal Balance | | 71,000.00 | |
| Interest through 12/19/83 | | 5,262.39 | |
| Interest from 12/19/83 to 11/29/84 @ $23.66 per diem | | 8,210.02 | |
| Total Mortgage Debt | | | $84,472.41 |
| Deficit | | | $ 9,906.63 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2000

ALL EXCEPTIONS to said report must be filed within ten (10) days of the date of the filing of this report. 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:

Robert B. Taylor, Esquire
Adkins, Potts & Smethurst
One Plaza East, 6th Floor
Salisbury, MD 21801

N. T. Whittington, Jr.
c/o Ray's Seafood, Inc.
P. O. Box 350
Crisfield, MD 21817

Gary R. Greenblatt, Esquire
Schwartz & Greenblatt
1300 Equitable Bank Center
100 South Charles Street
Baltimore, MD 21201

Logan C. Widdowson, Auditor

Date of Filing: November 15, 1984

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

LCW/gjb
11/15/84
84 # 165

No. 11,698 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 16th day of November, 19 84 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 November, 19 84.

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 11 day of December, 19 84 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

FEB 21 1985
Exd

| | | |
|---|---|---|
| Lorenzo Q. Powell,<br>Larry J. Powell and<br>Mary Powell<br>Rt. 1, Box 283<br>Marion, Maryland 21838<br><br>Plaintiffs<br><br>vs<br><br>LUther T. Miles, J. T. Wallace,<br>Mollie Whittington, Winter J. Barkley,<br>their heirs, successors and assigns,<br>and all otehr persons unknown claiming<br>any right, title, estate, lien or<br>interest in the real property described<br>in the Complaint adverse to Plaintiffs'<br>title thereto<br><br>Defendants | :<br>:<br>:<br>:

4. That the Plaintiffs are unable to convey title which is sufficiently marketable to satisfaction of buyers because (a) the said Luther T. Miles failed to record deeds to certain purchasers including Defendants herein of lots which were subsequently assessed to said purchasers and sold at tax sales by the Collector of Taxes for Somerset County, (b) the descriptions of certain deeds of conveyance by said Collector are vague and inadequate, (c) verification of chain of title and of inheritance of title to some of said lots by virtue of the lact of administration of estates of past record owners or persons claiming ownership wihtout record, (d) possible judgment liens against persons who claim ownership without record tite, (e) rights over the streets laid down in said subdivision.

5. That any claim of interest in said property adverse to that of Plaintiffs is without right although it be a denial or dispute of Plaintiffs' title.

6. That there is now pending no action at law or any proceeding in equity to enforce the validity of such title, lien, encumbrnace, defect or other adverse claim.

WHEREFORE, Plaintiffs pray as follows:

A. That Defendants and all persons claiming under any of them and other persons claiming any interest in said property be required to set forth the nature of their claims to the real property described in theComplaint.

B. For a judgment of this Court that the Plaintiffs have absolute ownership and right of disposition of the property described in the Complaint.

C. For said decree to permanently enjoin Defendants and all persons claiming under them, 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 Plaintiffs' by any action at law or otherwise.

D. That the Plaintiffs 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 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 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, judgment or order as may be passed therein.

And as in duty bound,

JONES & JONES

By Tony Bruce

Tony Bruce
Attorneys for Plaintiffs
P. O. Box 186
Princess Anne, Maryland 21853

BOOK 050 PAGE 86

| | | |
|---|---|---|
| Lorenzo Q. Powell, Larry J. Powell and Mary Powell<br>Plaintiffs | : | No. 85CA00046 Civil Action |
| | : | (Equity) in the Circuit Court |
| vs | : | for SomersetCounty, Maryland |
| Luther T. Miles, J..T. Wallace, Mollie Whittington, Winter J. Barkley, their heirs, succcessors 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 Plaintiffs' title thereto | : | |
| Defendants | : | |

MOTION TO PROCEED AGAINST RESPONDENTS AS NON-RESIDENTS

The Motion of your Plaintiffs, by Jones & Jones, their solicitors, respectfully represents:

That your Plaintiffs caused a diligent search of the land, court and testamentary records of Somerset County to be made which failed to determine what persons having an interest herein or their heirs are residents of this State. Plaintiff is without knowledge as to where to direct service to be made nor to whom.

WHEREFORE, Plaintiffs move that the Defendants be proceeded against as non-residents as provided in the Maryland Rules of Procedure in such cases provided giving notice of the pendency of the above entitled action by publication and posting on the premises pursuant to Rule 2-122 (a) (3).

JONES & JONES

By Tony Bruce

Tony Bruce
Attorneys for Plaintiffs

AFFIDAVIT

I, Tony Bruce, do hereby maek affidavit that I have made reasonable and bona fide efforts to determine the heirs of Luther T. Miles, J. T. Wallace, Mollie Whittington and Winter J. Barkley and that as a result of my investigations

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

I believe Luther T. Miles, J. T. Wallace, Mollie Whittington and Winter J. Barkley are deceased and their heirs cannot be served by personal service within this jurisdiction.

Tony Bruce

Subscribed to before me this 4th day of September, 1984.

Notary Public

| | | |
|---|---|---|
| Lorenzo Q. Powell, Larry J. Powell and Mary Powell | : | No. 85-CA-00046 Civil Action |
| Plaintiffs | : | (Equity) in the Circuit Court |
| vs | : | for Somerset County, Maryland |
| | : | |
| Luther T. Miles, J. T. Wallace, Molli Whittington, Winter J. Barkley, their heirs, successors 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 Plaintiffs' title thereto. | : | |
| Defendants | : | |

ORDER

Upon the aforegoing Complaint Quia Timet, it is this 4th day of September 1984, ORDERED by theCircuit Court for Somerset County that the Defendants, Luther T. Miles, J. T. Wallace, Mollie Whittington and Winter J. Barkley, their heirs and assigns and all other persons, be proceeded against as non-residents by giving notice by publication at least one a week in each of three successive weeks in a newspaper published in Somerset County, Maryland, before the 1st day of October, 1984, stating the substance and object of the originalComplaint and warning the said Defendants to file an initial pleading to said Complaint on or before the 3rd day of December, 198_, and by posting upon the land pursuant to Rule 2-122 (a) (3).

Lloyd L. Simpkins
Judge

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

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| | | |
|---|---|---|
| Lorenzo Q. Powell,<br>Larry J. Powell and<br>Mary Powell<br><br>Plaintiffs<br><br>vs<br><br>Luther T. Miles, J. T. Wallace,<br>Mollie Whittington, Winter J. Barkley,<br>their heirs, successors and assigns,<br>and all other persons unknown claiming<br>any right, title, estate, lien or<br>interest in the real property described<br>in the Complaint adverse to Plaintiffs'<br>title thereto<br><br>Defendants | :<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>: | No. 85-CA-00016 Civil Action<br>(Equity) in the Circuit Court<br>for Somerset County, Maryland |

ORDER OF PUBLICATION

This is to give notice that on the 4th day of Sept., 1984, a Complaint Quia Timet was filed in the CircuitCourt for Somerset County, Maryland, by the Plaintiffs against the Defendants, their heirs and assigns, the whereabouts of whom are unknown.

The Complaint alleges that Plaintiffs are the owners of a 7500 square foot lot and 36.58 acres of land on Whites Road in Lawsons Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 57 in Block 27 as Parcel 376 depicted on a plat by G. Oliver Morrell dated March 1964 recorded in Liber I.T.P. No. 230, folio 534 among the Land Records of Somerset County; and that defects of record title thereof is a denial or dispute of Plaintiffs' title whch is without right because Plaintiffs and their predecessors have had exclusive, complete, actual, open, notorious, hostile and continuour undisputed possession of said property adverse to Defendants and all other persons for more than twenty years.

The relief prayed in the Complaint is substantially as follows:

1. To require Defendants and all persons claiming under them any other prsons claiming an interest in said real property to set forth the nature of their claim.

BOOK 050 PAGE 89

2. To permanently enjoin further claims.

3. To quiet title of siad real property in Plaintiffs.

WHEREUPON, it is ordered by the Circuit Court for SomersetCounty, this 4th day of Sept., 1984, that the plaintiffs 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 1st day of October, 1984, giving notice to said Defendants of the object and substance of the Complaint and warning them to show cause, if any there may be, on or before the 3RD day of December, 1984, why a decree should not be passed as prayed.

BOOK 050 PAGE 90

Lloyd L. Simpkins
Judge

| | | |
|---|---|---|
| Lorenzo Q. Powell,<br>Larry J. Powell and<br>Mary Powell<br>Rt. 1, Box 283<br>Marion, Maryland 21838<br><br>Plaintiffs<br><br>vs<br><br>Luther T. Miles, J. T. Wallace,<br>Mollie Whittington, Winter J.Barkley,<br>their heirs, successors and assigns,<br>and all other persons unknown claiming<br>any right, title, estate, lien or<br>interest in the real property described<br>in the Complaint adverse to Plaintiffs'<br>title thereto<br><br>Defendants | :<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>:<br>: | No. 85-CA-00046 Civil Action<br>(Equity) in the Circuit Court<br>for Somerset County, Maryland |

I certify I did post a copy of the Order of Publication in the above captioned case on 7/8/84, 1984, pursuant to Rule 2-122 (a) (3).

Deputy Bobby L. Jones
Sheriff

Area Code (302) 674-4750

Powell BOOK 050 PAGE 92

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Kathleen H. Kunkle of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of September 12,19,26 19 84

Kathleen H. Kunkle
Independent Newspapers, Inc.

Sworn to and subscribed before me this fifth day of October, A.D. 1984.

Wendelyn A. Roberts
Notary Public

FILED
OCT 8 1 00 PM '84

85CA00046

Tony Bruce
Solicitor
Jones and Jones
Attorneys At Law
Princess Anne, Md.
Lorenzo Q. Powell,
Larry J. Powell and
Mary Powell
Plaintiffs
vs
Luther T Miles, J.T. Wallace, Mollie Whittington, Winter J. Barkley, their heirs, successors 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 Plaintiffs' title thereto
Defendants
No. 85-CA-00046 Civil Action (Equity) in the Circuit Court for Somerset County, Maryland

## Order Of Publication

This is to give notice that on the 4th day of September, 1984, a Complaint Quia Timet was filed in the Circuit Court for Somerset County, Maryland, by the Plaintiffs against the Defendants, their heirs and assigns, the whereabouts of whom are unknown.

The Complaint alleges that Plaintiffs are the owners of a 7500 square foot lot and 36.58 acres of land on Whites Road in Lawsons Election District, Somerset County, Maryland, depicted on Somerset County Tax Map No. 57 in Block 27 as Parcel 376 depicted on a plat by G. Oliver Morrell dated March 1964 recorded in Liber I.T.P. No. 230, folio 534 among the Land Records of Somerset County; and that defects of record title thereof is a denial or dispute of Plaintiffs' title which is without right because Plaintiffs and their predecessors have had exclusive, complete, actual, open, notorious, hostile and continuour undisputed possession of said property adverse to Defendants and all other persons for more than twenty years.

The relief prayed in the Complaint is substantially as follows:

1. To require Defendants and all persons claiming under them any other persons claiming an interest in said real property to set forth the nature of their claim.
2. To permanently enjoin further claims.
3. To quiet title of said real property in Plaintiffs.

WHEREUPON, it is ordered by the Circuit Court for Somerset County, this 4th day of September, 1984, that the plaintiffs 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 1st day of October, 1984, giving notice to said Defendants of the object and substance of the Complaint and warning them to show cause, if any there may be, on or before the 3rd day of December, 1984, why a decree should not be passed as prayed.

Lloyd L. Simpkins
Judge
True Copy, Test:
I.T. Phoebus, Clerk
9-12-3x 19/26

| | | |
|---|---|---|
| Lorenzo Q. Powell,<br>Larry J. Powell and<br>Mary Powell<br><br>Plaintiffs<br><br>vs<br><br>Luther T. Miles, J. T. Wallace,<br>Mollie Whittington, Winter J. Barkley,<br>their heirs, successors and assigns,<br>and all other persons unknown claiming<br>any right, title, estate, lien or<br>interest in the real property described<br>in the Complaint adverse to Plaintiffs'<br>title thereto<br><br>Defendants | :<br>:<br>:<br>:

| | | |
|---|---|---|
| Lorenzo Q. Powell<br>Larry J. Powell and<br>Mary Powell<br><br>Plaintiffs<br>vs<br><br>Luther T. Miles, J. T. Wallace, Mollie Whittington, Winter J. Barkley, their heirs, successors 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 Plaintiffs' title thereto<br><br>Defendants | :<br>:<br><br>:<br><br>:<br>:<br>:<br>:<br>:<br>: | No. 85CA00046 Civil Action<br><br>In the Circuit Court for<br><br>Somerset County, Maryland |

JUDGMENT

The aforegoing motion and complaint quia timet having been read and considered, no cause to the contrary having been filed, it is ADJUDGED, ORDERED and DECREED this 1st day of Feb., 1985 that:

a) Plaintiffs are declared the owners in fee simple of 36.58 acres described in the Complaint incorporating by reference the plat by G. Oliver Morrell dated March 1964 recorded among the Land Records of Somerset County in Liber I.T.P. No. 230, folio 534.

b) Defendants and all persons claiming under them and all other persons are permanently enjoined from asserting any claim, estate, right, title, lien or interest in the aforesaid property or any part of same adverse to Plaintiffs'.

Lloyd L. Simpkins
Judge

FEB 21 1985
Exd.

| | | |
|---|---|---|
| RONALD G. RAYNE and DONNA M. PITTMAN, Trustees<br>Plaintiffs | * | NO. 85-CA-00064 Civil Action ~~CHANCERY~~<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| vs. | * | |
| CLAYTON HENRY EVANS and PATRICIA L. EVANS<br>Defendants | * | BOOK 050 PAGE 96 |

* * * * *

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

MR. CLERK:

PLEASE docket the above entitled case and file herewith the Construction-Permanent Deed of Trust dated April 23, 1984, in the original principal amount of FIFTY EIGHT THOUSAND DOLLARS ($58,000.00), from CLAYTON H. EVANS and PATRICIA L. EVANS, his wife, said Construction Permanent Deed of Trust recorded among the Land Records for Somerset County, Maryland in Liber I.T.P. No. 343, Folio 881, et seq., William F. Brooks, Jr. and Donna M. Pittman having been named Trustees herein.

RONALD G. RAYNE, Trustee

DONNA M. PITTMAN, Trustee

| | | |
|---|---|---|
| CIVIL | 8500064 | # |
| CLRK FEE | 70.00 | L |
| APPEAR | 10.00 | L |
| SUBTOTAL | 93.00 | |
| TOTAL | 93.00 | |
| CHECK/MO | 80.00 | |
| CHECK/MO | 13.00 | |

R#5911

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| RONALD G. RAYNE<br>and<br>DONNA M. PITTMAN, Trustees<br><br>Plaintiff<br><br>vs.<br>CLAYTON HENRY EVANS<br>and<br>PATRICIA L. EVANS<br><br>Defendants | *<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>* | NO. 85-CA-00064 Civil Action<br>IN THE CIRCUIT COURT<br>FOR Somerset COUNTY<br>STATE OF MARYLAND |

* * * * *

## AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of August, 1984, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared WILLIAM F. BROOKS, JR., Executive Vice President of Second National Building & Loan, Inc., a body corporate of Maryland, who made oath in due form of law as follows:

1. That Second National Building & Loan, Inc., a stock corporation of the State of Maryland, is the beneficiary of a Deed of Trust dated April 23, 1984 from Second National Building and Loan, Inc. which Deed of Trust is recorded among the Land Records of Somerset County, Maryland, in Liber No. 343, Folio 881, 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 $8,914.77 is now due and owing thereunder plus $3.09 interest per day for each day hereafter.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office address of the Defendant is: Box 26, Hopewell Road, Crisfield, Maryland 21817.

AS WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

Notary Public

My Commission Expires: 7/1/86

BOOK 050 PAGE 97

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

Bond Book 11 Page 416

# Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

KNOW ALL MEN BY THESE PRESENTS: BOOK 050 PAGE 98

That we, RONALD G. RAYNE & DONNA M. PITTMAN, TRUSTEES

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

Twelve Thousand and 00/100**********($12,000.) Dollars,

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 26th day of October in the year of our Lord Nineteen Hundred Eighty-Four

Whereas, the above bounden RONALD G. RAYNE & DONNA M. PITTMAN, Trustees

by virtue of the power contained in a mortgage from CLAYTON HENRY EVANS & PATRICIA L. EVANS

to SECOND NATIONAL BUILDING & LOAN, INC.

bearing date the 23 rd day of April, 1984 and recorded among the mortgage records of Somerset County, Maryland in Liber ITP No. 343 Folio 881 and

RONALD G. RAYNE & DONNA M. PITTMAN, Trustees

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 RONALD G. RAYNE & DONNA M. PITTMAN, Trustees

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.

In Testimony Whereof, the above bounden RONALD G. RAYNE & DONNA M. PITTMAN, Trustees has hereto set their hand s and seal s and the said body corporate has caused these presents to be duly signed by its Attorney-in-Fact, the day and year first herein above written.

*Signed, sealed and delivered in the presence of:*

Sharon L. Jenkins

RONALD G. RAYNE (SEAL)

Donna M. Pittman (SEAL)
DONNA M. PITTMAN

Witness: April J. Massey 29 8 AM '84

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

April J. Massey *As to Surety*

Ramon J. Matheu *Attorney-in-Fact*

J3228(MD)—250, 8-81 213732
*Formerly MD3228a*
Mortgagee's or Attorney's Bond

RECORDED IN LIBER NO. ____ FOLIO ____
THEODORE PHELPS, CLK. OF CT.
BY ____ DEPUTY

Bond Approved and filed.
PER: T. Theodore Phelps, clerk

*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:

SEC. 2. The President, or any Executive Vice-President, or any of the Senior Vice-Presidents or 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 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 Reese F. Cropper, Jr. and Ramon J. Matheu, both of Berlin, 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, each in a penalty not to exceed the sum of TWO HUNDRED FIFTY THOUSAND DOLLARS ($250,000).....

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 Reese F. Cropper, Jr., etal, dated, July 31, 1981.

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 3rd day of March, A.D. 19 82

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

ATTEST: SEAL

C W Robbins
*Assistant Secretary*

By C M Pecot
*Vice-President*

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 3rd day of March, A.D. 19 82, 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.

CAROL J. FABER NOTARY PUBLIC BALTIMORE CITY, MD.

Carol J. Faber

Notary Public Commission Expires July 1, 1982

## 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 26 th day of October, 19 84

BOOK 050 PAGE 93

L1428Ctf.— 060-2146 Bond Book 11 Page 417

*Assistant Secretary*

FOR YOUR PROTECTION LOOK FOR THE F&D WATERMARK

| | | |
|---|---|---|
| RONALD G. RAYNE | * | NO. 85CA00064 CIVIL |
| and | | IN THE CIRCUIT COURT |
| DONNA M. PITTMAN, Trustees | * | FOR SOMERSET COUNTY |
| vs. Plaintiff | | STATE OF MARYLAND |
| CLAYTON H. EVANS | * | |
| and | | BOOK 050 PAGE 100 |
| PATRICIA L. EVANS | * | |
| Defendants | | |

* * * * *

AFFIDAVIT OF COMPLAINCE - Rule W74 a 2.(b)

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

WE, Ronald G. Rayne and Donna M. Pittman, Trustees, make oath that we mailed to the Mortgagors, Clayton H. Evans and Patricia L. Evans, his wife, at the Mortgagors' last known address at Box 26, Hopewell Road, Crisfield, Maryland 21817 by Certified Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on November 2, 1984, and that such mailing was sent on October 22, 1984 and delivered on October 24, 1984.

RONALD G. RAYNE, Trustee

DONNA M. PITTMAN, Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 6th day of November, 1984, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Ronald G. Rayne and Donna M. Pittman, 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 first above written.

NOTARY PUBLIC

My Commission Expires: 7/1/86

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

8SCA00064

P18 3993195

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Clayton H. Evans
STREET AND NO.
Box 26, Hopewell Road
P.O., STATE AND ZIP CODE
Crisfield, MD 21817

| | |
|---|---|
| POSTAGE | $ .20 |
| CONSULT POSTMASTER FOR FEES — CERTIFIED FEE | .75¢ |
| OPTIONAL SERVICES — SPECIAL DELIVERY | ¢ |
| OPTIONAL SERVICES — RESTRICTED DELIVERY | ¢ |
| RETURN RECEIPT SERVICE — SHOW TO WHOM AND DATE DELIVERED | .60¢ |
| RETURN RECEIPT SERVICE — SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY | ¢ |
| RETURN RECEIPT SERVICE — SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY | ¢ |
| RETURN RECEIPT SERVICE — SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY | ¢ |
| TOTAL POSTAGE AND FEES | $ 1.55 |

POSTMARK OR DATE

PS Form 3800, Apr. 1976

P18 3993197

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Patricia L. Evans
STREET AND NO.
Box 26, Hopewell Road
P.O., STATE AND ZIP CODE
Crisfield, MD 21817

| | |
|---|---|
| POSTAGE | $ .20 |
| CONSULT POSTMASTER FOR FEES — CERTIFIED FEE | .75¢ |
| OPTIONAL SERVICES — SPECIAL DELIVERY | ¢ |
| OPTIONAL SERVICES — RESTRICTED DELIVERY | ¢ |
| RETURN RECEIPT SERVICE — SHOW TO WHOM AND DATE DELIVERED | .60¢ |
| RETURN RECEIPT SERVICE — SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY | ¢ |
| RETURN RECEIPT SERVICE — SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY | ¢ |
| RETURN RECEIPT SERVICE — SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY | ¢ |
| TOTAL POSTAGE AND FEES | $ 1.55 |

POSTMARK OR DATE

PS Form 3800, Apr. 1976

PS Form 3811, July 1982

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered ..... ____¢
☐ Show to whom, date, and address of delivery .. ____¢
2. ☐ RESTRICTED DELIVERY..... ____¢
*(The restricted delivery fee is charged in addition to the return receipt fee.)*

TOTAL $____

3. ARTICLE ADDRESSED TO:
Patricia L. Evans
Box 26, Hopewell Road
Crisfield, MD 21817

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
P18
3993197

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized Agent
Patricia L. Evans

5. DATE OF DELIVERY

6. ADDRESSEE'S ADDRESS *(Only if requested)*

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RECEIVED OCT 25 1984

CRISFIELD, MD FEB 1984 USA

RETURN RECEIPT

☆ GPO: 1982-370-103

BOOK 050 PAGE 101

LAW OFFICES
PERDUE, RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
P. O. BOX 949
SALISBURY, MARYLAND 21801
(301) 749-2211

HERMAN E. PERDUE
RONALD G. RAYNE
DONALD C. DAVIS
J. MORGAN WHITE

OCEAN CITY OFFICE
3906 OCEAN HIGHWAY
OCEAN CITY, MD. 21842
(301) 289-8408
(301) 289-8409

CERTIFIED MAIL #3993195

October 22, 1984

BOOK 050 PAGE 102

Clayton H. Evans
Box 26, Hopewell Road
Crisfield, MD 21817

RE: Clayton H. Evans and Patricia L. Evans foreclosure - property located at Joshua Thomas Drive, Crisfield, Maryland

Dear Mr. Evans:

Pursuant to the provision of Rule W74 of the Maryland Rules of Procedure, notice is hereby given that a foreclosure sale of the property and improvements owned by Clayton H. and Patricia L. Evans known as Lot No. 5, Block 1, Joshua Thomas Drive, Crisfield, Maryland. The sale will be held on the front door of the Court House in Princess Anne, Maryland on FRIDAY, NOVEMBER 2, 1984 at 10:00 o'clock A.M.

The property to be sold is described as follows:

ALL that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, State of Maryland, and more particularly described as follows: ALL that lot or parcel of land situate, as aforesaid, located on Joshua Thomas Drive, and being laid down and described as Lot No. 5, Block 1 on plat prepared by G. Oliver Morrell, Surveyor, and recorded in Plat Book I.T.P. No. 7, folio 48, and BEING the same property conveyed unto Clayton Henry Evans and Lynne Evans, his wife, by Clayton Henry Evans and Mary E. Evans, his wife, by deed dated June 27, 1983 and recorded among the aforesaid Land Records in Liber I.T.P. No. 339, folio 106, et seq.

The terms of sale are $3,000.00 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 13% per annum and to be secured to the satisfaction of said Trustee.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, transfer tax, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

For your information, I am enclosing a copy of the advertisement of sale which is appearing in The Crisfield Times which is incorporated herein by reference.

Yours truly,

RONALD G. RAYNE

RGR/slj
enclosure

LAW OFFICES
PERDUE, RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
P. O. BOX 949
SALISBURY, MARYLAND 21801
(301) 749-2211

HERMAN E. PERDUE
RONALD G. RAYNE
DONALD C. DAVIS
J. MORGAN WHITE

OCEAN CITY OFFICE
3906 OCEAN HIGHWAY
OCEAN CITY, MD. 21842
(301) 289-8408
(301) 289-8409

CERTIFIED MAIL #3993197

October 22, 1984

BOOK 050 PAGE 104

Patricia L. Evans
Box 26 Hopewell Road
Crisfield, MD 21817

RE: Clayton H. Evans and Patricia L. Evans foreclosure - property located at Joshua Thomas Drive, Crisfield, Maryland

Dear Mrs. Evans:

Pursuant to the provision of Rule W74 of the Maryland Rules of Procedure, notice is hereby given that a foreclosure sale of the property and improvements owned by Clayton H. and Patricia L. Evans known as Lot No. 5, Block 1, Joshua Thomas Drive, Crisfield, Maryland. The sale will be held on the front door of the Court House in Princess Anne, Maryland on FRIDAY, NOVEMBER 2, 1984 at 10:00 o'clock A.M.

The property to be sold is described as follows:

ALL that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, State of Maryland, and more particularly described as follows: ALL that lot or parcel of land situate, as aforesaid, located on Joshua Thomas Drive, and being laid down and described as Lot No. 5, Block 1 on plat prepared by G. Oliver Morrell, Surveyor, and recorded in Plat Book I.T.P. No. 7, folio 48, and BEING the same property conveyed unto Clayton Henry Evans and Lynne Evans, his wife, by Clayton Henry Evans and Mary E. Evans, his wife, by deed dated June 27, 1983 and recorded among the aforesaid Land Records in Liber I.T.P. No. 339, folio 106, et seq.

The terms of sale are $3,000.00 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 13% per annum and to be secured to the satisfaction of said Trustee.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, transfer tax, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

For your information, I am enclosing a copy of the advertisement of sale which is appearing in The Crisfield Times which is incorporated herein by reference.

Yours truly,

RONALD G. RAYNE

RGR/slj
enclosure

| | | |
|---|---|---|
| RONALD G. RAYNE | * | NO. 85CA00064 CIVIL |
| and | * | IN THE CIRCUIT COURT |
| DONNA M. PITTMAN, Trustees | * | FOR SOMERSET COUNTY |
| Plaintiff | * | STATE OF MARYLAND |
| vs. | * | |
| CLAYTON H. EVANS | * | BOOK 050 PAGE 106 |
| and | * | |
| PATRICIA L. EVANS | * | |
| Defendants | * | |

* * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Ronald G. Rayne and Donna M. Pittman, Trustees, pursuant to the power of sale contained in the Deed of Trust dated April 23, 1984 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 343, Folio 881, et seq., 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 Crisfield Times, a newspaper published in Somerset County, Maryland, prior to November 2, 1984, and after giving Bond with the security approved by the Clerk of this Court, said Trustees did, on November 2, 1984 at 10:00 o'clock A.M. attend at the front door of the Court House in Princess Anne, 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 all of the following described property:

ALL that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, State of Maryland, and

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

more particularly described as follows: ALL that lot or parcel of land situate, as aforesaid, located on Joshua Thomas Drive, and being laid down and described as Lot No. 5, Block 1 on a plat prepared by G. Oliver Morrell, Surveyor, and recorded in Plat Book I.T.P. No. 7, folio 48, and

BEING the same property conveyed unto Clayton Henry Evans and Lynne Evans, his wife, by Clayton Henry Evans and Mary E. Evans, his wife, by deed dated June 27, 1983 and recorded among the aforesaid Land Records in Liber I.T.P. No. 339, folio 106, et seq.

And your Trustees sold the aforedescribed property unto Mary E. Evans and Raymond Stanley Evans, Sr. at and for the sum of $10,000, at that sum, being the highest bidder therefore, and the said purchasers have complied with the terms of the sale.

RESPECTFULLY SUBMITTED,

RONALD G. RAYNE, Trustee

DONNA M. PITTMAN, Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 6th day of November, 1984, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Ronald G. Rayne and Donna M. Pittman, 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 herein reported was fairly made

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

SHARON L. JENKINS NOTARY PUBLIC WICOMICO CO., MD.

NOTARY PUBLIC

My Commission Expires: 7/1/86

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

PERDUE, RAYNE & DAVIS

PROFESSIONAL ASSOCIATION
212 East Main Street
Salisbury, Maryland 21801

* * * * * * *

BOOK 050 PAGE 108

TRUSTEES' SALE
OF
VALUABLE RESIDENTIAL PROPERTY
KNOWN AS

Joshua Thomas Drive
Crisfield, Maryland 21817

By virtue of the Power of Sale and authority contained in Deed of Trust executed by CLAYTON H. EVANS and PATRICIA L. EVANS, his wife, dated April 23, 1984, and recorded among the Land Records for Somerset County, State of Maryland, in Liber I.T.P. No. 343, Folio 881, et seq., default having occurred thereunder, the undersigned Trustees will sell at Public Auction at the front door of the Court House in Princess Anne, Maryland, FRIDAY, NOVEMBER 2, 1984 at 10:00 o'clock A.M.

ALL of the following described property located in Somerset County State of Maryland, and more particularly described as follows:

ALL that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, State of Maryland, and more particularly described as follows: ALL that lot or parcel of land situate, as aforesaid, located on Joshua Thomas Drive, and being laid down and described as Lot No. 5, Block 1 on a plat prepared by G. Oliver Morrell, Surveyor, and recorded in Plat Book I.T.P. No. 7, folio 48, and

BEING the same property conveyed unto Clayton Henry Evans and Lynne Evans, his wife, by Clayton Henry Evans and Mary E. Evans, his wife, by deed dated June 27, 1983 and recorded among the aforesaid Land Records in Liber I.T.P. No. 339, folio 106, et seq.

This valuable property has a partially constructed wooden frame on the lot.

POSSESSION of said property to be given upon ratification of sale.

TERMS OF SALE to be $3,000.00 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

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

PG 'A E 8 \ MM

to bear interest at the rate of 13% per annum and to be secured to the satisfaction of said Substitute Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, transfer tax, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

LOCATION of the property is Lot 5, Block 1, Joshua Thomas Drive, Crisfield, Maryland.

INSPECTION of the property may be made the day of sale.

FINANCING is available to qualified purchasers, for information contact Kenneth G. Wilson at 301/723-1700.

For further information, contact the undersigned Trustees.

RONALD G. RAYNE, Trustee

DONNA M. PITTMAN, Trustee

PERDUE, RAYNE & DAVIS, P.A.
212 East Main Street
Salisbury, Maryland 21801
301/749-2211

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION



BOOK 050 PAGE 109

Publication Dates:
October 17, 24, & 31

**AFFIDAVIT**

STATE OF MARYLAND, Wicomico COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 2nd day of November, 1984, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared MARY E EVANS + RAYMOND STANLEY EVANS, SR the purchaser(s) named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, MARY E. EVANS + RAYMOND STANLEY EVANS SR. attended the sale of the property described in the Deed of Trust filed in these proceedings held in SOMERSET County, Maryland, on NOVEMBER 2, 1984, and purchased the same for themselves for $10,000.

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That I did not directly or indirectly discourage anyone from bidding on said property.

Mary E Evans
AFFIANT
Raymond Stanley Evans Sr.
AFFIANT

SUBSCRIBED AND SWORN TO, Before me, this 2nd day of November, 1984.

NOTARY PUBLIC

My Commission Expires: 7/1/86

RONALD G. RAYNE
NOTARY PUBLIC
WICOMICO CO., MD.

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| RONALD G. RAYNE | * | NO. 85CA00064 CIVIL |
| and | * | IN THE CIRCUIT COURT |
| DONNA M. PITTMAN, Trustees | * | FOR SOMERSET COUNTY |
| Plaintiff | * | STATE OF MARYLAND |
| vs. | * | |
| CLAYTON H. EVANS | * | |
| and | * | |
| PATRICIA L. EVANS | * | |
| Defendants | * | |

* * * * *

NOTICE

ORDERED by the Circuit Court of Somerset County, Maryland, in Civil on this 7th day of Nov., 1984 that the sale of the property mentioned in these proceedings made and reported by Ronald G. Rayne and Donna M. Pittman, Trustees, under the power of sale contained in the Deed of Trust from Clayton H. Evans and Patricia L. Evans, his wife, and more specifically ratified and confirmed unless cause to the contrary be shown on or before the 5th day of December, 1984; provided a copy of this Order be inserted in each of three (3) successive weeks before the 3RD day of December, 1984.

The report states the amount of the sale to be $10,000.

Lloyd R. Simpkins
JUDGE

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

Area Code (302) 674-4750

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

BOOK 050 PAGE 112

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of Oct. 17,24,31 1984.

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this sixteenth day of November, A.D. 1984.

Wendelyn A. Roberts
Notary Public

| | | |
|---|---|---|
| RONALD G. RAYNE | * | NO. 85CA00064 CIVIL |
| and | * | IN THE CIRCUIT COURT |
| DONNA M. PITTMAN, Trustees | * | FOR SOMERSET COUNTY |
| Plaintiff | * | STATE OF MARYLAND |
| vs. | * | |
| CLAYTON H. EVANS | * | |
| and | * | |
| PATRICIA L. EVANS | * | |
| Defendants | * | |

* * * * *

CRISFIELD, MD. Nov. 28, 19 84

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 3 for weeks beginning with the issue of October 17, 19 84 and ending October 31, 19 84

William A. Martin Jr.
Publisher, THE CRISFIELD TIMES

Perdue, Rayne & Davis
Professional
Association
212 East Main Street
Salisbury, Md. 21801

Trustees'
Sale

Of Valuable
Residential
Property

Known As
Joshua Thomas
Drive
Crisfield,
Maryland 21817

By virtue of the Power of Sale and authority contained in Deed of Trust executed by Clayton H. Evans and Patricia L. Evans, his wife, dated April 23, 1984, and recorded among the Land Records for Somerset County, State of Maryland, in Liber I.T.P. No. 343, Follo 881, et seq., default having occurred thereunder, The undersigned Trustees will sell at Public Auction at the front door of the Court House in Princess Anne, Maryland, FRIDAY, NOVEMBER 2, 1984 at 10:00 o'clock. A.M.

ALL of the following described property located in Somerset County, State of Maryland, and more particularly described as follows:

All that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, State of Maryland, and more particularly described as follows: ALL that lot or parcel of land situate, as aforesaid, located on Joshua Thomas Drive, and being laid down and described as Lot No. 5, Block 1 on a plat prepared by G. Oliver Morrell, Surveyor, and recorded in Plat Book I.T.P. No. 7, folio 48, and

BEING the same property conveyed unto Clayton Henry Evans and Lynn Evans, his wife, by Clayton Henry Evans and Mary E. Evans, his wife, by deed dated June 27, 1983 and recorded among the aforesaid Land Records in Liber I.T.P. No. 339, folio 106, et seq.

This valuable property has a partially constructed wooden frame on the lot.

POSSESSION of said property to be given upon ratification of sale.

TERMS OF SALE to be $3,000.00 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 13% per annum and to be secured to the satisfaction of said Substitute Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, transfer tax, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

LOCATION of the property is Lot 5, Block 1, Joshua Thomas Drive, Crisfield, Maryland.

INSPECTION of the property may be made the day of sale.

FINANCING is available to qualified purchasers. For information contact Kenneth G. Wilson at 301/723-1700.

For further information, contact the undersigned Trustees.

Ronald G. Rayne
Trustee
Donna M. Pittman
Trustee
Perdue, Rayne & Davis
P.A.
212 East Main Street
Salisbury, Md. 21801
301/749-2211
10-17-3t

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

Perdue, Rayne & Davis
Professional
Association
212 East Main Street
Salisbury, Md. 21801

Trustees'
Sale

Of Valuable
Residential
Property

Known As
Joshua Thomas
Drive
Crisfield,
Maryland 21817

By virtue of the Power of Sale and authority contained in Deed of Trust executed by Clayton H. Evans and Patricia L. Evans, his wife, dated April 23, 1984, and recorded among the Land Records for Somerset County, State of Maryland, in Liber I.T.P. No. 343, Folio 881, et seq., default having occurred thereunder, The undersigned Trustees will sell at Public Auction at the front door of the Court House in Princess Anne, Maryland, FRIDAY, NOVEMBER 2, 1984 at 10:00 o'clock. A.M.

ALL of the following described property located in Somerset County, State of Maryland, and more particularly described as follows:

All that lot or parcel of land situate, lying and being in Lawsons Election District, Somerset County, State of Maryland, and more particularly described as follows: ALL that lot or parcel of land situate, as aforesaid, located on Joshua Thomas Drive, and being laid down and described as Lot No. 5, Block 1 on a plat prepared by G. Oliver Morrell, Surveyor, and recorded in Plat Book I.T.P. No. 7, folio 40, and

BEING the same property conveyed unto Clayton Henry Evans and Lynn Evans, his wife, by Clayton Henry Evans and Mary E. Evans, his wife, by deed dated June 27, 1983 and recorded among the aforesaid Land Records in Liber I.T.P. No. 339, folio 106, et seq.

This valuable property has a partially constructed wooden frame on the lot.

POSSESSION of said property to be given upon ratification of sale.

TERMS OF SALE to be $3,000.00 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 13% per annum and to be secured to the satisfaction of said Substitute Trustees.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, transfer tax, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

LOCATION of the property is Lot 5, Block 1, Joshua Thomas Drive, Crisfield, Maryland.

INSPECTION of the property may be made the day of sale.

FINANCING is available to qualified purchasers. For information contact Kenneth G. Wilson at 301/723-1700.

For further information, contact the undersigned Trustees.

Ronald G. Rayne
Trustee
Donna M. Pittman
Trustee
Perdue, Rayne & Davis
P.A.
212 East Main Street
Salisbury, Md. 21801
301/749-2211
10-17-3t

N
24
31

Area Code (302) 674-4750

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in Crisfield Times, Crisfield, Maryland, in its issue of November 14, 21 & 28, 1984

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this eleventh day of December, A.D. 1984.

Wendolyn A. Roberts
Notary Public

Ronald G. Rayne
And
Donna M. Pittman
Trustees
Plaintiff
vs
Clayton H. Evans
and
Patricia L. Evans
Defendants
No. 85CA00064 Civil
In The Circuit Court
For Somerset County
State Of Maryland

**Notice**

ORDERED by the Circuit Court of Somerset County, Maryland, in Civil on this 7th day of November, 1984 that the sale of the property mentioned in these proceedings made and reported by Ronald G. Rayne nd Donna M. Pittman, Trustees, under the power of sale contained in the Deed of Trust from Clayton H. Evans and Patricia L. Evans, his wife, and more specifically ratified and confirmed unless cause to the contrary be shown on or before the 5th day of December, 1984; provided a copy of this Order be inserted in each of three (3) successive weeks before the 3rd day of December, 1984.

The report states the amount of the sale to be $10,000.

Lloyd L. Simpkins
Judge
True Copy, Test:
I.T. Phoebus
Clerk
11/14/3X

BOOK 050 PAGE 115

BOOK 050 PAGE 116

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, State of Maryland, this 17th day of December, 1984, that the sale made and reported by the Trustees aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Order Nisi passed in this cause.

Richard M. Pollitt
JUDGE

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| RONALD G. RAYNE<br>and<br>DONNA M. PITTMAN, Trustees<br><br>Plaintiff<br><br>vs.<br><br>CLAYTON H. EVANS<br>and<br>PATRICIA L. EVANS<br><br>Defendants | *<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>* | IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY<br><br>STATE OF MARYLAND<br><br>NO. 85CA00064 CIVIL |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 |
| Interest | | 134.40 |
| | | $ 10,134.40 |
| Fees, Costs, Expenses, etc.: | | |
| I. Theodore Phoebus, Clerk | $ 226.00 | |
| O. J. Brittingham, Auctioneer | 150.00 | |
| The Crisfield Times | 137.20 | |
| Smith & Cropper, Bond Premium | 48.00 | |
| Trustee's Commission | 700.00 | |
| County Taxes | 53.50 | |
| Auditor's fee | 65.00 | |
| Certified Mail | 3.50 | |
| Total Fees, Costs, Expenses, Etc. | $1,383.20 | |
| Balance to be Distributed | | $ 8,751.20 |
| Mortgage Debt | | |
| Principal Balance | $8,914.77 | |
| Interest from 8/1/84 @ $3.09 per diem | 559.29 | |
| Total Mortgage Debt | | 9,474.06 |
| Deficit | | $ 722.86 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

ALL EXCEPTIONS to said report must be filed within ten (10) days of the date of the filing of this report; 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:

Clayton H. Evans
Box 26, Hopewell Road
Crisfield, MD 21817

Patricia L. Evans
Box 26, Hopewell Road
Crisfield, MD 21817

Ronald G. Rayne, Esq.
Perdue, Rayne & Davis
212 East Main Street
P. O. Box 949
Salisbury, MD 21801

Logan C. Widdowson, Auditor

Date of Filing: January 25, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3500

LCW/gjb
1/25/85
85 # 170

No. X5C00064 Civil Action ~~Chancery~~ Case

ORDERED by the Subscribor, Clork of the Circuit Court for Somerset County, in Equity, this 25th day of January, 19 85 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 4th day of February, 19 85.

N. 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 5th day of February, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

N. Theodore Phoebus
CLERK

FEB 21 1985
Exd.

BOOK 050 PAGE 119

BOOK 050 PAGE 120

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE ****10.00 ****60.00 |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

MR. CLERK:

Please docket the case as above, file for foreclosure a Mortgage from Robert L. Chamberlin, Jr., Trustee to Philip E. Boltz, III, dated May 27, 1983, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. , No. 338, Folio 91, the aforesaid Keneth V. Heland being named in said mortgage as Attorney and Agent for the purpose of foreclosure and collection.

Kenneth V. Heland

Kenneth V. Heland, Attorney
and Agent
130 E. Main Street
Salisbury, Maryland 21801
Telephone: (301) 742 - 8744

For original Mortgage see Liber 338 Folio 91.

RICHARDSON, ANDERSON
& HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801

(301) 742-8744

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, That on this 18th day of October, 1983, before me, a Notary Public of the State and County aforesaid, personally appeared Philip E. Boltz, III, Mortgagee, and made oath in due form of law that the amount owing on said Mortgage is FIFTY-EIGHT THOUSAND FIVE HUNDRED THIRTY-SIX and 82/100 DOLLARS ($58,536.82), as of October 18, 1983, together with interest at ONE HUNDRED TWENTY-TWO and 46/100 DOLLARS ($122.46) per diem.

AS WITNESS my hand and Notarial Seal.

Elva P. Crowley
NOTARY PUBLIC

My Commission Expires:
July 1, 1986

ELVA P. CROWLEY NOTARY PUBLIC WICOMICO CO., MD.

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 250
SALISBURY, MARYLAND 21801
(301) 742-8704

BOOK 050 PAGE 122

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

NOTARIZATION AS TO MILITARY SERVICE

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

I HEREBY CERTIFY, That on this 18th day of October, 1983, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Philip E. Boltz, III, Mortgagee, and made oath in due form of law that he has knowledge that the Mortgagor named in the mortgage is not now in the military service as defined in the Soldier's and Salior's Civil Relief Act of 1940, with amendments, nor been in such service within thirty days hereof; that, in fact, the Mortgagor is permanently residing in Somerset County, Maryland.

AS WITNESS my hand and Notarial Seal.

Elwood P. Crowley
Notary Public

My Commission Expires:
July 1, 1986

ELWOOD P. CROWLEY NOTARY PUBLIC WICOMICO CO., MD.

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P. O. BOX 158
SALISBURY, MARYLAND 21801
(301) 742-8366

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, That on this 4th day of November, 1983, before me, the Subscriber, a Notary Public of the State and County aforesaid, personally appeared Kenneth V. Heland, Attorney and Agent, who made oath in due form of law that he mailed unto Robert L. Chamberlin, Jr., Trustee, a letter notifying him of the date and time of the sale of his property in which a mortgage to said property is held by Philip E. Boltz, III, by "Registered Mail, return receipt requested, deliver to addressee only"; and that same was received by him, as is evidenced by signature on the original receipt which is attached hereto.

AS WITNESS my hand and Notarial Seal.

Elva P. Crowley
NOTARY PUBLIC

My Commission Expires:
July 1, 1986

NOTARY PUBLIC WICOMICO CO.

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETU 'O" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☐ Show to whom and date delivered ..... —¢
☐ Show to whom, date, and address of delivery.. —¢
2. ☒ RESTRICTED DELIVERY —¢
(The restricted delivery fee is charged in addition to the return receipt fee.)

Restricted Delivery TOTAL $ ___

3. ARTICLE ADDRESSED TO:
Robert L. Chamberlin, Jr., Trustee
South Somerset Avenue
Princess Anne, Maryland 21853

4. TYPE OF SERVICE:
☒ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
R 105 111960

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
R. Chamberlin
Restricted Delivery

5. DATE OF DELIVERY
11-3-83

POSTMARK

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS
9

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801
(301) 742-8766

BOOK 050 PAGE 124

KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III,

EX PARTE

* NO. 11,645 CHANCERY CASE

* IN THE CIRCUIT COURT FOR

* SOMERSET COUNTY

* STATE OF MARYLAND

* * * * * * * * * * * *

CERTIFICATE OF PUBLICATION

Salisbury, Md. . . . November 10, 1983 . . .

We hereby certify that the annexed. . . . . Attorney's Sale - Robert L. Chamberlin . . . . . was published in THE DAILY TIMES on . . . . . Oct. 27, Nov. 3, 10, 1983 . . . . . .

Thomson Newspapers, Inc.
Publishers of The Daily Times

RICHARDSON, ANDERSON & HELAND
Richardson Building
130 East Main Street

**ATTORNEY & AGENT'S SALE**

**Of Valuable Real Estate In**

**Brinkleys Election District**

**In Somerset County,**

**State of Maryland**

Under and by virtue of the power of sale contained in a mortgage from Robert L. Chamberlin Jr., Trustee dated May 27, 1983, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 338, Folio 91, to Philip E. Boltz, III. Kenneth V. Heland, being named in said mortgage as Attorney and Agent for the purpose of foreclosure and collection after default having occurred in the covenants contained in the said mortgage, the undersigned will offer for sale at the Courthouse in Princess Anne, Somerset County, Maryland, on November 15, 1983 at Two O'clock (2:00) P.M. the following piece or parcel of land:

ALL that tract or parcel of land situate in Brinkleys Election District, Somerset County, Maryland, which tract binds on the West side of the County Road leading from Marion to Kingston; beginning for the same at the intersection of the County Road with the private road leading to the dwelling house on the original tract known as "Cedar Grove", thence by and with the said County Road the four following courses: North 48 degrees 15 minutes East 24 perches, thence North 33 degrees 30 minutes East 36 perches, thence North 36 degrees 15 minutes East 34 perches, thence North 32 degrees 45 minutes East 20 perches to a large marked red oak standing on the Northeast side of the aforesaid County Road; thence by and with a line of marked trees North 31 degrees 30 minutes West 80 perches to a post; thence by and with a line of marked trees the two following courses: South 38 degrees 15 minutes West 110 poles to a large marked red oak by the side of a road in the woods near a fence, thence South 3 degrees East 17 perches to a large marked oak by the side of the aforesaid private road, thence by and with the aforesaid private road to the place of beginning, containing fifty-five acres of land, more or less, and being the same and all the land which was conveyed by Jean W. Scott unto Robert L. Chamberlain, Jr., Trustee, by Item Third of a deed dated July 23, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 281, Folio 520.

TERMS OF SALE: Ten per cent (10%) cash on the date of sale, and the balance upon ratification. Credit portion to bear interest at TEN PER CENT (10%) and to be secured to the satisfaction of the undersigned Assignee, or, all cash at the date of sale at the option of the purchaser. Possession of the premises will be announced at the date of sale.

TITLE PAPERS and REVENUE STAMPS at the expense of the purchaser. Taxes will be adjusted as of the date of sale.

Kenneth V. Heland
Attorney and Agent

10/27,11/3,10

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801
(301) 742-8166

No 11,445 Chancery

723070

# POWER OF ATTORNEY

## AETNA INSURANCE COMPANY
HARTFORD, CONNECTICUT

KNOW ALL MEN BY THESE PRESENTS, That AETNA 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

**ALBERT F. LAWS 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 TWO HUNDRED THOUSAND ($200,000) DOLLARS***

and to bind AETNA INSURANCE COMPANY thereby as fully and to the same extent as if such bond were signed by the duly authorized officers of AETNA 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 11 of the BYLAWS of the company:

The president or 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 AETNA 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 11 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, AETNA INSURANCE COMPANY has caused these presents to be signed by its Vice President and its Secretary, and its corporate seal to be hereunto affixed this 12th day of July 19 83

Attest:

J. J. MURPHY Secretary

HARTFORD AETNA INSURANCE CO CONNECTICUT

AETNA INSURANCE COMPANY

By: H. F. McCranie, Jr.

Vice President H. F. McCRANIE, JR.

STATE OF PENNSYLVANIA

COUNTY OF DELAWARE ss.

On this 12th day of July 19 83 before me, JOAN LOUGHRAN the undersigned officer, personally appeared H. F. McCRANIE, JR. and J. J. MURPHY who acknowledged themselves to be the Vice President and Secretary of AETNA INSURANCE COMPANY, a corporation, and that they, as such Vice 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 Vice 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.

NOTARY PUBLIC COMMONWEALTH OF PENNSYLVANIA JOAN LOUGHRAN

JOAN LOUGHRAN Notary Public

My commission expires

JOAN LOUGHRAN - Notary Public
Upper Darby, Delaware County, Pa.
My Commission Expires Jan. 12, 1987

CERTIFICATE

I, the undersigned, Secretary of the AETNA 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 11 of the BYLAWS of the corporation, as set forth in the Power of Attorney, are now in force.

Signed and Seated at , this 18th day of October 19 83

HARTFORD AETNA INSURANCE CO CONNECTICUT

J. J. MURPHY Secretary

#4363

BS-22092 Pld. in U.S.A.

THIS DOCUMENT PRINTED ON RED BACKGROUND

BOOK 050 PAGE 125

Bond Book 11 Page 301

Bond Book 11 Page 302

MORTGAGEE OR ATTORNEYS' BOND

No. SY 191376

# Know all Men by these Presents:

BOOK 050 PAGE 126

*THAT WE* Kenneth V. Heland

*of* Box 258 130 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* $Fifty-Eighty Thousand Dollars and 00/100 ********** *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* 18th *day of* October *in the year of our Lord nineteen hundred and* Eighty-Three

*WHEREAS, the above bounden* Kenneth V. Heland *by virtue of a power contained in mortgage from* Phillip E. Boltz III *to* Robert L. Chamberlain Jr. *dated* May 27, 1983 *and recorded in Liber* I.T.P. *No.* 338 *folio* 91 *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* Kenneth V. Heland *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* }

Kenneth V. Heland [SEAL]

[SEAL]

AETNA INSURANCE COMPANY

By Albert F. Laws *Attorney-in-Fact.*

ATTEST: Suzanne W. Jones

FILED

Nov 15 1 50 PM '83

RECORD
LIBER FOLIO
CLERK OF CIR. CT.
BY DEPUTY

Form 1-630-1593

Chancery No 11,645

# ÆTNA INSURANCE COMPANY

HARTFORD, CONNECTICUT

## RIDER

To be attached to and form part of Bond No. SY191376 dated the 27TH day of MAY, 19 83, and on behalf of KENNETH HELAND

in favor of PRINCE GEORGES COUNTY

It is understood and agreed that THE BOND AMOUNT BE INCREASED TO $60,000

Nothing herein contained shall serve to waive, alter, modify or extend any of the terms and conditions of the subject bond other than as herein expressly set forth.

IN WITNESS WHEREOF, the Principal and Surety have caused this instrument to be duly signed and sealed this 10TH day of NOVEMBER, 19 83

Witness or Attest

Suzanne W. Jones

Kenneth V. Helland (Seal)

(Seal)

BOOK 050 PAGE 127

APPROVED AND FILED

PER: [illegible], CLERK

AETNA INSURANCE COMPANY

BY Mary Bailey

MARY BAILEY Attorney-in-fact

General Surety Rider

Form 630-91 June 69 Printed in U.S.A.

Bond Book 11 Page 303

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

REPORT OF SALE

The report of Kenneth V. Heland, Attorney and Agent, for foreclosure and collection of a mortgage from Robert L. Chamberlin, Jr., Trustee to Philip E. Boltz, III, said mortgage being recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P., No. 338, Folio 91, dated May 27, 1983. filed in the Court for the purpose of foreclosure and collection, respectfully says:

After having complied with all pre-requisites in this proceeding, he did attend at the front door of the Courthouse, Somerset County, Maryland, on the 15th day of November, 1983, at or about Two O'Clock (2:00 p.m.), and sold the property heretofore described in these proceedings to Philip E. Boltz, III his heirs and assigns, at and for the sum of TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS ($22,500.00), it being the highest bid therefore, and the said purchaser has complied with the terms of sale.

Kenneth V. Heland
Kenneth V. Heland,
Attorney and Agent,
for the purpose of the
foreclosure and collection
of a mortgage from
Robert L. Chamberlin,
Trustee
to Philip E. Boltz, III

RICHARDSON, ANDERSON
& HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801
(301) 742-8764

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, That on this 15th day of November, 1983, before me, a Notary Public of the State and County aforesaid, personally appeared Kenneth V. Heland, Attorney and

Agent, for the purpose of foreclosure and collection, and made oath in due form of law that the matters and facts stated in the aforegoing Report of Sale are true and correct., and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal.

My Commission Expires:

NOTARY PUBLIC

RICHARDSON, ANDERSON
& HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801

(301) 742-8166

BOOK 050 PAGE 130

KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III,

EX PARTE

* NO. 11,645 CHANCERY CASE
* IN THE CIRCUIT COURT FOR
* SOMERSET COUNTY
* STATE OF MARYLAND

* * * * * * * * * * * *

PRINCESS ANNE, MD., Nov 15 1983

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 27, Nov 3, 10

J. Bryan Byrd
Business Manager MARYLANDER and HERALD

RICHARDSON, ANDERSON & HELAND
Richardson Building
130 East Main Street

# *ATTORNEY AND AGENT'S SALE*

## *Of Valuable Real Estate In Brinkleys Election District In Somerset County, State of Maryland*

Under and by virtue of the power of sale contained in a mortgage from Robert L. Chamberlin, Jr., Trustee dated May 27, 1983, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 338, Folio 91, to Philip E. Boltz, III. Kenneth V. Heland, being named in said mortgage as Attorney and Agent for the purpose of foreclosure and collection after default having occurred in the covenants contained in the said mortgage, the undersigned will offer for sale at the Courthouse in Princess Anne, Somerset County, Maryland, on November 15, 1983 at Two O'clock (2:00) PM the following piece or parcel of land:

ALL that tract or parcel of land situate in Brinkleys Election District, Somerset County, Maryland, which tract binds on the West side of the County Road leading from Marion to Kingston; beginning for the same at the intersection of the County Road with the private road leading to the dwelling house on the original tract known as "Cedar Grove", thence by and with the said County Road the four following courses: North 48° 15 minutes East 24 perches, thence North 33° 30 minutes East 36 perches, thence North 36° 15 minutes East 34 perches, thence North 32° 45 minutes East 20 perches to a large marked red oak standing on the Northeast side of the aforesaid County Road, thence by and with a line of marked trees North 31° 30 minutes West 80 perches to a post; thence by and with a line of marked trees to two folowing courses: South 38° 15 minutes West 110 poles to a large marked red oak by the side of a road in the woods near a fence, thence South 3° East 17 perches to a large marked oak by the side of the aforesaid private road, thence by and with the aforesaid private road to the place of beginning, containing fifty-five acres of land, more or less, and being the same and all the land which was conveyed by Jean W. Scott unto Robert L. Chamberlain, Jr., Trustee, by item Third of a deed dated July 23, 1974, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 281, Folio 520.

TERMS OF SALE: Ten per cent (10%) cash on the date of sale, and the balance upon ratification. Credit portion to bear interest at TEN PER CENT (10%) and to be secured to the satisfaction of the undersigned Assignee; or, all cash at the date of sale at the option of the purchaser. Possession of the premises will be announced at the date of sale.

TITLE PAPERS and REVENUE STAMPS at the expense of the purchaser. Taxes will be adjusted as of the date of sale.

**KENNETH V. HELAND,**
Attorney and Agent

3tc 10/27

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 158
SALISBURY, MARYLAND 21801
(301) 742-8704

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

PURCHASER(S)' AFFIDAVIT

I HEREBY CERTIFY, That on this 15th day of November, 1983, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Philip E. Boltz, III, , the purchaser(s) named in this report of sale and made oath in due form of law as follows:

1. That he attended the sale of the property described in the aforegoing proceedings held in Princess Anne, Maryland, on November 15, 1983, and purchased the same for TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS ($22,500.00)----------.

2. That no other person, firm or corporation is financially interested or involved as principal or otherwise.

3. That he neither directly or indirectly discouraged anyone from bidding on said property.

Philip E. Boltz, III (SEAL)

_____ (SEAL)

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

NOTARY PUBLIC

My Commission Expires:

July 1, 1986

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P. O. BOX 258
SALISBURY, MARYLAND 21801
(301) 742-8146

BOOK 050 PAGE 132

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

ORDER NISI

ORDERED, by this Circuit Court for Somerset County, State of Maryland, IN EQUITY, this 22nd day of November, 1983, that the sale of the property mentioned in these proceedings made and reported by Kenneth V. Heland, Attorney and Agent, appointed by a Decree of this Court to make said sale, be finally ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of December, 1983, provided a copy of this Order be inserted in some newspaper printed and published in Wicomico County, State of Maryland, once in each three (3) consecutive weeks before the expiration of one (1) month from the date first above mentioned.

The Report states the amount of the sale to be TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS ($22,500.00).

W. Theodore Pheobus
CLERK

RICHARDSON, ANDERSON
& HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801

(301) 742-0300

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |
| | * | |

* * * * * * * * * *

## AUCTIONEER'S REPORT OF SALE

**PROPERTY:** 55 acres, wooded land, Brinkley's Election District, Marion, Maryland.

**SOLD TO:** Philip E. Boltz, III

**ADDRESS:** 1313 South Salisbury Boulevard
Salisbury, Maryland 21801

**AMOUNT OF SALE:** Twenty-two Thousand Five Hundred Dollars ($22,500.00)

**DEPOSIT:** None

**DATE OF SALE:** November 15, 1983

**ADVERTISING:** Daily & Sunday Times and Marylander & Herald

**AUCTIONEER'S FEE:** One Hundred Twenty-five Dollars ($125.00)

**NAME OF AUCTIONEER:** Peter E. Richardson,
Pete Richardson Auction Sales, Inc.
Willards, Maryland 21874

Peter E. Richardson

RICHARDSON, ANDERSON
& HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801
(301) 742-8704

BOOK 050 PAGE 134

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

ORDER NISI

ORDERED, by this Circuit Court for Somerset County, State of Maryland, IN EQUITY, this 16th day of December, 1983, that the sale of the property mentioned in these proceedings made and reported by Kenneth V. Heland, Attorney and Agent, appointed by a Decree of this Court to make said sale, be finally ratified and confirmed, unless cause to the contrary thereof be shown on or before the 16th day of January, 1984, provided a copy of this Order be inserted in some newspaper printed and published in Wicomico County, State of Maryland, once in each three (3) consecutive weeks before the expiration of one (1) month from the date first above mentioned.

The Report states the amount of the sale to be TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS ($22,500.00).

L. Theodore Phebus
CLERK

RICHARDSON, ANDERSON
& HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 250
SALISBURY, MARYLAND 21801

(301) 742-0166

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P. O. BOX 258
SALISBURY, MARYLAND 21801

VAUGHN E. RICHARDSON
WALTER C. ANDERSON, P.A.
DON E. RICHARDSON, P.A.
KENNETH V. HELAND

TELEPHONE
(301) 742-8744

December 22, 1983

I. Theodore Phoebus, Clerk
Circuit Court for Somerset County
Court House
Princess Anne, Maryland 21853

RE: Foreclosure Case
No. 11,645 Chancery

Dear Mr. Phoebus:

Please be advised that the Order Nisi in the above captioned case did in fact run three consecutive weeks, (November 24, December 1 and December 8, 1983). Last week Marylander & Herald informed us that it has run December 1, and December 8 but they forgot to publish it in the December 15 issue. Our office contacted your office and you told us to run the Order once again and we of course, complied with you. Today we received the Certificate of Publication from the Marylander & Herald and after talking with their office the Order did in fact run three consecutive weeks. Apparently in the confusion of changing management the dates were mixed up. I did therefore, request that they not publish the last Order Nisi issued.

Enclosed please find our Certificate of Publication for the Order Nisi in the above captioned case along with the final Order of Ratification.

I hope that this letter explains the mix-up, but if you have any questions, do not hesitate to contact my office.

Very truly yours,

Kenneth V. Heland

Kenneth V. Heland

swt

Enclosures

BOOK 050 PAGE 136

KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III,

EX PARTE

* NO. 11,645 CHANCERY CASE
* IN THE CIRCUIT COURT FOR
* SOMERSET COUNTY
* STATE OF MARYLAND

* * * * * * * * * * * *

PRINCESS ANNE, MD., Dec 20 1983

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: Nov 24, Dec 1, 8

Business Manager MARYLANDER and HERALD

KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR. TRUSTEE TO PHILIP E. BOLTZ, III
EX PARTE

NO. 11,645 CHANCERY CASE
IN THE CIRCUIT COURT FOR
SOMERSET COUNTY
STATE OF MARYLAND

# Order Nisi

ORDERED, by this Circuit Court for Somerset county, State of Maryland, IN EQUITY, this 22nd day of November 1983, that the sale of the property mentioned in these proceedings made and reported by Kenneth V. Heland, Attorney and Agent, appointed by a Decree of this Court to make said sale, be finally ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of December, 1983, provided a copy of this Order be inserted in some newspaper printed and published in Wicomico County, State of Maryland, once in each three (3) consecutive weeks before the expiration of one (1) month from the date first above mentioned.

The Report states the amount of the sale to be TWENTY TWO THOUSAND FIVE HUNDRED DOLLARS ($22,500.00).

I. THEODORE PHOEBUS
Clerk

TRUE COPY TEST:
I. THEODORE PHOEBUS, Clerk

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801
(301) 742-8146

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III, | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * *

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County, State of Maryland, IN EQUITY, This 28th day of Dec, 1983, that the sale, made and reported by Kenneth V. Heland, Attorney and Agent under power contained in said mortgage, be and the same are 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 L. Gaskins

JUDGE

RICHARDSON, ANDERSON & HELAND
ATTORNEYS AT LAW
RICHARDSON BUILDING
130 EAST MAIN STREET
P O BOX 258
SALISBURY, MARYLAND 21801
(301) 742-8166

BOOK 050 PAGE 138

NO. 11,645 CHANCERY CASE

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III

EX PARTE

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | $ 22,500.00 |
| Fees, Costs, Expenses, Etc. | | |
| I. Theodore Phoebus, Court costs | $ 144.00 | |
| Albert F. Laws Insurance Agency, Bond | 232.00 | |
| The Daily Times, Advertisement | 232.20 | |
| Marylander & Herald, Advertisement | 166.29 | |
| Order Nisi | 60.00 | |
| Taxes, 1983-1984 | 123.21 | |
| Attorneys fee per mortgage | 450.00 | |
| Appraisal of property | 100.00 | |
| Auctioneer's fee | 125.00 | |
| Auditor's fee | 65.00 | |
| File Foreclosure | 70.00 | |
| Rider on Bond | 10.00 | |
| Registered Mail | 5.05 | |
| Trustees Commission per mortgage | 1,275.00 | |
| Total Fees, Costs, Expenses, Etc. | $3,057.75 | |
| Balance to be Distributed | | $ 19,442.25 |
| Mortgage Debt | | |
| Principal Balance plus interest at $122.46 per day from June 27, 1983 | $ 44,698.63 | |
| Deficit | | $ 44,698.63 plus interest |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

ALL EXCEPTIONS to said report must be filed within ten days of the date of the filing of this report. 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:

Robert L. Chamberlin, Jr.
South Somerset Avenue
Princess Anne, MD 21853

Kenneth V. Heland, Esquire
Richardson, Anderson and Heland
130 East Main Street
P. O. Box 258
Salisbury, MD 21801

Logan C. Widdowson, Auditor

Date of Filing: January 24, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

LCW/mlb
1/24/85
85 # 169



050 139

No. 11,645 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 24th day of January, 19 85 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 4th day of February, 19 85.

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

_____
CLERK

| | | |
|---|---|---|
| KENNETH V. HELAND, ATTORNEY AND AGENT FOR FORECLOSURE AND COLLECTION OF A CERTAIN MORTGAGE FROM ROBERT L. CHAMBERLIN, JR., TRUSTEE TO PHILIP E. BOLTZ, III | * | NO. 11,645 CHANCERY CASE |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |
| | * | |

## AMENDED FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made a re-examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, restates the following Account:

| | | |
|---|---|---|
| Amount of Sale | | $ 22,500.00 |
| Fees, Costs, Expenses, etc.: | | |
| I. Theodore Phoebus, Court Costs | $ 144.00 | |
| Albert F. Laws Insurance Agency, Bond | 232.00 | |
| The Daily Times, Advertisement | 232.20 | |
| Marylander & Herald, Advertisement | 166.29 | |
| Order Nisi | 50.00 | |
| Taxes, 1983-1984 | 123.21 | |
| Attorney's fee per mortgage | 450.00 | |
| Appraisal of Property | 100.00 | |
| Auctioneer's fee | 125.00 | |
| Auditor's fee | 65.00 | |
| File Foreclosure | 70.00 | |
| Rider on Bond | 10.00 | |
| Registered Mail | 5.05 | |
| Trustee's Commission per Mortgage | 1,275.00 | |
| Total Fees, Costs, Expenses, etc. | $3,057.75 | |
| Balance to be Distributed | | $ 19,442.25 |
| Calculations on Mortgage Debt: | | |
| Date of Mortgage, 5/27/83 | $45,000.00 | |
| Interest - $3,698.63 | | |
| Principal (payment $4,000.00 on 6/27/83) | 301.37 | |
| Balance due on mortgage as of 6/27/83 | $44,698.63 | |
| Interest from 6/27/83 to 11/15/83 (date of sale) | 18,736.38 | |
| Total Amount due as of Date of Sale | | $ 63,435.01 |
| Purchase Price at Sale | $22,500.00 | |
| Less Costs of Sale | 3,057.75 | |
| To be Applied Against Mortgage Debt | | $ 19,442.25 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

| | |
|---|---|
| Balance due on Mortgage after Date of Sale | $ 43,992.76 |
| Interest at 100% divided by 365 days = $120.53 per diem x 90 days | 10,847.70 |
| Total Deficit | $ 54,840.46 |

Auditor allowed 90 days interest after date of sale, which he feels is a reasonable amount of time to get this matter concluded.

ALL EXCEPTIONS to said report must be filed within ten days of the date of the filing of this report. 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 o the Audit notice of this report to the following parties by regular U.S. mail, postage prepaid:

Robert L. Chamberlin, Jr.
South Somerset Avenue
Princess Anne, MD 21853

Kenneth V. Heland, Esquire
130 East Main Street
P.O. Box 258
Salisbury, MD 21801

Logan C. Widdowson, Auditor

Filing Date: February 6, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

LCW/gjb
2/6/85
85 # 171

No. 11,645 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 6th day of February, 19 85 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 19th day of February, 19 85.

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 20th day of February, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

Exd.
JUL 10 1985

BOOK 050 PAGE 144

| | | |
|---|---|---|
| WILLIAM MOTON<br>Route 1<br>Princess Anne, Maryland 21853<br>Plaintiff | * | IN THE CIRCUIT COURT FOR |
| | * | |
| AND | * | SOMERSET COUNTY |
| | * | |
| LILLIAN MOTON<br>Route 1<br>Princess Anne, Maryland 21853<br>Plaintiff | * | STATE OF MARYLAND |
| | * | |
| VS. | * | CIVIL CASE NO. 85CA00085 |
| JAMES A. DASHIELL<br>a.k.a. JAMES A. DESHIELD<br>c/o Ben Williams<br>Route 3<br>Princess Anne, Maryland 21853<br>Defendant | * | |
| AND | * | |
| ALVIN O. MORRIS, JR.<br>Route 1, Box 157G<br>Keedysville, Maryland 21756<br>Defendant | * | |
| AND | * | |
| JANET L. MORRIS<br>1703 Henry Road<br>Rockville, Maryland 20851<br>Defendant | * | |
| AND | * | |
| ALVIN O. MORRIS, SR.<br>Personal Representative<br>of the Estate of Alvin O.<br>Morris, Jr.<br>412 Harrison Street<br>Lynchburg, Virginia 24504<br>Defendant | * | |
| AND | * | |
| GENERAL ELECTRIC CREDIT CORPORATION<br>Acct. 5527-610328<br>P. O. Box 202<br>Falls Church, Virginia 22046<br>Defendant | * | |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3666

AND *
ELLA M. DIZE
c/o Mrs. Judy McAvay *
1624 Heather Heights
Sykesville, Maryland 21784 *
Defendant
AND *
LETTIE COSTEN
c/o Miss Edith Costen *
24-46 N. 27th Street
Philadelphia, Pennsylvania 19132 *
Defendant
AND *
COMPUTER PROCEDURES CO.
P. O. Box 1404 *
Wheaton, Maryland 20902
Defendant *
AND
JOHN WESLEY ROBERTS *
Dames Quarter
Maryland 21820 *
Defendant
AND *
MARGARET ROBERTS
Dames Quarter *
Maryland 21820
Defendant *
AND
DELMAS E. SHORES *
Dames Quarter
Maryland 21820 *
Defendant
AND *
WILLIAM J. C. WHITE
Dames Quarter *
Maryland 21820
Defendant *
AND
JOSEPH MILES FORD *
Box 63
Dames Quarter, Maryland 21820 *
Defendant

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

BOOK 050 PAGE 146

AND *
JERRY TYLER
305 E. William Street *
Salisbury, Maryland 21801
Defendant *
AND
GLENDON W. BOZMAN *
c/o Hudson White
Dames Quarter, Maryland 21820 *
Defendant
AND *
HORACE JOHNSON, SR.
Manokin *
Maryland 21836
Defendant *
AND
HORACE JOHNSON, JR. *
Manokin
Maryland 21836 *
Defendant
AND *
HERSCHEL V. MADDOX
600 Anneslie Road *
Baltimore, Maryland 21212
Defendant *
AND
MAYE MADDOX *
600 Anneslie Road
Baltimore, Maryland 21212 *
Defendant
AND *
VIRGIL E. MADDOX
N. Claremount Drive *
Salisbury, Maryland 21801
Defendant *
AND
EMMA ROBINSON *
Deal Island
Maryland 21821 *
Defendant
AND *
GARFIELD ROBINSON
Deal Island *
Maryland 21821
Defendant *

And all persons having or claiming to have any interest in the following properties:

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

ITEM ONE: All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District and assessed to James A. Dashiell.

ITEM TWO: All that 5-acre lot, south side New Road, southeast Marion, bearing County Tax Map #67-20-110, Liber 247, folio 508, located in Brinkley's Election District and assessed to Alvin O. Morris, Jr. and Janet L. Morris.

ITEM THREE: All that lot 102 feet X 100 feet X 122 feet X 100 feet, south side Costen Station Road, northwest of Pocomoke bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp.

ITEM FOUR: All that 0.50 acre, Rt. 361 south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281, folio 706, located in Fairmount Election District and assessed to Ella M. Dize.

ITEM FIVE: All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen.

ITEM SIX: All that 0.5 acre, east side of Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co.

ITEM SEVEN: All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts.

ITEM EIGHT: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79 located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler.

ITEM NINE: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman.

ITEM TEN: All that lot 90 feet X 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson, Jr.

ITEM ELEVEN: All that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District and assessed to Emma Robinson and Garfield Robinson.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2800

BOOK 050 PAGE 148

| | | |
|---|---|---|
| WILLIAM MOTON<br>Route 1<br>Princess Anne, Maryland 21853<br>Plaintiff | * | IN THE CIRCUIT COURT FOR |
| | * | |
| AND | * | SOMERSET COUNTY |
| | * | |
| LILLIAN MOTON<br>Route 1<br>Princess Anne, Maryland 21853<br>Plaintiff | * | STATE OF MARYLAND |
| | * | |
| VS. | * | CIVIL CASE NO. 85CA000085 |
| JAMES A. DASHIELL<br>a.k.a. JAMES A. DESHIELD<br>c/o Ben Williams<br>Route 3<br>Princess Anne, Maryland 21853<br>Defendant | * | |
| AND | * | |
| ALVIN O. MORRIS, JR.<br>Route 1, Box 157G<br>Keedysville, Maryland 21756<br>Defendant | * | |
| AND | * | |
| JANET L. MORRIS<br>1703 Henry Road<br>Rockville, Maryland 20851<br>Defendant | * | |
| AND | * | |
| ALVIN O. MORRIS, SR.<br>Personal Representative<br>of the Estate of Alvin O.<br>Morris, Jr.<br>412 Harrison Street<br>Lynchburg, Virginia 24504<br>Defendant | * | |
| AND | * | |
| GENERAL ELECTRIC CREDIT CORPORATION<br>Acct. 5527-610328<br>P. O. Box 202<br>Falls Church, Virginia 22046<br>Defendant | * | |
| Serve on: Corporated Trust Incorporated<br>32 South Street<br>Baltimore, Maryland 21202<br>Resident Agent | | |

| | |
|---|---|
| SUBTOTAL | 280.00 |
| CHECK/MO TL | 280.00 |
| #066400 C005 R00 T14:39 | |
| CIVIL | 85CA000085 |
| CLRK FEE | 170.00 L |
| APPEAR | 10.00 L |
| SHRF SOM | 50.00 L |
| SHRF SOM | 5.00 L |
| DEPTN | 3 # |
| BALT CITY | 5.00 |
| DEPTN | 4 # |
| BALT COUNY | 10.00 |
| DEPTN | 22 # |
| WICOMICO | 10.00 |
| DEPTN | 16 # |
| MONTGOMERY | 5.00 |
| DEPTN | 21 # |
| WASHINGTON | 5.00 |
| DEPTN | 7 # |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

AND
ELLA M. DIZE
c/o Mrs. Judy McAvay
1624 Heather Heights
Sykesville, Maryland 21784
Defendant

AND
LETTIE COSTEN
c/o Miss Edith Costen
24-46 N. 27th Street
Philadelphia, Pennsylvania 19132
Defendant

AND
COMPUTER PROCEDURES CO.
P. O. Box 1404
Wheaton, Maryland 20902
Defendant
Serve on: Irving Saltz
President
P. O. Box 1404
Wheaton, Maryland 20902

AND
JOHN WESLEY ROBERTS
Dames Quarter
Maryland 21820
Defendant

AND
MARGARET ROBERTS
Dames Quarter
Maryland 21820
Defendant

AND
DELMAS E. SHORES
Dames Quarter
Maryland 21820
Defendant

AND
WILLIAM J. C. WHITE
Dames Quarter
Maryland 21820
Defendant

AND
JOSEPH MILES FORD
Box 63
Dames Quarter, Maryland 21820
Defendant

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PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
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PRINCESS ANNE, MD 21853
651-3800

BOOK 050 PAGE 150

AND
JERRY TYLER
305 E. William Street
Salisbury, Maryland 21801
Defendant

AND
GLENDON W. BOZMAN
c/o Hodson White
Dames Quarter, Maryland 21820
Defendant

AND
HORACE JOHNSON, SR.
Manokin
maryland 21836
Defendant

AND
HORACE JOHNSON, JR.
Manokin
Maryland 21836
Defendant

AND
HERSCHEL V. MADDOX
600 Anneslie Road
Baltimore, Maryland 21212
Defendant

AND
MAYE MADDOX
600 Anneslie Road
Baltimore, Maryland 21212
Defendant

AND
VIRGIL E. MADDOX
N. Claremount Drive
Salisbury, Maryland 21801
Defendant

AND
EMMA ROBINSON
Deal Island
Maryland 21821
Defendant

AND
GARFIELD ROBINSON
Deal Island
Maryland 21821
Defendant

And all persons having or claiming to have any interest in the following properties:

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
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651-3600

ITEM ONE: All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District and assessed to James A. Dashiell.

ITEM TWO: All that 5-acre lot, south side New Road, southeast Marion, bearing County Tax Map #67-20-110, Liber 247, folio 508, located in Brinkley's Election District and assessed to Alvin O. Morris, Jr. and Janet L. Morris.

ITEM THREE: All that lot 102 feet X 100 feet X 122 feet X 100 feet, south side Costen Station Road, northwest of Pocomoke bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp.

ITEM FOUR: All that 0.50 acre, Rt. 361 south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281, folio 706, located in Fairmount Election District and assessed to Ella M. Dize.

ITEM FIVE: All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen.

ITEM SIX: All that 0.5 acre, east side of Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co.

ITEM SEVEN: All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts.

ITEM EIGHT: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79, located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler.

ITEM NINE: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman.

ITEM TEN: All that lot 90 feet X 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson, Jr.

ITEM ELEVEN: All that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District and assessed to Emma Robinson and Garfield Robinson.

Defendants

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

COMPLAINT TO FORECLOSE RIGHTS OF REDEMPTION

TO THE HONORABLE, THE JUDGES OF SAID COURT:

BOOK 050 PAGE 152

The Plaintiffs, William Moton and Lillian Moton, his wife, by the Law Office of Logan C. Widdowson, their attorneys, file this Complaint to Foreclose Certain Rights of Redemption as provided by Article 81 Section 97, et seq., of the Annotated Code of Maryland, and in support thereof say:

1. That on the 16th day of November, 1982, there was issued to William Moton (incorrectly spelled Moten), the Plaintiff herein, by Carlos Bozman, Collector of Taxes for the State of Maryland and Somerset County, the following certificates of sale:

(a) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of one hundred two dollars and twenty-nine cents ($102.29) and the sale to the Plaintiff on said date of all that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193 located in the West Princess Anne Election District and assessed to James A. Dashiell (referred to herein as Item One).

(b) a certificate of sale showing payment by Plaintiff to said Collector of Taxes the sum of fifty-four dollars and fifty-nine cents ($54.59) and the sale to the Plaintiff on said date of all that 5 acre lot, south side New Road, southeast Marion, bearing County Tax Map #67-20-110, Liber 247, folio 508, located in Brinkley's Election District and assessed to Alvin O. Morris, Jr. and Janet L. Morris (referred to herein as Item Two).

(c) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of five hundred nine dollars and sixty-four cents ($509.64) and the sale to the Plaintiff on said date of all that lot 102 feet X 100 feet X 122 feet X 100 feet, south side Costen Station Road, northwest of Pocomoke, bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp. (referred to herein as Item Three).

(d) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of ninety-nine dollars and thirty-seven cents ($99.37) and the sale to the Plaintiff on said date of all that 0.50 acre, Rt. 361 south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281, folio 706, located in Fairmount Election District and assessed to Ella M. Dize (referred to herein as Item Four).

(e) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of forty-five dollars and sixty-six cents ($45.66) and the sale to the Plaintiff on said date of all that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen (referred to herein as Item Five).

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PRINCESS ANNE, MD 21853
651-3800

(f) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of one hundred sixty-three dollars and eighty-one cents ($163.81) and the sale to the Plaintiff on said date of all that 0.5 acre, east side off Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co. (referred to herein as Item Six).

(g) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of two hundred eighty-three dollars and twenty-two cents ($283.22) and the sale to the Plaintiff on said date of all that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts (referred to herein as Item Seven).

(h) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of one hundred nine dollars and sixty-two cents ($109.62) and the sale to the Plaintiff on said date of all that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79, located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler (referred to herein as Item Eight).

(i) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of eighty-two dollars and seventy-nine cents ($82.79) and the sale to the Plaintiff on said date of all that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman (referred to herein as Item Nine).

(j) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of eighty-three dollars and ninety-seven cents ($83.97) and the sale to the Plaintiff of all that lot 90 feet X 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson, Jr. (referred to herein as Item Ten).

(k) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of one hundred forty-five dollars and forty-eight cents ($145.48) and the sale to the Plaintiff on said date of all that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District and assessed to Emma Robinson and Garfield Robinson (referred to herein as Item Eleven).

2. That said certificates of sale are attached to the Complaint as a part hereof.

3. That the aforesaid properties have not been redeemed by any party in interest although more than a year from the date of the sale has expired.

4. That the Plaintiffs caused the Land and Testamentary Records of Somerset County to be examined by Philip C. Widdowson, a member of the Bar of the

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

State of Maryland, whose affidavit is attached hereto and in reliance upon, your Plaintiffs allege and aver as follows:

(a) That James A. Dashiell, also known as James A. Deshield, is the current record owner of the property described in Paragraph 1 (a) of this Complaint and that the said James A. Dashiell has made no off conveyances of record of said property.

(b) That Alvin O. Morris, Jr. and Janet L. Morris are the current record owners of the property described in Paragraph 1 (b) of this Complaint; that said Alvin O. Morris, Jr. and Janet L. Morris were divorced; said Alvin O. Morris, Jr. is now deceased and his interest in said property has vested in Alvin O. Morris, Sr. as Personal Representative of Alvin O. Morris, Jr.; and that said Alvin O. Morris, Jr., Janet L. Morris and Alvin O. Morris, Sr., Personal Representative of the Estate of Alvin O. Morris, Jr., have made no off conveyances of record of said property.

(c) That General Electric Credit Corporation is the current record owner of the property described in Paragraph 1 (c) of this Complaint and that said General Electric Credit Corporation has made no off conveyances of record of said property.

(d) That Ella M. Dize is the current record owner of the property described in Paragraph 1 (d) of this Complaint and that said Ella M. Dize has made no off conveyances of record of said property.

(e) That Lettie Costen is the current record owner of the property described in Paragraph 1 (e) of this Complaint and that said Lettie Costen has made no off conveyances of record of said property.

(f) That Computer Procedures Company is the current record owner of the property described in Paragraph 1 (f) of this Complaint and that said Computer Procedure Company has made no off conveyances of record of said property.

(g) That John Wesley Roberts and Margaret Roberts are the current record owners of the property described in Paragraph 1 (g) of this Complaint and that said John Wesley Roberts and Margaret Roberts have made no off conveyances of record of said property; however, there is an unreleased mortgage of record from John Wes Roberts and Margaret Roberts, his wife, to Delmas E. Shores, dated February 19, 1951, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 152, page 126; and further an unreleased mortgage of record from William White, et al (successors in title) to William J. C. White, dated December 21, 1862, and recorded among the aforesaid Land Records in Liber L.W. No. 7, page 250.

(h) That Joseph Miles Ford and Jerry Tyler are the current owners of the property described in Paragraph 1 (h) of this Complaint and that said Joseph Miles Ford and Jerry Tyler have made no off conveyances of record of said property.

(i) That Glendon W. Bozman and Anna F. Bozman are the current owners of the property described in Paragraph 1 (i) of this Complaint and that the said Glendon W. Bozman and Anna F. Bozman have not made any off conveyances of record of said property.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
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PRINCESS ANNE, MD 21853
651-3600

(j) That Horace Johnson, Sr. and Horace Johnson, Jr. are the current record owners of the property described in Paragraph 1 (j) of this Complaint and that said Horace Johnson, Sr. and Horace Johnson, Jr. have not made any off conveyances of record of said property; however, there is an unreleased mortgage of record from Upshur Milbourn and Jennie Milbourn (successors in title) to Herschel V. Maddox, dated October 9, 1923, and recorded among the aforesaid Land Records in Liber W.J.S. No. 88, page 204; upon the demise of said Herschel V. Maddox any interest he may have had in said mortgage vested in Maye Maddox, his wife, and Virgil E. Maddox, his son, under the terms of his Last Will and Testament, dated February 22, 1922, and recorded among the Testamentary Records of Somerset County, Maryland, in Liber F.E.D. No. 33, page 467.

(k) That Emma Robinson and Garfield Robinson are the current record owners of the property described in Paragraph 1 (k) of this Complaint and that said Emma Robinson and Garfield Robinson have not made any off conveyances of record of said property.

5. That the amounts necessary to redeem the aforementioned properties are the amounts shown on the respective certificates aforesaid plus costs of sale, interest due on taxes, in addition to those costs and disbursements provided for in Article 81 Section III of the aforesaid Code.

WHEREFORE, your Plaintiffs pray:

1. That this Honorable Court may direct service of process to the Defendants named in this Complaint.

2. That this Honorable Court may grant unto the Plaintiffs the notice of publication directed to the Defendants herein and all persons having or claiming to have any interest in the aforementioned properties.

3. That this Honorable Court direct the Collector of Taxes for the State of Maryland and Somerset County to execute a deed to the Plaintiffs as provided in Section 115 of Article 81 of the Annotated Code of Maryland.

4. That your Plaintiffs may have such other and further relief as their cause may require.

AND, AS IN DUTY BOUND, ETC.

LAW OFFICE OF LOGAN C. WIDDOWSON

by Philip C. Widdowson
Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853

William Moton
William Moton

Lillian Moton
Lillian Moton

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

STATE OF MARYLAND
COUNTY OF SOMERSET
TO WIT:

BOOK 050 PAGE 156

I hereby certify that on this 7th day of November, 1984, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared William Moton and Lillian Moton, his wife; and they acknowledged the aforegoing Complaint to be their act and deed and that it is true and correct according to their best knowledged and belief.

As witness my hand and Notarial Seal.

Dawn M. Dryden
Notary Public

My Commission Expires: July 1, 1986

DAWN M. DRYDEN NOTARY PUBLIC SOMERSET CO.

AFFIDAVIT OF ATTORNEY

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

I hereby certify on this 7th day of November, 1984, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Philip C. Widdowson, of the Law Office of Logan C. Widdowson, personally known to me and being sworn to, deposes and says:

1. That he is a member of the Bar of the State of Maryland, having been admitted thereto on June 16, 1976, and that he made an examination of the public records of Somerset County, Maryland, in regards to the following properties:

ITEM ONE: All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District and assessed to James A. Dashiell.

ITEM TWO: All that 5-acre lot, south side New Road, southeast Marion, bearing County Tax Map #67-20-110, Liber 247, folio 508, located in Brinkley's Election District and assessed to Alvin O. Morris, Jr. and Janet L. Morris.

ITEM THREE: All that lot 102 feet X 100 feet X 122 feet X 100 feet, south side Costen Station Road, northwest of Pocomoke, bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp.

ITEM FOUR: All that 0.50 acre, Rt. 361, south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281, folio 706, located in Fairmount Election District and assessed to Ella M. Dize.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

ITEM FIVE: All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen.

ITEM SIX: All that 0.5 acre, east side off Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co.

ITEM SEVEN: All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts.

ITEM EIGHT: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79, located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler.

ITEM NINE: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman.

ITEM TEN: All that lot 90 feet X 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson, Jr.

ITEM ELEVEN: All that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District and assessed to Emma Robinson and Garfield Robinson.

and found that:

1. James A. Dashiell is the owner of the property referred to above as Item One and that said James A. Dashiell has made no off conveyances of record in regard to said property.

2. Alvin O. Morris, Jr. and Janet L. Morris are the owners of the property referred to above as Item Two; that the said Alvin O. Morris, Jr. and Janet L. Morris were divorced; that said Alvin O. Morris, Jr. is now deceased and his interest in said property has vested in Alvin O. Morris, Sr. Personal Representative of the Estate of Alvin O. Morris, Jr.; and that said Alvin O. Morris, Jr., Janet L. Morris and Alvin O. Morris, Sr., Personal Representative as aforesaid, have made no off conveyances of record in regard to said property.

3. General Electric Credit Corporation is the owner of the property referred to above as Item Three and that said General Electric Credit Corporation has made no off conveyances of record in regard to said property.

4. Ella M. Dize is the owner of the property referred to above as Item Four and that said Ella M. Dize has made no off conveyances of record in regard to said property.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

5. Lettie Costen is the owner of the property referred to above as Item Five and that said Lettie Costen has made no off conveyances of record in regard to said property.

6. Computer Procedures Company is the owner of the property referred to above as Item Six and that said Computer Procedures Company has made no off conveyances of record in regard to said property.

7. John Wesley Roberts and Margaret Roberts are the owners of the property referred to above as Item Seven and that said John Wesley Roberts and Margaret Roberts have made no off conveyances of record in regard to said property except that said property is encumbered with a mortgage from John Wes Roberts and Margaret Roberts, his wife, to Delmas E. Shores, dated February 19, 1951, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 152, page 126 and a mortgage from William White, et al, to William J. C. White, dated December 21, 1862, and recorded among the aforesaid Land Records in Liber L.W. No. 7, page 250.

8. Joseph Miles Ford and Jerry Tyler are the owners of the property referred to above as Item Eight and that said Joseph Miles Ford and Jerry Tyler have made no off conveyances of record in regard to said property.

9. Glendon W. Bozman and Anna F. Bozman are the owners of the property referred to above as Item Nine and that said Glendon W. Bozman and Anna F. Bozman have made no off conveyances of record in regard to said property.

10. Horace Johnson, Sr. and Horace Johnson, Jr. are the owners of the property referred to above as Item Ten and that said Horace Johnson, Sr. and Horace Johnson, Jr. have made no off conveyances of record in regard to said property; however, said property is encumbered by a mortgage from Upshur Milbourn and Jennie Milbourn to Herschel V. Maddox, dated October 9, 1923, and recorded among the aforesaid Land Records in Liber W.J.S. No. 88, page 204; upon the demise of said Herschel V. Maddox any interest he may have had in said mortgage was devised unto Maye Maddox, his wife, and Virgil E. Maddox, his son, under the terms of his Last Will and Testament, dated February 22, 1922, and recorded among the Testamentary Records of Somerset County, Maryland, in Liber F.E.D. No. 33, page 467.

11. Emma Robinson and Garfield Robinson are the owners of the property referred to above as Item Eleven and that said Emma Robinson and Garfield Robinson have made no off conveyances of record in regard to said property.

SUBSCRIBED AND SWORN TO, before me, this 7th day of November 1984.

Laura M. Dryden
Notary Public

My Commission Expires: July 1, 1986

DOROTHY M. DRYDEN NOTARY PUBLIC SOMERSET C.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

500-6/65

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 125.00 , of which $ 102.29 has been paid, the property in Somerset County, described as follows:

All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District

and assessed to James A. Dashiell
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude K. Bonner
Notary Public

BOOK 050 PAGE 159

500-6/65

# CERTIFICATE OF SALE

BOOK 050 PAGE 160

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 1600.00, of which $ 54.59 has been paid, the property in Somerset County, described as follows:

All that 5-acre lot, south side New Road, southeast Marion, bearing County Tax Map #67-20-110, Liber 247, folio 508, located in Brinkleys Election District

and assessed to Alvin O. Morris, Jr. and Janet L. Morris
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H Bozman
Notary Public

500-6/65

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 510.00 , of which $ 509.64 has been paid, the property in Somerset County, described as follows:

All that lot 102 feet x 100 feet x 122 feet x 100 feet, south side Costen Station Road, northwest of Pocomoke, bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District

and assessed to General Electric Credit Corp.
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

BOOK 050 PAGE 161

500-6/65

# CERTIFICATE OF SALE

BOOK 050 PAGE 162

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 125.00 , of which $ 99.37 has been paid, the property in Somerset County, described as follows:

All that 0.50 acre, Rt. 361 south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281, folio 706, located in Fairmount Election District

and assessed to Ella M. Dize
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Notary Public

500-6/65

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 400.00 , of which $ 45.66 has been paid, the property in Somerset County, described as follows:

All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District

and assessed to Lettie Costen
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

BOOK 050 PAGE 163

500-6/65

CERTIFICATE OF SALE BOOK 050 PAGE 164

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 165.00 , of which $ 163.81 has been paid, the property in Somerset County, described as follows:

All that 0.5 acre, east side off Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District

and assessed to Computer Procedures Co.
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman
Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H Bozman
Notary Public

500-6/65

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 600.00 , of which $ 283.22 has been paid, the property in Somerset County, described as follows:

All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District

and assessed to John Wesley Roberts and Margaret Roberts
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

BOOK 050 PAGE 165

500-6/65

CERTIFICATE OF SALE

BOOK 050 PAGE 166

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 110.00 , of which $ 109.62 has been paid, the property in Somerset County, described as follows:

All that lot 35 x 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79, located in Dames Quarter Election District

and assessed to Joseph Miles Ford and Jerry Tyler
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman
Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

500-6/65

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 100.00 , of which $ 82.79 has been paid, the property in Somerset County, described as follows:

All that lot 35 x 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District

and assessed to Glendon W. Bozman and Anna F. Bozman
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

BOOK 050 PAGE 167

500-6/65

CERTIFICATE OF SALE

BOOK 050 PAGE 168

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 340.00 , of which $ 83.97 has been paid, the property in Somerset County, described as follows:

All that lot 90 feet x 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District

and assessed to Horace Johnson, Sr. and Horace Johnson, Jr. The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Notary Public

500-6/65

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to William Moten at public auction for the sum of $ 145.88 , of which $ 145.48 has been paid, the property in Somerset County, described as follows:

All that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District

and assessed to Emma Robinson and Garfield Robinson
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman
Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

BOOK 050 PAGE 169

LOGAN C. WIDDOWSON
ATTORNEY AT LAW

ASSOCIATES
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.

NORTH SOMERSET AVENUE
PRINCESS ANNE, MD. 21853
TELEPHONE: 651-3600

Philip R. Mahan
Collector of Taxes
Courthouse
Princess Anne, Maryland 21853

BOOK 050 PAGE 170

Dear Mr. Mahan:

Pursuant to the provisions of Article 81, Section 106 b of the Annotated Code of Maryland, I wish to notify you of the institution of a proceeding to foreclose the rights of redemption filed by William Moton and Lillian Moton on November 8th, 1984, in Civil Case No. [illegible], in the Circuit Court for Somerset County, Maryland. At a sale by publication held on November 16, 1982, you sold the following properties to William Moton:

ITEM ONE: All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District and assessed to James A. Dashiell.

ITEM TWO: All that 5-acre lot, south side New Road, southeast Marion, bearing County Tax Map #67-20-110, Liber 247, folio 508, located in Brinkley's Election District and assessed to Alvin O. Morris, Jr. and Janet L. Morris.

ITEM THREE: All that lot 102 feet X 100 feet X 122 feet X 100 feet, south side Costen Station Road, northwest of Pocomoke, bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp.

ITEM FOUR: All that 0.50 acre, Rt. 361, south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281, folio 706, located in Fairmount Election District and assessed to Ella M. Dize.

ITEM FIVE: All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen.

ITEM SIX: All that 0.5 acre, east side off Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co.

ITEM SEVEN: All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts.

ITEM EIGHT: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79, located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler.

ITEM NINE: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman.

ITEM TEN: All that lot 90 feet X 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson, Jr.

ITEM ELEVEN: All that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District and assessed to Emma Robinson and Garfield Robinson.

Very truly yours,

Philip C. Widdowson

PCW/dmd

I hereby acknowledge receipt of the above notice this 5 day of November, 1984.

Philip R. Mahan
Collector of Taxes

NOTICE



The object of this proceeding is to secure the foreclosure of all rights of redemption in the following properties in the hereinafter mentioned Election Districts of Somerset County, Maryland, sold by the Collector of Taxes for the State of Maryland and Somerset County to the Plaintiff in this proceeding:

ITEM ONE: All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District and assessed to James A. Dashiell.

ITEM TWO: All that 5-acre lot, south side New Road, southeast Marion, bearing County Tax Map #67-20-110, Liber 247, folio 508, located in Brinkley's Election District and assessed to Alvin O. Morris, Jr. and Janet L. Morris.

ITEM THREE: All that lot 102 feet X 100 feet X 122 feet X 100 feet, south side Costen Station Road, northwest of Pocomoke, bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp.

ITEM FOUR: All that 0.50 acre, Rt. 361, south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281, folio 706, located in Fairmount Election District and assessed to Ella M. Dize.

ITEM FIVE: All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen.

ITEM SIX: All that 0.5 acre, east side off Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co.

ITEM SEVEN: All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts; said property is subject to a mortgage to Delmas E. Shores, dated February 19, 1951, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 152, page 126 and also subject to a mortgage to William J. C. White, dated December 21, 1862, and recorded among the aforesaid Land Records in Liber L.W. No. 7, page 250.

ITEM EIGHT: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79, located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler.

ITEM NINE: All that lot 35 feet X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman.

ITEM TEN: All that lot 90 feet X 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson, Jr.; said property is subject to a mortgage to Herschel V. Maddox, dated October 9, 1923, and recorded among the Land Records of Somerset County, Maryland, in Liber W.J.S. No. 88, page 204; upon the demise of said Herschel V. Maddox, any interest he may have had in

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

said mortgage vested in Maye Maddox, his wife, and Virgil E. Maddox, his son, under the terms of his Last Will and Testament, dated February 22, 1922, and recorded among the Testamentary Records of Somerset County, Maryland, in Liber F.E.D. No. 33, page 467.

ITEM ELEVEN: All that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District, and assessed to Emma Robinson and Garfield Robinson.

The Complaint states, among other things, that the amounts necessary for redemption have not been paid although more than one year and a day from the date of the sale has expired.

It is thereupon, this 9th day of Nov., 1984, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by the insertion of a copy of this order in some newspaper having general circulation in said Somerset County, once a week for three successive weeks, warning all persons interested in said properties to be and appear in this Court by the 29th day of January, 1985, and redeem the properties hereinbefore described and answer the Complaint or thereafter a final decree will be rendered foreclosing all rights of redemption in the properties and vesting in the Plaintiffs a title free and clear of all encumbrances.

Lloyd L. Griffin
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 174

WRIT OF SUMMONS-REDEMPTION

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

Case Number 85-CA-00085 Civil Action

TO:

Name JAMES A. DASHIELL

Address a.k.a. James A. Deshield, c/o Ben Williams, Route 3, Princess Anne, Maryland 21853

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK Theodore Phoebus

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Non. Est 11-13-84 Subject not Known. Ben Williams is deceased.

FEE $_____

SHERIFF Suzy L. Jones, Deputy

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name DELMAS E. SHORES WILLIAM J. C. WHITE

Address Dames Quarter, Maryland 21820 Dames Quarter, Maryland 21820

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

I Sheppard Phoebus
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Mailed Est as to Delmas Shores and Wm. J.C. White 11-13-84

FEE $_____

SHERIFF Darryl Jones, Deputy

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

BOOK 050 PAGE 175

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 176

WRIT OF SUMMONS-REDEMPTION

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

Case Number 85-CA-00085 Civil Action

TO:

Name JOHN WESLEY ROBERTS MARGARET ROBERTS

Address Dames Quarter, Maryland 21820 Dames Quarter, Maryland 21820

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton (Name and Address) Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Mortus Est as to John W. Roberts
Mortus Est as to Margaret Roberts 11-13-84

FEE $

SHERIFF

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# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name JOSEPH MILES FORD

Address Box 63, Dames Quarter, Maryland 21820

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

Theodore Brooks
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
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Sheriff's Return

FEE $_____

SHERIFF _____

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3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

Non Est. 1-6-85
Sheryl Jones Deputy
Unable to locate subject

BOOK 050 PAGE 177

# The Circuit Court for Somerset County

D.C.

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 178

WRIT OF SUMMONS-REDEMPTION

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

Case Number 85-CA-00085 Civil Action

TO:

Name GLENDON W. BOZMAN

Address c/o Hodson White, Dames Quarter, Maryland 21820

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton
(Name and Address)
Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK I. Theodore Phoebus

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
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Sheriff's Return

Non Est 11-13-84 subject lives somewhere in Washington, D.C.

FEE $_____

SHERIFF Suzy L. Jones, Deputy

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name HORACE JOHNSON, SR.

Address Manokin, Maryland 21836

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

NON-EST MR. JOHNSON SR. HAS NOT Been seen in years 11-14-84

FEE $

SHERIFF Deputy Bobby Jones Sr

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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BOOK 050 PAGE 179

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 180

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name HORACE JOHNSON, JR.

Address Manokin, Maryland 21836

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

Theodore Phoebus
CLERK

TO THE PERSON SUMMONED:

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Sheriff's Return

Summoned + copy of Civil Suit + Supporting papers left with

~~Norbert Horne Jr.~~

Horace Johnson Jr. 11-14-84

FEE $

SHERIFF Deputy Bobby Jones 2519

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name EMMA ROBINSON GARFIELD ROBINSON

Address Deal Island, Maryland 21821 Deal Island, Maryland 21821

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

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Sheriff's Return

Mortus Est as to Emma Robinson

Mortus Est as to Garfield Robinson 11-13-84

FEE $

SHERIFF

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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BOOK 050 PAGE 181

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 182

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name ALVIN O. MORRIS, JR.

Address Route 1, Box 157G, Keedysville, Maryland 21756

County Washington

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

J. Sheldon Phoebus
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Non-Est Need better address. Not Lee

FEE $

SHERIFF R. Lesmy

NOV 13 9 24 AM '84
SHERIFF
WASHINGTON COUNTY, MD.

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

9

Name JANET L. MORRIS

Address 1703 Henry Road, Rockville, Maryland 20851

County Montgomery

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton
(Name and Address)
Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS [illegible]D.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

FEE $

SHERIFF

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4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 184

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name COMPUTER PROCEDURES CO., P.O. Box 1404 Wheaton, Maryland 20902

Address SERVE ON: Irving Saltz, President, P.O. Box 1404, Wheaton, Maryland 20902

County Montgomery

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton
(Name and Address)
Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

FEE $

SHERIFF

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3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

NON-EST: 11/15/84
At: (given address)
Reason: (unknown at this address)
Attempts: 11-14-84
Robert L. Keefer
Deputy Sheriff

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name ALVIN O. MORRIS, SR., Personal Representative of the Estate of Alvin O. Morris, Jr.

Address 412 Harrison Street, Lynchburg, Virginia 24504

County

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton
(Name and Address)
Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

FEE $

SHERIFF

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3. Return of service of attached process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

BOOK 050 PAGE 185

E

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 186

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name LETTIE COSTEN

Address c/o Miss Edith Costen, 24-46 N. 27th Street, Philadelphia, Pennsylvania 19132

County _____

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton
(Name and Address)
Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

FEE $_____

SHERIFF _____

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Proof of service of a summons or process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

# The Circuit Court for Somerset County

P3

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

Case Number 85-CA-00085 Civil Action

TO:

Name GENERAL ELECTRIC CREDIT CORPORATION, acct. 5527-610328, P.O. Box 202, Falls Church, Virginia 22046.

Address SERVE ON: Corporated Trust Incorporated, 32 South Street, Baltimore, MD 21202
Resident Agent

County Baltimore City

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Served: General Electric Credit Corp. S/o Corp. Trust Delores Benson 11-16-84 8:40 am

FEE $

SHERIFF Deputy Wright for Gen. W. Freeberger

NOTE:
1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

RECEIVED FOR RECORD 1984 NOV 13 PM 4 01 CLERK'S OFFICE, MD.

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 188

WRIT OF SUMMONS-REDEMPTION

Return

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name ELLA M. DIZE

Address c/o Mrs. Judy McAvay, 1624 Heather Heights, Sykesville, Maryland 21784

County Carroll

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton
(Name and Address)
Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK Theodore Phoebus

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Summons, Non-Ext Does Not Live there, Never did

FEE $_____

SHERIFF Dfc. D.M. Stum 11-16-84

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
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# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO: NON/EST 11/13/84 J. Hardy CPS. TENTANTS THAT LIVE THERE, FOR 2½ YRS

Name JERRY TYLER

Address 305 E. William Street, Salisbury, Maryland 21801

County Wicomico

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

Theodore Phoebus
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Non est this 13th day of November, 1984.

FEE $ 5.00

SHERIFF of Wicomico County

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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BOOK 050 PAGE 189

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 190

WRIT OF SUMMONS-REDEMPTION

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

Case Number 85-CA-00085 Civil Action

TO:

Name VIRGIL E. MADDOX NON/EST NEED BETTER ADD. 11/13/84 T/Hardy C.P.S.

Address N. Claremount Drive, Salisbury, Maryland 21801

County Wicomico

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Non est, this 13th day of November, 1984.

FEE $5.00

SHERIFF of Wicomico County

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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1/7/85 Miller P498

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name HERSCHEL V. MADDOX

Address 600 Anneslie Road, Baltimore, Maryland 21212

County Baltimore County

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton

(Name and Address)

Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

NOT SERVED 11-15-84 NOT AT THIS ADDRESS.

FEE $

SHERIFF J. Edward Malone

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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BOOK 050 PAGE 191

1/7/85

# The Circuit Court for Somerset County

499 Miller

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 192

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name MAYE MADDOX

Address 600 Anneslie Road, Baltimore, Maryland 21212

County Baltimore

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton
(Name and Address)
Route 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

Theodore Phoebus
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

NOT SERVED 11-15-84 NOT AT THIS ADDRESS

FEE $_____

SHERIFF J. Edward Malone

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

| | | |
|---|---|---|
| WILLIAM MOTON, ET UX<br>Plaintiffs | * | IN THE CIRCUIT COURT |
| VS. | * | FOR SOMERSET COUNTY |
| JAMES A. DASHIELL, ET AL<br>Defendants | * | STATE OF MARYLAND |
| | * | CIVIL NO. 8500085 |

Please reissue the summons to Computer Procedures Company by certified mail as follows:

Computer Procedures Company
c/o Irving Saltz, President
P.O. Box 1404
Wheaton, Maryland 20902

LAW OFFICE OF LOGAN C. WIDDOWSON

BY Philip C. Widdowson
Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 194

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00085 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name Computer Procedures Company

Address C/o Irving Saltz, President, P.O. Box 1404, Wheaton, Maryland 20902

County Montgomery

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by William Moton and Lillian Moton
(Name and Address)
Rt. 1, Princess Anne, Maryland 21853

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued December 4, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

FEE $_____

SHERIFF

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
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3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

LAW OFFICE OF LOGAN C. WIDDOWSON
LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MARYLAND 21853

CERTIFIED
P 575 964 345
MAIL

RESTRICTED DELIVERY - Show to Whom, Date, Address of Delivery

CLAIM CHECK NO. 271550
HOLD
DATE 11-20
1ST NOTICE
2ND NOTICE 12-5
RETURN
Detached from PS Form 3849-A Oct. 1980

CLAIM CHECK NO. 798747
HOLD
DATE 11-21-84
1ST NOTICE
2ND NOTICE
RETURN
Detached from PS Form 3849-A Oct. 1980

RESTRICTED DELIVERY
REQUESTED

Mrs. Lettie Costen
c/o Miss Edith Costen
24-46 W. 27th Street
Philadelphia, Pennsylvania 19132

Attempted
unknown
moved
left
no
address
11-27-84

BOOK 050 PAGE 195

SSCA66085

LAW OFFICE OF LOGAN C. WIDDOWSON
LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MARYLAND 21853

CLAIM CHECK NO.
271700

CERTIFIED
575 964 346
MAIL

☐ HOLD

DATE
12-5
1ST NOTICE

2ND NOTICE

RETURN

Detached from PS Form 3849—A Oct. 1980

:TED DELIVERY – Show to
Date, Address of Delivery

RESTRICTED DELIVERY

CLAIM CHECK NO.
828237

☐ HOLD

DATE
11-13-84
1ST NOTICE

2ND NOTICE
12-3
RETURN

Detached from PS Form 3849-A Oct. 1980

Mr. Alvin O. Morris, Sr.
412 Harrison Street
Lynchburg, Virginia 24504

BOOK 050 PAGE 196

85 CA 0085

William Moton and
Lillian Moton,

Plaintiffs

vs

Janet L. Morris, et al.,

Defendants

Civil Action No. 00085

In the Circuit Court for

Somerset County, Maryland

PETITION OF JANET L. MORRIS

The Petition of Janet L. Morris, by R. Patrick Hayman, her attorney, hereby petitions the Court to affix the amount necessary for the redemption of said property described in this proceeding, as required by Article 81, Section 94 of the Annotated Code of Maryland, and in support thereof says:

1. That the said Janet L. Morris is a defendant in the above entitled proceeding and is the Janet L. Morris who is the owner of that property described as "All that 5 acre lot, south side of New Road, southeast Marion, bearing County Tax Map No. 67-20-110, Liber 247, folio 508, located in Brinkleys Election District, assessed to Alvin O. Morris, Jr. and Janet L. Morris. Said property is referred to in paragraph 1. (b) of the Complaint filed in this proceeding.

2. That the said Janet L. Morris wishes to redeem said property by the payment of such taxes, costs, and fees as may be required by law.

Wherefore, the said Janet L. Morris, by R. Patrick Hayman, her attorney, respectfully petitions this Court to affix the amount necessary for redemption in accordance with the provisions of law.

Respectfully submitted,

BOOK 050 PAGE 198

R. Patrick Hayman, Attorney
for Janet L. Morris

CONSENT OF COMPLAINANTS

The Plaintiffs, William Moton and Lillian Moton, by the Law Office of Logan C. Widdowson, their attorneys, consent to the passage of such order as may be right and proper upon the aforegoing Petition filed on behalf of Janet L. Morris.

LAW OFFICE OF LOGAN C. WIDDOWSON

By: _____
Attorneys for Complainants

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 11/14, 19 84, and ending 11/28, 19 84 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lisa Price M+H.
Publisher.

Printer's Fee: $225.50 per insertion

BOOK 050 PAGE 199

LAW OFFICE
LOGAN C. WIDDOWSON
47 N. Somerset Avenue
Princess Anne, Maryland 21853

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
CIVIL CASE NO. 85-CA-00085

WILLIAM MOTON, Plaintiff
Route 1
Princess Anne, Maryland 21853
AND
LILLIAN MOTON, Plaintiff
Route 1
Princess Anne, Maryland 21853
VS.
JAMES A. DASHIELL, Defendant
a.k.a. JAMES A. DESHIELD
c/o Ben Williams
Rt. 3, Princess Anne, Md. 21853
AND
ALVIN O. MORRIS JR., Defendant
Route 1, Box 157G
Keedysville, Maryland 21756
AND
JANET L. MORRIS, Defendant
1703 Henry Road
Rockville, Maryland 20851
AND
ALVIN O. MORRIS SR., Defendant
Personal Representative of the
Estate of Alvin O. Morris Jr.
412 Harrison Street
Lynchburg, Virginia 24504
AND
GENERAL ELECTRIC CREDIT CORP.
Defendant
Acct. 5527-610328
P.O. Box 202
Falls Church, Virginia 22046
AND
ELLA M. DIZE, Defendant
c/o Mrs. Judy McAvay
1824 Heather Heights
Skyesville, Maryland 21784
AND
LETTIE COSTEN, Defendant
c/o Miss Edith Costen
24-46 N. 27th Street
Philadelphia, Pennsylvania 19132
AND
COMPUTER PROCEDURES CO.,
Defendant
P.O. Box 1404
Wheaton, Maryland 20902
AND
JOHN WESLEY ROBERTS, Defendant
Dames Quarter, Maryland 21820
AND
MARGARET ROBERTS, Defendant
Dames Quarter, Maryland 21820
AND
DELMAS E. SHORES, Defendant
Dames Quarter, Maryland 21820
AND
WILLIAM J.C. WHITE, Defendant
Dames Quarter, Maryland 21820
AND
JOSEPH MILES FORD, Defendant
Box 63, Dames Quarter Md. 21820
AND
JERRY TYLER, Defendant
305 E. William Street
Salisbury, Maryland 21801
AND
GLENDON W. BOZMAN, Defendant
c/o Hudson White
Dames Quarter, Maryland 21820
AND
HORACE JOHNSON SR., Defendant
Manokin, Maryland 21836
AND
HORACE JOHNSON JR., Defendant
Manokin, Maryland 21836
AND
HERSCHEL V. MADDOX, Defendant
600 Anneslie Road
Baltimore, Maryland 21212
AND
MAYE MADDOX, Defendant
600 Anneslie Road
Baltimore, Maryland 21212
AND
VIRGIL E. MADDOX, Defendant
N. Claremount Drive
Salisbury, Maryland 21801
AND
EMMA ROBINSON, Defendant
Deal Island, Maryland 21821
AND
GARFIELD ROBINSON, Defendant
Deal Island, Maryland 21821

And all persons having or claiming to have any interest in the following properties:

ITEM ONE: All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District and assessed to James A. Dashiell.

ITEM TWO: All that 5-acre lot, south side New Road, southeast Marion bearing County Tax Map #57-20-110, Liber 247, folio 508, located in Brinkley's Election District and assessed to Alvin O. Morris Jr. and Janet L. Morris.

ITEM THREE: All that lot 102 feet x 100 feet x 122 feet x 100 feet, south side Costen Station Road, northwest of Pocomoke bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp.

ITEM FOUR: All that 0.50 acre, Rt. 361 south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-53, Liber 281, folio 706, located in Fairmount Election District and assessed to Ella M. Dize.

ITEM FIVE: All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen.

ITEM SIX: All that 0.5 acre, east side of Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co.

ITEM SEVEN: All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dame Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts.

ITEM EIGHT: All that lot 35 x 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 28[illegible] folio 149 and Liber 91, folio 79, located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler.

ITEM NINE: All that lot 35 feet x 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman.

ITEM TEN: All that lot 90 feet x 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #33-18-362, Liber 158, folio 498, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson., Jr.

ITEM ELEVEN: All that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District and assessed to Emma Robinson and Garfield Robinson.

# NOTICE

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following properties in the hereinafter mentioned Election Districts of Somerset County, Maryland, sold by the Collector of Taxes for the State of Maryland and Somerset County to the Plaintiff in this proceeding:

ITEM ONE: All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District and assessed to James A. Dashiell.

ITEM TWO: All that 5-acre lot, south side New Road, southeast Marion bearing County Tax Map #67-20-110, Liber 247, folio 508, located in Brinkley's Election District and assessed to Alvin O. Morris Jr. and Janet L. Morris.

ITEM THREE: All that lot 102 feet x 100 feet x 122 feet x 100 feet, south side Costen Station Road, northwest of Pocomoke bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp.

ITEM FOUR: All that 0.50 acre, Rt. 361 south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281, folio 706, located in Fairmount Election District and assessed to Ella M. Dize.

ITEM FIVE: All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen.

ITEM SIX: All that 0.5 acre, east side of Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co.

ITEM SEVEN: All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts; said property is subject to a mortgage to Delmas E. Shores, dated February 19, 1951, and recorded among the Land Records of Somerset County, Maryland, in Liber B.L.B. No. 152, page 126 and also subject to a mortgage to William J. C. White, dated December 21, 1962, and recorded among the aforesaid Land Records in Liber L.W. No. 7, page 250.

ITEM EIGHT: All that lot 35 x 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79, located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler.

ITEM NINE: All that lot 35 feet x 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman.

ITEM TEN: All that lot 90 feet x 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson, Jr.; said property is subject to a mortgage to Herschel V. Maddox, dated October 9, 1923, and recorded among the Land Records of Somerset County, Maryland, in Liber W.J.S. No. 88, page 204; upon the demise of said Herschel V. Maddox, any interest he may have had in said mortgage vested in Maye Maddox, his wife, and Virgil E. Maddox, his son, under the terms of his Last Will and Testament, dated February 22, 1922, and recorded among the Testamentary Records of Somerset County, Maryland, in Liber F.E.D. No. 33, page 467.

ITEM ELEVEN: All that 0.25 acres off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District and assessed to Emma Robinson and Garfield Robinson.

The Complaint states, among other things, that the amounts necessary for redemption have not been paid although more than one year and a day from the date of the sale has expired.

It is thereupon, this 9th day of NOVEMBER, 1984, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by the insertion of a copy of this order in some newspaper having general circulation in said Somerset County, once a week for three successive weeks, warning all persons interested in said properties to be and appear in this Court by the 29th day of JANUARY, 1985, and redeem the properties hereinbefore described and answer the Complaint or thereafter a final decree will be rendered foreclosing all rights of redemption in the properties and vesting in the Plaintiffs a title free and clear of all encumbrances.

True Copy, Test:
I.T. Phoebus, Clerk
80-11/14-3tMH

Lloyd L. Simpkins
Judge

BOOK 050 PAGE 202

| | | |
|---|---|---|
| WILLIAM MOTON<br>Plaintiff<br>Et Ux | * | IN THE CIRCUIT COURT FOR |
| | * | SOMERSET COUNTY, MARYLAND |
| VS. | * | CIVIL ACTION NO. 85-CA-00085 |
| JAMES A. DASHIELL<br>Defendant<br>Et Al | * | |

AFFIDAVIT OF SERVICE OF PROCESS BY REGISTERED MAIL

Comes now Philip C. Widdowson, Attorney, pursuant to Maryland Rule 2-126 and states the following:

1. That a copy of the Complaint to Foreclose Rights of Redemption and summons was mailed to the Defendant, Computer Procedures Co., P. O. Box 1404, Wheaton, Maryland, 20902, by certified mail, "Restricted Delivery-show to whom, date, address of delivery".

2. That the aforesaid copy was in fact received by Defendant on December 14, 1984, as evidenced by the signature of Irving Saltz, President of the Defendant company on the original return receipt which is attached hereto and incorporated herein.

LAW OFFICE OF LOGAN C. WIDDOWSON

by Philip C. Widdowson
Philip C. Widdowson
Attorney for the Plaintiffs

SUBSCRIBED AND SWORN to, before me, this 6th day of February, 1985.

Dawn M. Dryden
Notary Public

My Commission Expires: July 1, 1986

DAWN M. DRYDEN NOTARY PUBLIC SOMERSET CO.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

WILLIAM MOTON
Route 1
Princess Anne, Maryland 21853
Plaintiff
Et Ux

VS.

JAMES A. DASHIELL
a.k.a. JAMES A. DESHIELD
c/o Ben Williams
Route 3
Princess Anne, Maryland 21853
Defendant
Et Al

* IN THE CIRCUIT COURT FOR
* SOMERSET COUNTY
* STATE OF MARYLAND
* CIVIL CASE NO. 85-CA-00085
*
*
*

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

I hereby certify on this 6th day of February, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Philip C. Widdowson, of the Law Office of Logan C. Widdowson, Attorney for the Plaintiffs, being first duly sworn on oath according to law, who deposes and says:

1. That one summons was returned non-est as to the following Defendants: James A. Dashiell, a.k.a. James A. Deshield, Ella M. Dize, Lettie Costen, Joseph Miles Ford, Jerry Tyler, Glendon W. Bozman, Horace Johnson, Sr., Herschel V. Maddox, Maye Maddox, Virgil E. Maddox.

2. That the whereabouts of the aforementioned Defendants are unknown and the Plaintiffs are without knowledge as to addresses other than those previously given for service.

3. That the sheriff returns for the aforementioned Defendants evidence that the whereabouts of the Defendants are unknown.

Philip C. Widdowson
Philip C. Widdowson
Attorney for Plaintiffs

SUBSCRIBED AND SWORN to, before me, this 6th day of February, 1985.

Laura M. Dryden
Notary Public

My Commission Expires: July 1, 1986

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

PS Form 3811, July 1983

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☒ Restricted Delivery.

3. Article Addressed to: IRVING SALTZ
PRESIDENT
Computer Procedures Company
P.O. Box 1404
Wheaton, MARYLAND 20902

4. Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number
P575964320

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X

6. Signature – Agent
X

7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid).

DOMESTIC RETURN RECEIPT

DEC 14 1984

BOOK 050 PAGE 204

| | | |
|---|---|---|
| WILLIAM MOTON, Et Ux<br>Plaintiffs | * | IN THE CIRCUIT COURT |
| VS. | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| JAMES A. DASHIELL<br>a.k.a. JAMES A. DESHIELD, Et Al<br>Defendants | * | CIVIL ACTION NO. 85-CA-00085 |

PETITION FOR ORDER OF DEFAULT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Plaintiffs, William Moton and Lillian Moton, by their attorneys, the Law Office of Logan C. Widdowson, respectfully represents:

1. That the Defendant, Janet L. Morris, has redeemed the property set forth in paragraph 1.(b) of the Complaint discharging her and the Defendants, Alvin O. Morris, Jr. and Alvin O. Morris, Sr., from these proceedings.

2. That the summonses have been returned mortuus est against the following Defendants: John Wesley Roberts, Margaret Roberts, Delmas E. Shores, William J. C. White, Emma Robinson and Garfield Robinson.

3. That one summons was returned non est against the following Defendants: James A. Dashiell, a.k.a. James A. Deshield, Ella M. Dize, Lettie Costen, Joseph Miles Ford, Jerry Tyler, Glendon W. Bozman, Horace Johnson, Sr., Herschel V. Maddox, Maye Maddox and Virgil E. Maddox together with proof by affidavit that the whereabouts of said Defendants are unknown.

4. That the time for answering said Complaint has elapsed.

5. That the Defendants have neither appeared to nor answered the same.

6. That the last known addresses of the Defendants are the same as set forth in the original Complaint.

7. That the Plaintiffs stand ready to take testimony in support of their Complaint to Foreclose Rights of Redemption.

WHEREFORE, your Plaintiffs pray this Honorable Court:

A. To issue an Order of Default against the non-answering Defendants.

B. To grant the Plaintiffs leave to take testimony before a Standing Examiner of this Court to support the allegations of the Complaint.

LAW OFFICE OF LOGAN C. WIDDOWSON

by Philip C. Widdowson

Philip C. Widdowson
Attorney for the Plaintiffs
47 North Somerset Avenue
Princess Anne, Maryland 21853
Telephone: 651-3800

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

BOOK 050 PAGE 206

| | | |
|---|---|---|
| WILLIAM MOTON, Et Ux<br>Plaintiffs | * | IN THE CIRCUIT COURT |
| VS. | * | FOR SOMERSET COUNTY |
| JAMES A. DASHIELL<br>a.k.a. JAMES A. DESHIELD, Et Al<br>Defendants | * | STATE OF MARYLAND |
| | * | CIVIL ACTION NO. 85-CA-00085 |

ORDER OF DEFAULT

It appearing from the proceedings in the above cause that the Defendants have been duly notified to appear to the Complaint filed herein and have failed to appear or file an answer thereto, it is ORDERED thereupon, this 7th day of Feb., 1985, by the Circuit Court for Somerset County, Maryland, that the Complaint be and the same is hereby taken by default against the Defendants.

And it is further ORDERED that the Plaintiffs, be granted leave to take testimony before one of the Standing Examiners of the Court in support of the obligations of the Complaint.

Floyd E. Griffin
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

| | | |
|---|---|---|
| WILLIAM MOTON, Et Ux<br>Plaintiffs | * | IN THE CIRCUIT COURT FOR |
| VS. | * | SOMERSET COUNTY, MARYLAND |
| JAMES A. DASHIELL<br>a.k.a. JAMES A. DESHIELD, Et Al<br>Defendants | * | CIVIL ACTION NO. 85-CA-00085 |

PETITION TO APPOINT SPECIAL EXAMINER

The Petition of the Plaintiffs by the Law Office of Logan C. Widdowson, their attorneys, respectfully represents:

FIRST: That the Plaintiffs stand ready to take testimony in the above-captioned matter in support of their Complaint filed herein.

SECOND: That Logan C. Widdowson, one of the Plaintiffs' attorneys, is the Standing Examiner in this Court; and it would be improper for him to examine the witnesses in this case; therefore, it is necessary that a Special Examiner be appointed.

WHEREFORE, your Plaintiffs pray this Honorable Court to pass an Order appointing a Special Examiner to examine the Plaintiffs' witnesses in said cause.

LAW OFFICE OF LOGAN C. WIDDOWSON

by Philip C. Widdowson
Attorney for the Plaintiffs

ORDER OF COURT

Upon the aforegoing Petition, IT IS, this 7 day of Feb, 1985, by the Circuit Court for Somerset County, Maryland, ORDERED that Dawn M. Dryden be and she is hereby appointed Special Examiner to take testimony in the above-captioned cause.

Lloyd L. Smith
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

BOOK 050 PAGE 207

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 208

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Garfield Robinson

Address Deal Island, Maryland 21821

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Alvin O. Morris, Sr.
Personal Representative of the Estate of Alvin O. Morris, Jr.
Address 412 Harrison Street, Lynchburg, Virginia 24504

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 209

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 210

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name James A. Dashiell
a.k.a. James A. Deshield
Address c/o Ben Williams, Route 3, Princess Anne, Maryand 21853

County Somerset

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Alvin O. Morris, Jr.

Address Route 1, Box 157G, Keedysville, Maryland 21756

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

Theodore Phoebus
CLERK

Copy ~~mailed~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 211

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 212

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Janet L. Morris

Address 1703 Henry Road, Rockville, Maryland 20851

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name General Electric Credit Corporation
Acct. 5527-610328
Address P.O. Box 202
~~XXXXXXXX~~ Falls Church, Virginia 22046

SERVE ON
Corporated Trust Incorporated
32 South Street
Baltimore, Maryland 21202
Resident Agent

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~XXXXXX~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 213

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 214

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Ella M. Dize

Address c/o Mrs. Judy McAvay, 1624 Heather Heights, Sykesville, Maryland 21784

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Lettie Costen
c/o Miss Edith Costen

Address 24-46 N. 27th Street, Philadelphia, Pennsylvania 19132

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 215

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 216

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Computer Procedures Co.
P.O. Box 1404
Address Wheaton, Maryland 20902

County

SERVE ON
Irving Saltz
President
P.O. Box 1404
Wheaton, Maryland 20902

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name John Wesley Roberts

Address Dames Quarter, Maryland 21820

County Somerset

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 217

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 218

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Margaret Roberts

Address Dames Quarter, Maryland 21820

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985.

Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

Case Number 85-CA-00085 Civil Action

## NOTICE OF DEFAULT ORDER

TO:

Name Delmas E. Shores

Address Dames Quarter, Maryland 21820

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK Theodore Phoebus

Copy ~~XXXXXXX~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 219

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 220

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name William J. C. White

Address Dames Quarter, Maryland 21820

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

vs.

James A. Dashiell

a.k.a. James A. Deshield, Et al

Case Number 85-CA-00085 Civil Action

## NOTICE OF DEFAULT ORDER

TO:

Name Joseph Miles Ford

Address Box 63, Dames Quarter, Maryland 21820

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 221

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 222

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Jerry Tyler

Address 305 E. William Street, Salisbury, Maryland 21801

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985.

J. Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Glendon W. Bozman

Address c/o Hodson White
Dames Quarter, Maryland 21820

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 223

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 224

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Horace Johnson, Sr.

Address Manokin, Maryland 21836

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Horace Johnson, Jr.

Address Manokin, Maryland 21836

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~XXXXXXX~~ mailed/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 225

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 226

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Herschel V. Maddox

Address 600 Anneslie Road, Baltimore, Maryland 21212

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Maye Maddox

Address 600 Anneslie Road, Baltimore, Maryland 21212

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 227

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 228

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Virgil E. Maddox

Address N. Claremount Drive, Salisbury, Maryland 21801

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Emma Robinson

Address Deal Island, Maryland 21821

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 229

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 230

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Glendon W. Bozman

Address c/o Hodson White
Dames Quarter, Maryland 21820

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

Theodore Phoebus
CLERK

Copy ~~XXXXXX~~ delivered to Attorney:

Philip C. Widdowson

THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 2185

RETURNED TO SENDER
REASON CHECKED
Unclaimed ____ Refused ____
Addressee unknown ____
Insufficient Address ____
No such street ____ number ____
No such office in state ____
Do not remail in this envelope

SALISBURY, MD 21801
PM
8 FEB
1985

Past Forwarding Time ✓

Glendon W. Bozman
c/o Hodson White
Dames Quarter, Maryland 21820

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

vs.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Joseph Miles Ford

Address Box 63, Dames Quarter, Maryland 21820

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

I. Theodore Phoebus
CLERK

Copy ~~mailed~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-2300

BOOK 050 PAGE 231

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER
REASON CHECKED
Unclaimed ____ Refused ____
Address unknown ____
Insufficient Address ____
No such street ____ number ____
No such office in state ____
Do not remail in this envelope

SALISBURY, MD 21801
PM
8 FEB
1985

Box Closed - No Order

Joseph Miles Ford
Box 63
Dames Quarter, Maryland 21820

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 232

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name John Wesley Roberts

Address Dames Quarter, Maryland 21820

County Somerset

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

I. Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER
REASON CHECKED
Unclaimed ____ Refused ____
Addressee unknown ____
Insufficient Address ____
No such street ____ number ____
No such office in state ____
Do not remail in this envelope

SALISBURY, MD 21801
PM
8 FEB
1985

Deceased

John Wesley Roberts
Dames Quarter, Maryland 21820

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Garfield Robinson

Address Deal Island, Maryland 21821

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-2530

BOOK 050 PAGE 233

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER

REASON CHECKED
Unclaimed ____ Refused ____
Addressee unknown ✓
Insufficient Address ____
No such street ____ number ____
No such office in state ____
Do not resend to this envelope

SALISBURY, MD 21801
PM
8 FEB
1985

Garfield Robinson
~~Deal Island, Maryland 21821~~

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 234

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Emma Robinson

Address Deal Island, Maryland 21821

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

I. Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER

REASON CHECKED
Unclaimed ____ Refused ____
Addressee unknown Deceased
Insufficient Address ____
No such street ____ number ____
No such office in state ____
No mail received for this address

SALISBURY, MD 21801
PM
8 FEB
1985

Emma Robinson
~~Deal Island, Maryland 21821~~

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

Case Number 85-CA-00085 Civil Action

## NOTICE OF DEFAULT ORDER

TO:

Name Alvin O. Morris, Jr.

Address Route 1, Box 157G, Keedysville, Maryland 21756

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-2300

BOOK 050 PAGE 235

THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER
NO SUCH NUMBER

SALISBURY, MD 21801
PM
8 FEB
1985

COLLECTING

Alvin O. Morris, Jr.
Route 1, Box 157G
Keedysville, Maryland 21756

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 236

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Computer Procedures Co.
P.O. Box 1404
Address Wheaton, Maryland 20902

County

SERVE ON
Irving Saltz
President
P.O. Box 1404
Wheaton, Maryland 20902

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

I. Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER

Box Closed - No Order

SALISBURY, MD 218
8 FEB
1985

Irving Saltz
P.O. Box 1404
Wheaton, Maryland 20902

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Virgil E. Maddox

Address N. Claremount Drive, Salisbury, Maryland 21801

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 237

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER
NOT DELIVERABLE AS ADDRESSED - UNABLE TO FORWARD

SALISBURY, MD 21801
2M
8 FEB
1985

unk c-1L

Virgil E. Maddox
N. Claremount Drive
Salisbury, Maryland 21801

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 238

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Lettie Costen
c/o Miss Edith Costen
Address 24-46 N. 27th Street, Philadelphia, Pennsylvania 19132
County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

I. Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-[illegible]

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

SALISBURY, MD 21801
PM
8 FEB
1985

RETURN TO SENDER
ATTEMPTED NOT KNOWN

Lettie Costen
c/o Miss Edith Costen
24-46 N. 27th Street
Philadelphia, Pennsylvania 19132

AM E 3202

| | | |
|---|---|---|
| WILLIAM MOTON, Et Ux<br>Plaintiffs | * | IN THE CIRCUIT COURT FOR |
| | * | |
| VS. | | SOMERSET COUNTY, MARYLAND |
| | * | |
| JAMES A. DASHIELL<br>a.k.a. JAMES A. DESHIELD, Et Al<br>Defendants | * | CIVIL ACTION NO. 85-CA-00085 |

TESTIMONY

In this cause, testimony having to be taken to support the allegations of the Complaint, I, Dawn M. Dryden, of Princess Anne, Maryland, Special Examiner of the Circuit Court for Somerset County, Maryland, duly appointed, sworn, etc., do hereby certify that on this 13th day of February, 1985, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION OF PHILIP R. MAHAN:

Philip R. Mahan, a witness of lawful age produced on behalf of the Plaintiffs, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.

A. I am Philip R. Mahan. I reside in Somerset County, Maryland, and I am the duly elected and qualified Treasurer of Somerset County, and as such, collect the State and County Taxes for Somerset County.

Q. Mr. Mahan, I hand you certain documents previously filed in this proceeding and ask if you can identify them.

A. Yes, these documents are certificates of sale issued by Carlos Bozman, former County Treasurer, to William Moton as the purchaser at certain tax sales held by Mr. Bozman in his official capacity on November 16, 1982.

Q. Will you please identify the certificates more specifically.

A. Yes, I am now testifying in reference to eleven certificates of sale, dated November 16, 1982, signed by Carlos Bozman, as Collector, and notarized on November 16, 1982, by Gertrude H. Bozman, Notary Public. The first certificate relates to the property assessed to James A. Dashiell, a.k.a. James A. Deshield, referred to in the Complaint in paragraph 1.(a). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $125.00, of which $102.29 was paid on the date of sale. The

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

second certificate relates to the property assessed to Alvin O. Morris, Jr. and Janet L. Morris referred to in the Complaint in paragraph 1.(b). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $1,600.00 of which $54.59 was paid on the date of sale. The third certificate relates to the property assessed to General Electric Credit Corp. referred to in the Complaint in paragraph 1.(c). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $510.00 of which $509.64 was paid on the date of sale. The fourth certificate relates to the property assessed to Ella M. Dize referred to in the Complaint in paragraph 1.(d). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $125.00 of which $99.37 was paid on the date of sale. The fifth certificate relates to the property assessed to Lettie Costen referred to in the Complaint in paragraph 1.(e). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $400.00 of which $45.66 was paid on the date of sale. The sixth certificate relates to the property assessed to Computer Procedures Co. referred to in the Complaint in paragraph 1.(f). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $165.00 of which $163.81 was paid on the date of sale. The seventh certificate relates to the property assessed to John Wesley Roberts and Margaret Roberts referred to in the Complaint in paragraph 1.(g). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $600.00 of which $283.22 was paid on the date of sale. The eighth certificate relates to the property assessed to Joseph Miles Ford and Jerry Tyler referred to in the Complaint in paragraph 1.(h). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $110.00 of which $109.62 as paid on the date of sale. The ninth certificate relates to the property assessed to Glendon W. Bozman and Anna F. Bozman referred to in the Complaint in paragraph 1.(i). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $100.00 of which $82.79 was paid on the date of sale. The tenth certificate relates to the property assessed to Horace Johnson, Sr. and Horace Johnson Jr. referred to in the Complaint in paragraph 1.(j). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $340.00 of which $ 83.97 was paid on the date of sale. The eleventh certificate relates to the property assessed to Emma Robinson and Garfield Robinson referred to in the Complaint in paragraph 1.(k). The certificate cites a sale to Mr. Moton on November 16, 1982, in the sum of $145.88 of which $145.48 was paid on the date of sale.

Q. Prior to the offering of these properties for sale at public auction for delinquent taxes, did you or your deputies receive due notice of assessment of these properties and tax bills for them for the years for which these were sold, and did you or your deputies comply with all the prerequisites of law pertaining to said tax sales?

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

A. Yes. The properties were so assessed and such bills were received and my deputies and Mr. Bozman complied with all the prerequisites of law in advertising and holding the tax sales.

Q. With reference to the eleven properties which you have set forth in your testimony, have you received any notice of redemption of these properties or any notice of intent to redeem these properties or any offers for payment on account of such redemption from any person or persons?

A. Yes, the property mentioned in paragraph 1.(b) of the Complaint was redeemed by Janet L. Morris. In regard to the other properties, there have been no notices or offers of redemption.

Q. Since the date of the tax sale and the filing of the Complaint, has the purchaser, William Moton, made any further payments to you in your official capacity?

A. No.

Q. Does Mr. Moton owe anything further to your Office on account of these properties?

A. Yes, in regard to the property mentioned in paragraph 1.(a) of the Complaint, there is owed the balance of the purchase price which is $22.01 and taxes of $36.06 which includes February interest. In regard to the property mentioned in paragraph 1.(c) of the Complaint, there is owed the balance of the purchase price which is $.36 and taxes of $43.86 which includes February interest. In regard to the property mentioned in paragraph 1.(d) of the Complaint, there is owed the balance of the purchase price which is $25.63 and taxes of $43.23 which includes February interest. In regard to the property mentioned in paragraph 1.(e) of the Complaint, there is owed the balance of the purchase price which is $354.34 and taxes of $10.43 which includes February interest. In regard to the property mentioned in paragraph 1.(f) of the Complaint, there is owed the balance of the purchase price which is $1.19 and taxes of $32.73 which includes February interest. In regard to the property mentioned in paragraph 1.(g) of the Complaint, there is owed the balance of the purchase price which is $316.78 and taxes of $105.03 which includes February interest. In regard to the property mentioned in paragraph 1.(h) of the Complaint, there is owed the balance of the purchase price which is $.38 and taxes of $2.32 which includes February interest. In regard to the property mentioned in paragraph 1.(i) of the Complaint, there is owed the balance of the purchase price which is $17.21 and taxes of $2.32 which includes February interest

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

In regard to the property mentioned in paragraph 1.(j) of the Complaint, there is owed the balance of the purchase price which is $256.03 and taxes of $39.93 which includes February interest. In regard to the property mentioned in paragraph 1.(k) of the Complaint, there is owed the balance of the purchase price which is $.40 and taxes of $39.84 which includes February interest.

Q. Do you, in your official capacity, know of any reason why the sale of this property to Mr. Moton should not be ratified by this Court or do you have any objection to such ratification?

A. I know of no reason why the sale should not be ratified and I have no objection to its ratification.

Q. COURT'S QUESTION:

A. Nothing further.

Philip R. Mahan
Philip R. Mahan
Treasurer for Somerset County

EXAMINATION OF PHILIP C. WIDDOWSON, ESQ.:

Philip C. Widdowson, a witness produced on behalf of the Plaintiffs, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.

A. I am Philip C. Widdowson, and I reside at Revell's Neck, Maryland. I am an attorney at law with an office for the practice of my profession in Princess Anne, Somerset County, Maryland.

Q. Will you please state your connection with this proceeding.

A. I was retained by the Plaintiff, William Moton, the purchaser of certain properties at tax sales held by the County Treasurer on November 16, 1982. I was requested by Mr. Moton to make an examination of the public records of Somerset County pertaining to the ownership of the properties mentioned in the Complaint in paragraphs 1.(a) through 1.(k) inclusive and to take such steps as are required by law to give notice of this proceeding to the attention of the former owners of record and to any orther persons who might be interested in said properties or the redemption of them.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

Q. What legal actions did you take?

A. I personally examined the appropriate Somerset County records and prepared and filed the Complaint in this proceeding together with an affidavit dated November 7, 1984, referring to my title examinations. I now reaffirm the contents of the affidavit as a part of my testimony in this proceeding. I also caused to be published the order of publication herein as more fully appears by the printer's certificate heretofore filed in this proceeding and caused subpoenas to be issued and served upon those property owners subject to process.

Q. Since the filing of the suit, the issuance of subpoenas and the publication of the order of publication, have there been any changes in the status of the properties mentioned in the Complaint?

A. Yes, the property mentioned in paragraph 1.(b) of the Complaint was redeemed by one of its owners, Janet L. Morris. There have been no changes in regard to the properties mentioned in paragraph 1.(a) and paragraphs 1.(c) through 1.(k) inclusive of the Complaint.

Q. Has any offer been made to you to redeem the properties described in the Complaint?

A. Other than the property mentioned in paragraph 1.(b) of the Complaint, no person has made any offer to me to redeem the properties to which you refer nor has anyone disclosed to me any intention to redeem them.

Q. Do you know of any reason why the sale of these properties should not be ratified by this Court?

A. No.

Q. COURT'S QUESTION:

A. Nothing further.

Philip C. Widdowson

Philip C. Widdowson

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

Witness my hand and seal. Dawn M. Dryden (SEAL)

Dawn M. Dryden, Special Examiner

Bill of Costs:

Special Examiner $25.00

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 244

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Jerry Tyler

Address 305 E. William Street, Salisbury, Maryland 21801

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

HEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
NCESS ANNE, MD. 21853

Return

SALISBURY, MD 21801
PM
8 FEB
1985

Jerry Tyler
305 E. William Street
Salisbury, Maryland 21801

no longer resides here - hasn't since Feb 182

William Moton and
Lillian Moton,

Plaintiffs

vs

Janet L. Morris, et al.,

Defendants

Civil Action No. 00085

In the Circuit Court for

Somerset County, Maryland

ORDER OF COURT

The aforegoing Petition and Consent having been read and considered, together with the pleadings and exhibits filed in the above entitled case, together with supporting documents, it is hereby ORDERED this 14th day of February, 1985, that the amount necessary for the redemption of the above described property by the said Janet L. Morris is as follows:

| | | |
|---|---|---|
| To reimburse William Moton for payment advanced Carlos Bozman, Treasurer, for delinquent taxes and costs of sale | | $54.59 |
| To interest due Plaintiff through January, 1985 | | 7.10 |
| To costs of proceedings provided by § 111 of Article 81: | | |
| To proportionate share of publishing Order of Publication | $61.37 | |
| To proportionate share of Court costs | 28.52 | 89.89 |
| To examination of title | | 75.00 |
| To Attorney's fees | | 100.00 |
| To taxes arising subsequent to date of sale: | | |
| 1982-83 taxes (includes January's int.) | 5.98 | |
| 1983-84 taxes (includes January's int.) | 11.92 | |
| 1984-85 taxes (includes January's int.) | 17.14 | 35.04 |
| Total amount necessary for redemption affixed in accordance with the requirements of Article 81, Section 94. | | $361.62 |
| Plus outstanding Court costs | | 10.00 |
| | | $371.62 |

BOOK 050 PAGE 245

Lloyd L. Simpkins
Judge

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 246

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name William J. C. White

Address Dames Quarter, Maryland 21820

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

I. Theodore Phoebus
CLERK

Copy ~~mailed~~/delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURNED TO SENDER
REASON CHECKED
Unclaimed ____ Refused ____
Addressee unknown ____
Insufficient Address ____
No such street ____ number ____
No such office in state ____
Do not remail in this envelope

SALISBURY, MD 21801
PM
8 FEB
1985

William J. C. White
Dames Quarter, Maryland 21820

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

## NOTICE OF DEFAULT ORDER

TO:

Name Alvin O. Morris, Sr.
Personal Representative of the Estate of Alvin O. Morris, Jr.
Address 412 Harrison Street, Lynchburg, Virginia 24504

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

J. Theodore Phoebus
CLERK

Copy ~~XXXXXX~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-2300

BOOK 050 PAGE 247

J. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RECORDED IN LIBER 42 FOLIO
CLERK OF CIRCUIT COURT
BY DEPUTY

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SALISBURY, MD 21801
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8 FEB
1985

LYNCHBURG
PM
12 FEB
1985

Alvin O. Morris, Sr.
412 Harrison Street
Lynchburg, Virginia 24504

HOUSE VACAN
463
2-13-85

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RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 248

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Maye Maddox

Address 600 Anneslie Road, Baltimore, Maryland 21212

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

CLERK

Copy ~~XXXXXX~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-2800

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURN

RETURNED TO WRITER
REASON CHECKED
Unclaimed ..... Refused.....
Addressee unknown.....
Insufficient Address.....
No such street..... number.....
No such office in state .....
Do not re-mail in this envelope

BALTIMORE, MD. 21212 FEB 8 1985 PM

Maye Maddox
600 Anneslie Road
Baltimore, Maryland 21212

UNKNOWN AT THIS ADDRESS - IF ANYONE OF THIS NAME LIVED HERE, IT WOULD HAVE BEEN 30-40 YEARS AGO.

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

William Moton, Et ux

Case Number 85-CA-00085 Civil Action

VS.

James A. Dashiell

a.k.a. James A. Deshield, Et al

NOTICE OF DEFAULT ORDER

TO:

Name Herschel V. Maddox

Address 600 Anneslie Road, Baltimore, Maryland 21212

County

You are hereby notified that an Order of Default has been entered against you in the above entitled case on February 7, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued February 8, 1985

I. Theodore Phoebus
CLERK

Copy ~~mailed~~ delivered to Attorney:

Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
651-3800

BOOK 050 PAGE 249

I. THEODORE PHOEBUS
CLERK OF THE CIRCUIT COURT
FOR SOMERSET COUNTY
PRINCESS ANNE, MD. 21853

RETURN

RETURNED TO SENDER
ADDRESSEE UNKNOWN
21212

SALISBURY MD 21801
BALTIMORE MD 21212
PM
FEB 25 1985

NATIONAL CHILDREN'S

Herschel V. Maddox
600 Anneslie Road
Baltimore, Maryland 21212

UNKNOWN AT THIS ADDRESS - IF ANYONE OF THIS NAME LIVED HERE, IT WOULD HAVE BEEN 30-40 YEARS AGO

| | | |
|---|---|---|
| WILLIAM MOTON, Et Ux<br>Plaintiffs | * | IN THE CIRCUIT COURT |
| VS. | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| JAMES A. DASHIELL<br>a.k.a. JAMES A. DESHIELD, Et Al<br>Defendants | * | CIVIL ACTION NO. 85-CA-00085 |

DECREE

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

DECREED, this 11th day of MARCH 1985, by the Circuit Court for Somerset County, Maryland, that as to the properties hereinafter named and described in this Decree, there is hereby vested in the Plaintiffs, William Moton and Lillian Moton, an absolute and indefeasible title in fee simple in said properties, free and clear of all alienations and descents of the properties occurring prior to the time and date of this decree and free and clear of any encumbrances thereon, except taxes accruing subsequent to the date of sale (if any of said taxes remain outstanding, due and unpaid) and except easements to which said properties are subject and of which the Plaintiffs have actual and constructive notice at the time of said sale, and it is further

DECREED that all of the right, title and interest of the Defendants, as set forth in the Complaint and all persons having or claiming to have any interest in the properties mentioned and described in this proceeding, be and the same are hereby foreclosed, and it is further

DECREED that Philip R. Mahan, Collector of Taxes for the State of Maryland and the County of Somerset, execute a deed to William Moton and Lillian Moton conveying the hereinafter-described properties upon payment to said Collector of the balance of the purchase price due on account of the purchase price of the properties, together with all taxes and interest and penalties thereon accruing subsequent to the date of sale (if any of said purchase price, taxes, interest and penalties remain outstanding, due and unpaid), and that the supervisor of assessment for Somerset County, Maryland, enroll the Plaintiffs, William Moton and Lillian Moton, as the owners of the hereinafter described properties in fee simple, the aforesaid deed to be prepared by the Plaintiffs' attorney, and all expenses incident to the preparation and execution of said deed shall be paid by the said William Moton and Lillian Moton and it is further

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3808

DECREED that the Clerk of the Circuit Court for Somerset County shall issue a certified copy of this Decree to the aforesaid Philip R. Mahan, Collector of Taxes for the State of Maryland and County of Somerset, and to the Supervisor of Assessments for Somerset County, and the said Collector shall not be obligated to execute the deed hereinbefore provided for until such certified copy of said Decree is served upon him and it is further

DECREED that the Plaintiffs, William Moton and Lillian Moton, shall forthwith and before delivery of said certified copy of this Decree to said Collector and Supervisor by said Clerk, shall pay all Court costs accrued to date in this proceeding and it is further

DECREED that the property subject to this Decree is identified and described as follows:

ITEM ONE: All that lot of land 50 feet by 100 feet on Deal Island Road; bearing County Tax Map #15-16-193, located in the West Princess Anne Election District and assessed to James A. Dashiell.

ITEM THREE: All that lot 102 feet X 100 feet X 122 feet, south side Costen Station Road, northwest of Pocomoke bearing County Tax Map #41-18-158, Liber 247, folio 595, located in Dublin Election District and assessed to General Electric Credit Corp.

ITEM FOUR: All that 0.50 acre, Rt. 361 south side Manokin to Fairmount Road, Manokin, bearing County Tax Map #39-12-56, Liber 281 folio 706, located in Fairmount Election District and assessed to Ella M. Dize.

ITEM FIVE: All that 0.5 acre, off east side Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-101, Liber 155, folio 270 and Liber 186, folio 425, located in Fairmount Election District and assessed to Lettie Costen.

ITEM SIX: All that 0.5 acre, east side of Upper Hill Road, Upper Hill, bearing County Tax Map #39-9-107, Liber 282, folio 790, located in Fairmount Election District and assessed to Computer Procedures Co.

ITEM SEVEN: All that 1.5 acres, east side Tangier Beach Road, Dames Quarter, bearing County Tax Map #20-4-49, located in Dames Quarter Election District and assessed to John Wesley Roberts and Margaret Roberts.

ITEM EIGHT: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-24, Liber 281, folio 149 and Liber 91, folio 79, located in Dames Quarter Election District and assessed to Joseph Miles Ford and Jerry Tyler.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2500

ITEM NINE: All that lot 35 X 100 on Tangier Sound, Dames Quarter, bearing County Tax Map #12-17-26, Liber 266, folio 770, located in Dames Quarter Election District and assessed to Glendon W. Bozman and Anna F. Bozman.

ITEM TEN: All that lot 90 feet X 324 feet on east side of Annamessex Bridge Road, near Marion, bearing County Tax Map #39-18-362, Liber 158, folio 496, located in Westover Election District and assessed to Horace Johnson, Sr. and Horace Johnson, Jr.

ITEM ELEVEN: All that 0.25 acre off west side Route 363, Deal Island, bearing County Tax Map #28-12-208, located in Deal Island Election District and assessed to Emma Robinson and Garfield Robinson.

Lloyd L. Griffiths
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

March 11, 1985
DATE

I hereby acknowledge Receipt of a Certified copy of Decree filed in the case of William Moton, Et ux v. James A. Dashiell a.k.a. James A. Deshield, Et al being ~~xxxxxxx~~ Civil Action Case No. 85-CA-00085.

Philip R. Mahan
Philip R. Mahan, Treasurer

Robert L. Lankford RC
Robert L. Lankford, Assessor

Exd.
JUL 10 1985

BOOK 050 PAGE 254

| | | |
|---|---|---|
| DAVIS L. CHELTON<br>Cedar Lane<br>P.O. Box 62<br>Pocomoke City, Maryland 21851<br><br>and<br><br>DORIS CARMINE CHELTON<br>545A Silver Lane<br>Crisfield, Maryland 21817<br><br>Plaintiffs<br><br>vs.<br><br>WILLIAM T. CHELTON<br>Route 1, Box 60<br>Marion, Maryland 21838<br><br>Defendant | * | NO. 11,806 CHANCERY<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |

* * * * * * * * * * * * *

INFORMATION SHEET

PLAINTIFFS:

DAVIS L. CHELTON
Cedar Lane
P.O. Box 62
Pocomoke City, Maryland 21851

DORIS CARMINE CHELTON
545A Silver Lane
Crisfield, Maryland 21817

ATTORNEYS FOR PLAINTIFF:

L. BRUCE WADE
CLARKE & HEARNE, P.A.
107 Baptist Street
Salisbury, Maryland 21801-4997
Telephone: (301) 546-9991

JOHN C. NASON
JOHN R. SULLIVAN
BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

DEFENDANT:

WILLIAM T. CHELTON
Route 1, Box 60
Marion, Maryland 21838

ATTORNEY FOR DEFENDANT:

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

| | | |
|---|---|---|
| DAVIS L. CHELTON<br>Cedar Lane<br>P.O. Box 62<br>Pocomoke City, Maryland 21851 | * | NO. 11,806 CHANCERY |
| | * | IN THE CIRCUIT COURT |
| and | * | FOR SOMERSET COUNTY |
| DORIS CARMINE CHELTON<br>545A Silver Lane<br>Crisfield, Maryland 21817 | * | STATE OF MARYLAND |
| Plaintiffs | * | |
| vs. | * | |
| WILLIAM T. CHELTON<br>Route 1, Box 60<br>Marion, Maryland 21838 | * | |
| Defendant | * | |

* * * * * * * * * * * * *

INSTRUCTIONS TO CLERK

Dear Clerk:

Please file the enclosed Bill Of Complaint For Sale Of Real Estate In Lieu Of Partition and issue a summons for the Defendant, William T. Chelton, and forward same to the Sheriff's Department for Somerset County for service.

JOHN C. NASON

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

L. BRUCE WADE

CLARKE & HEARNE, P.A.
107 Baptist Street
Salisbury, Maryland 21801-4997
Telephone: (301) 546-9991

Attorneys for Plaintiff

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

BOOK 050 PAGE 256

| | | |
|---|---|---|
| DAVIS L. CHELTON<br>Cedar Lane<br>P.O. Box 62<br>Pocomoke City, Maryland 21851 | * | NO. 11,806 CHANCERY |
| | * | IN THE CIRCUIT COURT |
| and | * | FOR SOMERSET COUNTY |
| DORIS CARMINE CHELTON<br>545A Silver Lane<br>Crisfield, Maryland 21817 | * | STATE OF MARYLAND |
| Plaintiffs | * | |
| vs. | * | |
| WILLIAM T. CHELTON<br>Route 1, Box 60<br>Marion, Maryland 21838 | * | |

* * * * * * * * * * * * *

BILL OF COMPLAINT

FOR SALE OF REAL ESTATE IN LIEU OF PARTITION

Comes now Davis L. Chelton and Doris Carmine Chelton, Plaintiffs, by and through their attorneys, L. Bruce Wade and Clarke and Hearne, P.A., and John C. Nason, John R. Sullivan and Banks, Nason and Hickson, P.A., respectively, and respectfully files this Bill Of Complaint For Sale Of Real Estate In Lieu Of Partition, in support thereof state the following:

1. That the Plaintiffs, Davis L. Chelton and Doris Carmine Chelton, and the Defendant, William T. Chelton are the owners as tenants in common of property located in Somerset County which is more particularly described in the attached deeds referred to herein.

2. That Davis L. Chelton, Ivan D. Chelton and William T. Chelton were the sons of W. Guy Chelton of Somerset County, State of Maryland and Georgia E. Chelton, late of Somerset County, Maryland. That the Last Will and Testament of W. Guy Chelton and Georgia E. Chelton, which are attached hereto and incorporated herein by reference as Exhibits A & B, respectively, dated February 2, 1943 and June 1, 1966, and recorded among the Testamentary Records of Somerset County, Maryland, in Liber E.L.F. No. 37, Folio 103 and in Liber E.L.F. No. 37, Folio 466, and duly admitted to probate in Estate Nos. 979 and 1267, in the

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HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

Orphan's Court for Somerset County, Maryland, respectively, give and devise all of the real property which they may have been seized and possessed at the time of their death to their sons to hold as tenants in common. That attached hereto and incorporated herein by reference as Exhibits C, D, E and F are copies of deeds held by William Guy Chelton, individually and William Guy Chelton and Georgia E. Chelton, as tenants by the entireties, at the time of their death.

3. That upon the death of their parents, Davis L. Chelton, Ivan Douglas Chelton and William T. Chelton became owners as tenants in common in the property described herein.

4. That attached hereto and incorporated herein by reference as Exhibit G is a copy of a Deed from Doris Carmine Chelton, Personal Representative of the Estate of Ivan Douglas Chelton, to Doris Carmine Chelton, dated June 29, 1978 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 308, Folio 402, transferring to Doris Carmine Chelton, Ivan Douglas Chelton's one-third (1/3) interest in the property he obtained from his parents, W. Guy Chelton and Georgia E. Chelton.

5. That the property described in Exhibits C, D, E and F is now held as tenants in common by Davis L. Chelton, Doris Carmine Chelton and William T. Chelton and contains approximately 90.25 acres, more or less, according to the tax maps of Somerset County.

6. That it is the wish of the Plaintiffs, Davis L. Chelton and Doris Carmine Chelton, as tenants in common with the Defendant, William T. Chelton, that the said property described herein be sold.

7. That the subject property is contiguous and not capable of division between the parties by any other means other than sale; therefore, Plaintiffs believe that the fairest way to dispose of the subject property is by way of sale through a Trustee under supervision of this Honorable Court.

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HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

WHEREFORE, your Plaintiffs request this Honorable Court to grant the following relief:

A. Assume jurisdiction over the subject property and refer same to hearing.

B. Decree the sale of the subject property.

C. Appoint Trustees to make such sale by private or public means in accordance with the Maryland Rules of Procedures.

D. Order that all costs of the sale be paid from the proceeds of sale and distribute the net proceeds to the parties herein in shares in accordance with their interest therein.

E. And for such other further relief as the nature of the parties may require.

AND, AS IN DUTY BOUND, ETC...,

Davis L. Chelton

Doris Carmine Chelton

L. BRUCE WADE

CLARKE & HEARNE, P.A.
107 Baptist Street
Salisbury, Maryland 21801-4997
(301) 546-9991
Attorneys for Davis L. Chelton, Plaintiff

JOHN C. NASON

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644
Attorneys for Doris Carmine Chelton, Plaintiff

We, Davis L. Chelton and Doris Carmine Chelton, Plaintiffs herein, hereby declare and affirm under the penalties of purjury that the matter stated above in the Petition For Sale Of Real Estate In Lieu Of Partition are true to the best of our knowledge, information and belief.

Davis L Chelton
DAVIS L. CHELTON

Doris Carmine Chelton
DORIS CARMINE CHELTON

For "EXHIBIT C" see Liber WJS No. 74 folio 65
For "EXHIBIT D" see Liber WJS No. 91 folio 205
For "EXHIBIT E" see Liber BLB No. 124 folio 127
For "EXHIBIT F" see Liber BLB No. 172 folio 160
For "EXHIBIT G" see Liber ITP No. 308 folio 402



LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

11,806

"EXHIBIT A"

BOOK 050 PAGE 260

I, W. Guy Chelton of Somerset County, State of Maryland, do hereby revoke all other wills and codicils by me heretofore made and I do hereby make, publish and declare this to be my last will and testament, to-wit:

FIRST: I direct my executrix or executor hereinafter named to pay all my just debts and funeral expenses and the cost of a suitable burial lot and the erection of a suitable marker or monument thereon (or such of these as have not otherwise been provided for in my lifetime); and the amount of funeral expenses, cost of burial lot and the cost of the erection of the said marker or monument shall be in the sole discretion of my executrix or executor aforesaid.

SECOND: I give and bequeath all of my household furniture, ornaments, silverware together with all of my wearing apparel, jewelry, automobiles and other goods and chattels which may be located in and about my home or the dwelling house occupied by me at the time of my death and used in connection therewith to my wife, Georgia E. Chelton, if she survive me and if my said wife be not living at the time of my death, then I give and bequeath the aforesaid goods and chattels to my children, Davis L. Chelton, William T. Chelton, Ivan D. Chelton and to the survivor or survivors of them.

THIRD: I direct that all taxes including all inheritance and succession taxes, Federal Estate taxes, Maryland Estate taxes, as well as all similar taxes which may be levied or assessed against my said estate or against any devise or bequest herein shall be paid out of my personal property and estate. And I further direct that neither the trust estate hereinafter created nor any beneficiary under the provisions of this my last will and testament or any beneficiary of any life insurance of which I am insured shall be required to pay any portion of such taxes. I further direct my

said executrix or executor to pay out of my said personal estate any and all taxes imposed on any property, real or personal, owned by me at the time of my death, including any interest legal or equitable therein or in any monies on deposit at any bank or trust company jointly owned by me and my said wife or in the names of myself and my said wife or passing to my said wife as the survivor.

FOURTH: All the rest and residue of my personal property and estate including stocks, bonds and other evidences of debt, money in bank, partnership interests and all other personal assets of every kind and description, I give and bequeath to my said wife, Georgia E. Chelton, in trust nevertheless to hold, invest, reinvest and keep invested said trust property and to collect the income, revenues, issues and profits arising therefrom and after first paying or providing for the payment of all taxes, costs and other expenses incident to the administration of said Trust, to pay to herself annually the residue of said income during the period of her natural life; and from and after the death of the said Georgia E. Chelton, I give and bequeath said residue of my said personal property and estate to my said sons, Davis L. Chelton, William T. Chelton, Ivan D. Chelton, the child or children of any deceased son to take its parent's share, but should any of my said sons die without leaving any child, then to the survivors or survivor of my said sons; and in the administration of said trust my said wife shall have full power and authority:-

(1) To retain at her discretion any investments in the form in which they may be at the time they come into her hands.

(2) To invest any cash which may come into her possession as Trustee aforesaid and to reinvest, alter, vary and change investments and reinvestment from time to time at her discretion; and it is my wish and desire that in making investment of any of said Trust funds or changing or altering investments or reinvestments of said Trust assets my said wife shall consult and advise

with my said sons or the survivor or survivors of them, but my said Trustee shall have full power and authority to make final decision as to such investment or reinvestment.

(3) To exercise any conversion privilege and/or subscription right available in connection with any securities or other property at any time held by her, to consent to the reorganization, consolidation, merger or readjustment of the finances of any corporation, company or association or to the sale, mortgage, pledge or lease of the property of any corporation, company or association any of the securities of which may at any time be held by her and to act with reference thereto, including the exercise of options, making of agreements or subscriptions, and the payment of expenses, assessments or subscriptions which she may deem advisable or necessary in connection therewith and to hold and retain any securities or other property which she may so acquire.

(4) To vote personally or by general or limited proxy, any shares of stock which may be held by her at any time and similarly, to exercise personally or by general or limited power of attorney, any right appurtenant to any securities or other property held by her at any time.

(5) To apportion between principal and income any expenditures which in her opinion should be apportioned, notwithstanding any legal rule to the contrary; and to credit either to income or corpus in her discretion dividends received from companies whose assets may be considered as wasting in nature, as well as dividends declared by corporations in securities or other property, and rights to subscribe for stock whether availed of or not by my Trustee.

FOURTH: I give and devise all of the real estate of which I may die seized and possessed to my said wife, Georgia E. Chelton,

to have, hold, use and enjoy during the period of her natural life and from and after the death of my said wife I give and devise said real estate to my said sons, Davis L. Chelton, William T. Chelton, Ivan D. Chelton, then living, and to the child or children then living of any of my said sons who may then be deceased, as tenants in common, the child or children of any deceased son or sons to take per stirpes and not per capita only the share or shares which the parent or respective parents, if living would have taken.

FIFTH: I do hereby constitute and appoint my said wife, Georgia E. Chelton to be the executrix of this my last will and testament, without bond, and in the event that my said wife be not living at the time of my death, then I constitute and appoint my said son, William T. Chelton, to be the executor of this my last will and testament, without bond.

Given under my hand and seal this 2nd day of February nineteen hundred and forty-three.

W. Guy Chelton (SEAL)

Signed, sealed, published and declared by the above named testator as and for his last will and testament, in the presence of us, who at his request and in his presence and in the presence of each other, have hereunto subscribed our names as witnesses.

Robert L. Dyer

Geo. H. Myers

BOOK 050 PAGE 263.

11806

"EXHIBIT B"

LIBER 37 PAGE 466 BOOK 050 PAGE 264

I, GEORGIA E. CHELTON, of Somerset County and State of Maryland, do make this my Last Will and Testament, in manner following, that is to say:

After the payment of all my just debts and funeral expenses, I give, devise and bequeath my estate as follows:

FIRST:

I give and bequeath unto my daughter-in-law, Doris Chelton, my diamond engagement ring, my wedding ring, and my birth stone amethyst ring.

SECOND:

I give and bequeath unto my son, Davis L. Chelton, and his wife, Hettie Lee Chelton, my Haviland china set and silver service to hold for life and at the death of the survivor to my direct descendants.

THIRD:

I give and bequeath unto my son, William Travis Chelton, all of the rest and residue of my household furnishings, silver and china not specifically hereinbefore bequeathed.

FOURTH:

I give and bequeath unto my grandson, Kevin Chelton, ten (10) shares of Bank of Somerset stock.

FIFTH:

I give, devise and bequeath unto my son, William Travis Chelton, what is known as the Paul Coulbourn place which was acquired by two deeds, as follows: (1) To my late husband, W. Guy Chelton, and Georgia E. Chelton from Thomas Paul Coulbourn, dated November 24, 1954 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 166, folio 431; and (2) To Georgia E. Chelton from Austin Whittington Farms, Inc., dated June 15, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 222, folio 164, subject, however, to the charge hereinafter set forth.

SIXTH:

I give, devise and bequeath all of the rest and residue of my estate, real and personal, of every kind and wheresoever situate, unto my three sons, Davis L. Chelton, I. Douglas Chelton and William Travis Chelton, share and share alike.

Presently the Cullen Farm which was conveyed to my late husband, W. Guy Chelton, and Georgia E. Chelton by Harry C. Dashiell, Trustee, by deed dated June 30, 1941 and recorded among the aforesaid Land Records in Liber B.L.B. No. 118, folio 504, except so much as I conveyed unto Davis L. Chelton and Hettie L. Chelton by deed dated June 8, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 222, folio 106, is encumbered by a mortgage to the Bank of Somerset. In the event this mortgage has not been satisfied at the time of my death the remaining balance that might be due thereon shall be a charge upon the Coulbourn Farm which I devised in the FIFTH item of this will to William Travis Chelton and the specific devise therein to the said William Travis Chelton against whose share in my estate it shall be charged until paid by him.

SEVENTH:

I constitute and appoint my son, the said William Travis Chelton, and Edgar A. Jones, or the survivor of them, to be the Executors of this my Last Will and Testament, hereby revoking all other wills and codicils by me heretofore made, and as I have entire confidence in my said Executors I desire that they shall be excused from the necessity of giving bond for the faithful performance of their duties further than shall be required by law to secure the payment of all debts and taxes and assessments properly chargeable upon my estate after my decease.

In testimony whereof I have hereunto subscribed my name and affixed my seal this 1st day of June, in the year nineteen hundred and sixty-six.

_____ (SEAL)
Georgia E. Chelton

Signed, sealed, published and declared by the above named testatrix, as and for her Last Will and Testament, in the presence of us, who, at her request, in her presence and the presence of each other, have hereunto subscribed our names as witnesses.



_____

_____

**WRIT OF SUBPOENA:** No. 11,806 Chancery Case

# The Circuit Court for Somerset County

Princess Anne, Maryland

BOOK 050 PAGE 266

The State of Maryland,

Somerset County, to wit:

TO William T. Chelton
Route 1, Box 60
Marion, Maryland 21838

Service and copy of subpoena and information sheet, Bill of complaint
on William Chelton
15 day of June, 1984

Deputy Bobby Jones
Sheriff. 2611

*GREETING:*

We command and enjoin you that you do within the time limited by law, beginning on the first Monday of July next and ending fifteen days thereafter cause your answer or other defense to be filed to the complaint of Davis L. Chelton
Cedar Land
P.O. Box 62
Pocomoke City, Maryland 21851

and

Doris Carmine Chelton
545A Silver Lane
Crisfield, Maryland 21817

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 Richard M. Pollitt Chief Judge of the First Judicial Circuit of Maryland.

Issued the 4th day of June, 19 84

TO THE DEFENDANT(S):

You are required to file your answer or other defense in the Clerk's Office on or before the 17th day of July, 19 84. 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: Banks, Nason & Hickson
Address: 216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801

Clarke & Hearne
107 Baptist Street
Salisbury, Maryland 21801

N. Theodore Pharaoh
Clerk

| | | |
|---|---|---|
| DAVIS L. CHELTON | : | NO. 11,806 CHANCERY |
| and | | |
| DORIS CARMINE CHELTON | : | IN THE CIRCUIT COURT |
| Plaintiffs | | |
| vs. | : | FOR SOMERSET COUNTY |
| WILLIAM T. CHELTON | | |
| Defendant | : | STATE OF MARYLAND |

::::::::

ANSWER TO BILL OF COMPLAINT

FOR SALE OF LAND IN LIEU OF PARTITION

TO THE HONORABLE, THE JUDGE OF SAID COURT:

William T. Chelton, the Defendant in the above captioned case, by his solicitor, Wade D. Ward, in Answer to Bill of Complaint hereinbefore filed in this cause, respectfully says:

1. That the Defendant admits the allegations set forth in Paragraphs One, Two, Three, Four, Five, Six and Seven of the said Bill of Complaint.

2. And in further answering the Respondent prays:

A. That he be granted such relief as the nature of his cause may require.

B. That Wade D. Ward be appointed co-Trustee in this cause.

William T. Chelton (SEAL)
William T. Chelton

Wade D. Ward
Solicitor for William T. Chelton
P.O. Box 647
Crisfield, Maryland 21817
301-968-1100

BOOK 050 PAGE 287

I DO HEREBY CERTIFY that on this 16th day of July, 1984, I did forward a copy of the foregoing Answer to Bill of Complaint For Sale of Land In Lieu of Partition to John C. Nason, Esquire and John R. Sullivan, Esquire, Banks, Nason & Hickson, P.A., 216 E. Main Street, P.O. Box 44, Salisbury, Maryland 21801 and to L. Bruce Wade, Esquire, Clarke & Hearne, P.A., 107 Baptist Street, Salisbury, Maryland 21801, by regula U.S. Mail, postage prepaid.

Wade D. Ward

LAW OFFICES
Clarke, Hearne, Webster & Sperry, P.A.
P. O. BOX 307
SALISBURY, MARYLAND 21801-0307
(301) 749-0333

LBW/jr

| | | |
|---|---|---|
| DAVIS L. CHELTON | : | NO. 11,806 CHANCERY |
| and | : | IN THE CIRCUIT COURT |
| DORIS CARMINE CHELTON | : | FOR SOMERSET COUNTY |
| Plaintiffs | : | AND STATE OF MARYLAND |
| v. | : | |
| WILLIAM T. CHELTON | : | |
| Defendant | : | |

* * * * *

CONSENT JUDGMENT

Upon consideration of the pleadings filed herein and with the consent of the parties hereto, acting through their respective attorneys, it is thereupon this 17th day of Aug, 1984, by the Circuit Court for Somerset County,

ORDERED that the real property, which is the subject of these proceedings, be sold at a private or public sale, subject to ratification by this Court, and it is further,

ORDERED that Leonard Bruce Wade, John C. Nason and Wade D. Ward be, and they are hereby appointed as Trustees for the purpose of selling said property and filing with this Court a report thereof, at which time this matter shall be referred to the auditor to determine and recommend the equities and interest of the parties hereto, and it is further,

ORDERED that the said Trustees shall post a bond in the amount of $ 75,000.00 in the form and manner as prescribed by the Maryland Rules.

Lloyd L. Simpkins
Judge

APPROVED AS TO FORM AND CONTENT:

CLARKE, HEARNE, WEBSTER
& SPERY, P.A.

By: L. Bruce Wade
Leonard Bruce Wade

Attorneys for Davis L. Chelton

BANKS, NASON & HICKSON, P.A.

By: John C. Nason
John C. Nason

Attorneys for Doris C. Chelton

Wade D. Ward
Wade D. Ward

Attorney for William T. Chelton

LAW OFFICES
Clarke, Hearne, Webster & Spery, P.A.
P. O. BOX 307
SALISBURY, MARYLAND 21801-0307
(301) 749-0333

JUDICIAL 15—MARYLAND—TRUSTEE'S D COMMITTEE'S BOND 6-41 2M

IN THE CIRCUIT COURT OF SOMERSET COUNTY

STATE OF MARYLAND

| | |
|---|---|
| DAVIS L. CHELTON and DORIS CARMINE CHELTON<br>Plaintiff<br>VS.<br>WILLIAM T. CHELTON<br>Defendant | BOND OF { ~~COMMITTEE~~ TRUSTEE<br>#11806 Chancery |

KNOW ALL MEN BY THESE PRESENTS: That we, Leonard Bruce Wade, John C. Nason and Wade D. Ward, Trustees as Principal, and UNITED STATES FIDELITY AND GUARANTY COMPANY, a body corporate, duly incorporated under the laws of the State of Maryland, and duly authorized by its charter to become sole surety on bonds, as Surety, are held and firmly bound unto the State of Maryland, in the full and just sum of Seventy-five Thousand Dollars ---------- Dollars ($75,000.00 -- ), current money, to be paid to the said State or its certain attorneys, for 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 5th day of September in the year of our Lord one thousand nine hundred and eighty-four.

WHEREAS, THE ABOVE BOUNDEN Leonard Bruce Wade, John C. Nason and Wade D. Ward, Trustees

by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County, Maryland dated the 17th day of August nineteen hundred and eighty-four have been appointed Trustees

mentioned in the proceedings in the case of Davis L. Chelton and Doris Carmine Chelton vs. William T. Chelton, to sell property jointly owned by them,

now pending in said Court.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bounden Leonard Bruce Wade, John C. Nason and Wade D. Ward, Trustees,

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 virtue in law.

Signed, sealed and delivered in the presence of

Shirley A. Lucchesi

Sandra Cuddy

LEONARD BRUCE WADE, TRUSTEE (SEAL)

JOHN C. NASON, TRUSTEE (SEAL)

WADE D. WARD, TRUSTEE (SEAL)

UNITED STATES FIDELITY AND GUARANTY COMPANY.

BY Geraldine H. Brimer, Attorney-in-Fact

Bond Approved and filed. FILED

Test: clerk

OCT 3 11 17 AM '84

RECORDED IN LIBER FOLIO ETHELDORA C. THOMAS CLK. CI. CT. BY DEPUTY

Bond Book 11 Page 411

BOOK 050 PAGE 271

(CERTIFIED COPY)

# POWER OF ATTORNEY

No. 88044

BOOK 050 PAGE 272

Bond Book 11 Page 412

*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

Geraldine H. Brimer

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

Geraldine H. Brimer

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 5th day of August, A. D. 1977.

UNITED STATES FIDELITY AND GUARANTY COMPANY

(SEAL)

(Signed) By Charles W. Boone
*Vice-President.*

(Signed) George W. Lennon, Jr.
*Assistant Secretary.*

STATE OF MARYLAND,
CITY OF BALTIMORE, } ss:

On this 5th day of August A. D. 1977, before me personally came Charles W. Boone Vice-President of UNITED STATES FIDELITY AND GUARANTY COMPANY, and George W. Lennon, Jr., 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 Charles W. Boone and George W. Lennon, Jr 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 know 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. 1978

(SEAL)

(Signed) Margaret M. Hurst
*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 Margaret M. Hurst, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed her 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 her 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 5th day of August A. D. 1977

(SEAL)

(Signed) Robert H. Bouse
*Clerk of the Superior Court of Baltimore City.*

75 17 3-67

## COPY OF RESOLUTION

*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*, W. J. D. Somerville, Jr. , 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 Geraldine H. Brimer of Salisbury, Maryland, authorizing and empowering her 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 5th day of Sept. A. D. 1984

W J D Somerville Jr.
Assistant Secretary

Bond Book 11 Page 413

BOOK 050 PAGE 273

BOOK 050 PAGE 274

| | | |
|---|---|---|
| DAVIS L. CHELTON and DORIS CARMINE CHELTON | * | IN THE CIRCUIT COURT |
| Plaintiffs | * | FOR SOMERSET COUNTY |
| v. | * | STATE OF MARYLAND |
| WILLIAM T. CHELTON | * | CHANCERY NO. 11806 |
| Defendant | * | |

* * * * * * * * * * *

## AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, COUNTY OF Somerset, TO WIT:

I, William T. Chelton, make oath that the following facts are true:

1. That I am the successful bidder and purchaser at the judicial sale of property in the above-captioned case.

2. As purchaser of the said property I am not acting as agent for anyone.

3. That no other persons are interested as principals in my purchase of the property which is the subject of this proceeding.

4. That I have not directly or indirectly discouraged anyone from bidding for the said property.

William T. Chelton
- Purchaser

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

I HEREBY CERTIFY that on this 28th day of December, 1984, before me, a Notary Public in and for the State and County aforesaid, personally appeared William T. Chelton, Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true to the best of his knowledge, information and belief.

Harvey L. Lyle
NOTARY PUBLIC

My Commission Expires: 7/1/86

BOOK 050 PAGE 275

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

BOOK 050 PAGE 276

DAVIS L. CHELTON

and

DORIS CARMINE CHELTON
Plaintiffs

vs.

WILLIAM T. CHELTON
Defendant

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

No. 11,806 CHANCERY

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The report of sale of Leonard Bruce Wade, John C. Nason and Wade D. Ward, Trustees, pursuant to a Consent Judgement passed in No. 11806 Chancery case in the Circuit Court for Somerset County, Maryland, and after filing bonds with security approved by the Clerk of the Court for the faithful performance of the Trustees, as aforesaid, and after giving notice of time, place, manner and terms of sale by advertisement in the Marylander & Herald as required by law, once in each consecutive weeks before the day of the sale and they did pursuant to said notice attend on the Court House steps in Princess Anne, Maryland on Friday, December 28, 1984 at 1:30 p.m. then and there proceed to sell the property described as follows:

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

FIRST: All that tract or parcel of land situate, lying and being as aforesaid, lying and binding on the North side of and

on the South side of the County Road known as L.Q. Powell Road and at its intersection with William Store Road by Quindocqua Methodist Church, said land is described on the Tax & Assessments Maps of Somerset County, No. 66, as Parcel 26, assessed as containing a total of 90.25 acres; bisected by the L.Q. Powell Road, bounded on the West in part by the William Store Road, bounded on the West in part by the land of the trustees of Quindocqua Methodist Church (deed reference B.L.B. No. 157, Folio 371; Plat by W. Ballard Miles dated May 12, 1952, recorded in Plat Book B.L.B. No. 327, Folio 27); bounded on the West in part by the land assessed to Joseph G. Dimino (deed reference I.T.P. No. 298, Folio 216; Plat by G. Oliver Morrell dated December, 1976, revised January 10, 1977, recorded in Plat Book I.T.P. No. 11, Folio 27); bounded on the West in part by the land assessed to Roger King (deed reference S.F.D. No. 62, Folio 100); bounded on the West in part by the land assessed to Edna May Bishop (deed reference B.L.B. No. 122, Folio 14) and bounded on the West in part by the land assessed to Honis Tull and Mildred Tull (formerly Alonzo Tull); bounded on the North by the land assessed to Phillip S. Bethard and Carol C. Bethard (deed reference I.T.P. No. 290, Folio 408; Plat Book No. 8, Folio 102); bounded on the East in part by the land assessed to George A. Carey and Ruth P. Carey (deed reference I.T.P. No. 266, Folio 267); bounded on the East in part by the land assessed to William Travis Chelton (deed reference I.T.P. No. 266, Folio 263); bounded on the South in part by the land of Earl C. Coons and Suzanne H. Coons (deed

reference I.T.P. No. 295, Folio 601); bounded on the South in part by the land assessed to Benjamin T. Dorman and Myrtle O. Dorman (deed reference I.T.P. No. 262, Folio 393), said land is assessed as containing 90.25 acres and is further described as a part of Sampson Adams tract and is a part of the land laid down and described on a Plat and certificate by William F.W. Miles, Surveyor, dated June 10, 1867, recorded among the Chancery Records of Somerset County in L.W. No. 5, Folio 9, et seq.

SECOND: ALL that tract or parcel of land situate as aforesaid, lying and binding on the East side of Rumbley Point Road near its intersection with Williams Store Road, bounded on the North in part by the land assessed to Robert L. Lankford, Jr. (deed reference B.L.B. No. 181, Folio 373); bounded on the North in part by the land assessed to Anna V. Lankford (deed reference B.L.B. No. 124, Folio 279); bounded on the North in part by the land assessed to John H. Bogush, Jr. (deed reference I.T.P. No. 273, Folio 478); bounded on the North in part by the land assessed to Nellie and Kenneth Green; bounded on the East by the land assessed to James T. Rounds and Mary W. Rounds (deed reference I.T.P. No. 275, Folio 102, parcel one); and bounded on the South by the land assessed to James T. Rounds and Mary W. Rounds (deed reference I.T.P. No. 275, Folio 102, parcel five); said tract or parcel of land contains 1.6 acres and is the residue of a tract of land which originally contained 13.90 acres as originally laid down and described on a Plat by G. Oliver Morrell dated May 17, 1966, recorded among the aforesaid Land

Records in Liber I.T.P. No. 232, Folio 652.

The above described property being a part of and the residue of the land devised by Georgia Chelton by Item Six of her Last Will and Testament recorded in E.L.F. No. 37, Folio 466.

And the said property was sold to William T. Chelton, him being then and there the highest bidder thereof, at and for the sum of Twenty One Thousand Dollars ($21,000.00) and the purchaser has complied with the terms of sale.

Respectfully submitted,

Leonard Bruce Wade

John C. Nason

Wade D. Ward

BOOK 050 PAGE 280

**AFFIDAVIT**

STATE OF MARYLAND, Somerset County, to wit:

I HEREBY CERTIFY, that on this 3rd day of January, 1985, before me, the subscriber, a Notary Public of the State and County, aforesaid, personally appeared Leonard Bruce Wade, John C. Nason and Wade D. Ward, Trustees aforesaid, and they 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 their knowledge, information and belief.

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

Una O. Tyler
Notary Public

My Commission Expires: 7/1/86

UNA O. TYLER NOTARY PUBLIC SOMERSET

DAVIS L. CHELTON

and

DORIS CARMINE CHELTON
Plaintiffs

vs.

WILLIAM T. CHELTON
Defendant

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY NO. 11806

NOTICE

NOTICE is hereby issued this 4th day of JAN., 1985, that the sale of the property mentioned in the above mentioned proceedings and reported by Leonard Bruce Wade, John C. Nason and Wade D. Ward, Trustees, be confirmed unless cause to the contrary be shown on or before the 4th day of February, 1985, provided a copy of this Notice be inserted in some newspaper published in this County, once in each of three (3) successive weeks before the 28th day of January, 1985.

The Report of Sale states the amount of sale to be Twenty One Thousand Dollars ($21,000.00).

Lloyd L. Simpkins
Judge

BOOK 050 PAGE 281

| | | |
|---|---|---|
| DAVIS L. CHELTON | * | IN THE CIRCUIT COURT |
| and | * | SOMERSET COUNTY |
| DORIS CARMINE CHELTON | * | STATE OF MARYLAND |
| Plaintiffs | * | CHANCERY NO. 11,806 |
| v. | * | |
| WILLIAM T. CHELTON | * | |
| Defendant | * | BOOK 050 PAGE 282 |

* * * * *** * * * * * *

LINE

DEAR CLERK:

Please file the enclosed Certificate of Publication in the above captioned case.

JOHN R. SULLIVAN
BANKS, NASON & HICKSON, P.A.
216 East Main Street
Salisbury, Maryland 21801
Telephone: 301/546-4644
Attorneys for Doris C. Chelton

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

11,806

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 12/12, 19 84, and ending 12/26, 19 84 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lisa Price M+H
Publisher.

Printer's Fee: $175.31 per insertion

3 x 175.31 = $525.93

BOOK 050 PAGE 283

11,806

BOOK 050 PAGE 284

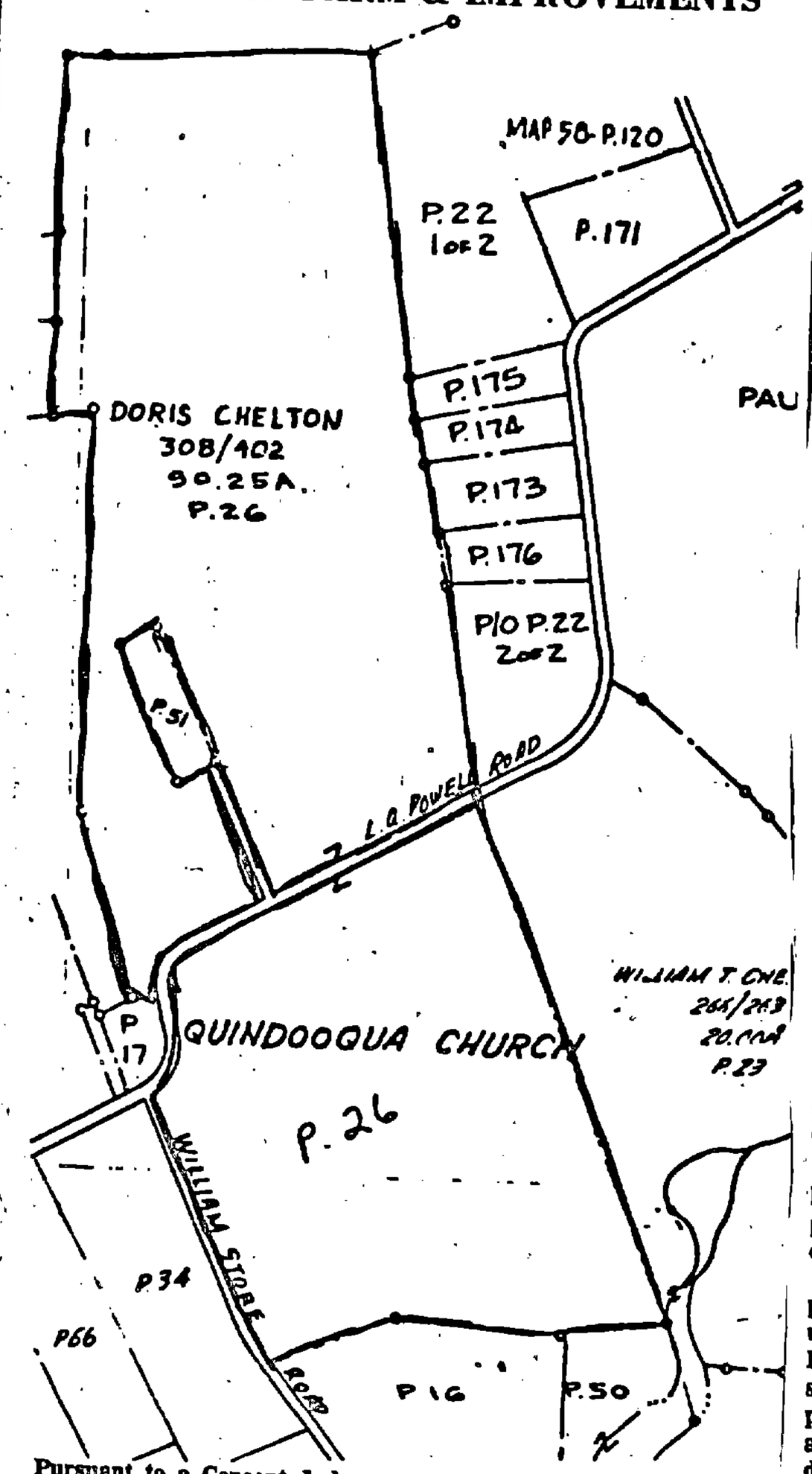
L[illegible]NARD BRUCE WADE
CLARKE, H[illegible]RNE, WEBSTER & SPERY, P.A.
Salisbury, Maryland

JOHN C. NASON
BANKS, NASON & HICKSON, P.A.
Salisbury, Maryland

WADE D. WARD
Crisfield, Maryland

ATTORNEYS AT LAW

# TRUSTEE'S SALE
## OF
## VALUABLE FARM & IMPROVEMENTS




Pursuant to a Consent Judgement passed in No. 11,806 Chancery Cases in the Circuit Court for Somerset County, Maryland, the undersigned Trustees will offer for sale to the highest bidder or bidders to be held at the front steps of the Somerset County Court House, Princess Anne, Mary[illegible]nd,

**FRIDAY, DECEMBER 28, 1984**
**AT 1:30 O'CLOCK P.M.**

ALL the following t[illegible]s or parcels of land situate in Brinkleys Election District, So[illegible]set County, Maryland, and described as follows:

FIRST: ALL that tract or parcel of land situate, lying and being situate as aforesaid, lying and binding on the North side of and on the South side of the County Road known as L.Q. Powell Road and at its intersection with William Store Road by Quindocqua Methodist Church, said land is described on the Tax & Assessments Maps of Somerset County, No. 63, as Parcel 26, assessed as containing a total of 90.25 acres; bisected by the L.Q. Powell Road, bounded on the West in part by the William Store Road, bounded on the West in part by the land of the trustees of Quindocqua Methodist Church [deed reference B.L.B. No. 157, Folio 371; Plat by W. Ballard Miles dated May 12, 1952, recorded in Plat Book B.L.B. No. 327, Folio 271; bounded on the West in part by the land assessed to Joseph G. D[illegible] [deed reference I.T.P. No. 298, Folio 216; Plat by G. Oliver Morrell dated December, 1976, revised January 10, 1977, recorded in Plat Book I.T.P. No. 11, Folio 27]; bounded on the West in part by the land assessed to Roger King [deed reference S.F.D. No. 62, Folio 100]; bounded on the West in part by the land assessed to Edna May [illegible] [deed reference B.L.B. No. 122, Folio 14] and bounded on the West in part by the land assessed to Hanis Tull and Mildred Tull [formerly Alonzo Tull]; bounded on the North by the land assessed to Phillip S. Bethard and Carol C. Bethard [deed reference I.T.P. No. [illegible], Folio [illegible]; Plat Book No. 8, Folio 102]; bounded on the East in part by the land assessed to George A. Carey and Ruth P. Carey [deed reference I.T.P. No. 203, Folio 267]; bounded on the East in part by the land assessed to William Travis Chelton [deed reference I.T.P. No. 203, Folio 203]; bounded on the South in part by the land of Earl C. Coons and Suzanne H. Coons [deed reference I.T.P. No. 205, Folio [illegible]]; bounded on the South in part by the land assessed to Benjamin T. Dorman and Myrtle O. Dorman [deed reference I.T.P. No. 222, Folio [illegible]], said land is assessed as containing 90.25 acres and is further described as a part of the Sampson Adams tract and is a part of the land laid down and described on a Plat and certificate by William F.W. Miles, Surveyor, dated June 10, 1957, recorded among the Chancery Records of Somerset County in L.W. No. 5, Folio 9, et seq.

SECOND: ALL that tract or parcel of land situate as aforesaid, lying and binding on the East side of Rumbley Point Road near its intersection with Williams Store Road, bounded on the North in part by the land assessed to Robert L. Lankford, Jr. [deed reference B.L.B. No. 181, Folio 373]; bounded on the North in part by the land assessed to Anna V. Lankford [deed reference B.L.B. No. 121, Folio 279]; bounded on the North in part by the land assessed to John H. Bogush, Jr. [deed reference I.T.P. No. 273, Folio 473]; bounded on the North in part by the land assessed to Nellie and Kenneth Green; bounded on the East by the land assessed to James T. Rounds and Mary W. Rounds [deed reference I.T.P. No. 275, Folio 102, parcel one]; and bounded on the South by the land assessed to James T. Rounds and Mary W. Rounds [deed reference I.T.P. No. 275, Folio 102, parcel five]; said tract or parcel of land containing 1.6 acres and is the residue of a tract of land which originally contained 13.90 acres as originally laid down and described on a Plat by G. Oliver Morrell dated May 17, 1966, recorded among the aforesaid Land Records in Liber I.T.P. No. 232, Folio 652.

The above described property being a part of and the residue of the land devised by Georgia E. Chelton by Item Six of her Last Will and Testament recorded in E.L.F. No. 37, Folio 403.

The above property is improved by a two story residence, 2 chicken houses, garage, barn and several outbuildings. There are approximately 30 acres, more or less, of tillable land, marshland and considerable woodland with medium to small pine timber.

TERMS OF SALE: 10% of the purchase price shall be due and payable on the date of sale in cash or certified check payable to the undersigned, with the balance thereof to be evidenced by a Promissory Note bearing interest at 11% and payable at time of settlement. Settlement to be held within 30 days from date of sale and possession at settlement. All costs of settlement, including any agricultural transfer tax which this property may be subject to, documentary stamps and state transfer taxes are the responsibility of the purchaser. Real Estate taxes to be adjusted at time of settlement.

Auctioneer:
Pete Richardson
80-12/12-30MH

TRUSTEES:
Leonard Bruce Wade [301] [illegible]
John C. Nason [301] [illegible]
Wade D. Ward [301] [illegible]

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 1/9, 1985, and ending 1/23, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor S.H.
Publisher.

Printer's Fee: $27.50 per insertion.

BOOK 050 PAGE 285

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
CHANCERY NO. 11806

DAVIS L. CHELTON
and
DORIS CARMINE CHELTON
Plaintiffs
vs.
WILLIAM T. CHELTON
Defendant

**NOTICE**

NOTICE is hereby issued this 4th day of January, 1985, that the sale of the property mentioned in the above mentioned proceedings and reported by Leonard Bruce Wade, John C. Nason and Wade D. Ward, Trustees, be confirmed unless cause to the contrary be shown on or before the 4th day of February, 1985, provided a copy of this Notice be inserted in some newspaper published in this County, once in each of three [3] successive weeks before the 28th day of January, 1985.

The Report of Sale states the amount of sale to be Twenty One Thousand Dollars [$21,000.00].

True Copy, Test:
I. Theodore Phoebus
Clerk

Lloyd L. Simpkins
Judge
80-1/9-3tSH

11,806 Chy.

BOOK 050 PAGE 286

DAVIS L. CHELTON

and

DORIS CARMINE CHELTON
Plaintiffs

vs.

WILLIAM T. CHELTON
Defendant

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

CHANCERY NO. 11,806

FINAL ORDER

ORDERED, by the Circuit Court for Somerset County, Maryland this 6th day of February, 1985 that the sale made and reported in the above mentioned proceedings by Leonard Bruce Wade, John C. Nason and Wade D. Ward, 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 Notice passed in said cause; and the Trustees be allowed the commissions and such proper expenses as they shall produce vouchers for to the Auditor.

Lloyd L. Simpkins
Judge

| | | |
|---|---|---|
| DAVIS L. CHELTON and DORIS CARMINE CHELTON | * | IN THE CIRCUIT COURT |
| Plaintiffs | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| WILLIAM T. CHELTON | * | |
| Defendant | * | CHANCERY NO. 11,806 |
| | * | |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | $ 21,000.00 |
| Interest | | 246.88 |
| | | $ 21,246.88 |
| Fees, Costs, Expenses, etc. | | |
| I. Theodore Phoebus, Court costs | $ 215.00 | |
| Daily Times | 974.40 | |
| Somerset Herald | 976.72 | |
| Avery W. Hall (Bond premium) | 300.00 | |
| Pete Richardson, Auctioneer | 500.00 | |
| Trustee's Commission | 1,200.00 | |
| Logan C. Widdowson, Auditor | 65.00 | |
| Total Fees, Costs, Expenses, etc. | $4,231.12 | |
| Balance to be Distributed | | $ 17,015.76 |
| One-third to Davis L. Chelton | $5,671.92 | |
| One-third to Doris Chelton | 5,671.92 | |
| One-third to William Chelton | 5,671.92 | $ 17,015.76 |

-0-

ALL EXCEPTIONS to said report must be filed within ten days of the date of the filing of this report. If no exceptions are filed, the account may be ratified.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

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:

Davis L. Chelton
Cedar Lane
P. O. Box 62
Pocomoke City, MD 21851

Doris Carmine Chelton
545A Silver Lane
Crisfield, MD 21817

William T. Chelton
Route 1, Box 60
Marion, MD 21838

Wade D. Ward, Esq.
P. O. Box 647
Crisfield, MD 21817

John C. Nason, Esq.
John R. Sullivan, Esq.
216 E. Main Street
P. O. Box 44
Salisbury, MD 21801

Logan C. Widdowson, Auditor

Filing Date: April 15, 1985

Leonard Bruce Wade, Esq.
Clarke & Hearne, P. A.
107 Baptist Street
Salisbury, MD 21801

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

LCW/gjb
4/10/85
85 # 173

No. 11,806 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 15th day of April, 19 85 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 25th day of April, 19 85.

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 2ND day of May, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

Exd.
JUL 10 1985

BOOK 050 PAGE 289

BOOK 050 PAGE 290

| | | |
|---|---|---|
| CHARLES R. DASHIELL, JR., JAMES P. BAILEY and FREDERIC E. WIERMAN, Attorneys and Agents named in a Mortgage | : | No. 85-CA-00094 Civil Action ~~Chancery~~ |
| | : | In the Circuit Court for |
| | : | Somerset County |
| | : | State of Maryland |
| FROM | : | |
| PHILIP N. MACCORD<br>Rutger Street<br>Princess Anne, Maryland 21853 | : | |

* * * * * * *

MR. CLERK:

Please docket case as above and file for foreclosure original mortgage from Philip N. MacCord

CIVIL 8500094 #
APPEAR 10.00 L
CLRK FEE 70.00 L
SUBTOTAL 80.00
TOTAL 80.00
CHECK/MO 75.00
CHECK/MO 5.00
#072660 C001 R00 T09:35
12/07/84

dated April 29, 1982, and recorded among the Land Records of Somerset County, Maryland, in Liber L.I.P. No. 332, Folio 493.

Please enter the appearance of the undersigned as Solicitors for the Mortgagee, our address being Colonial Building, Salisbury, Maryland.

HEARNE & BAILEY, P.A.

By Melvin P. Caldwell, Jr.
Solicitors for Mortgagee

For Original Mortgage see Liber 332 Folio 493.

Hearne & Bailey, P.A.
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-8144
PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| CHARLES R. DASHIELL, JR., JAMES P. BAILEY and FREDERIC E. WIERMAN, Attorneys and Agents named in a Mortgage | : | No. 85CA00094 Civil Action ~~Chancery~~ |
| | : | In the Circuit Court for |
| | : | Somerset County |
| FROM | : | State of Maryland |
| | : | |
| PHILIP N. MACCORD<br>Rutger Street<br>Princess Anne, Maryland 21853 | : | |
| | : | |
| | : | |

* * * * * * * *

MILITARY AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 3rd day of December, A.D., 19 84, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Robert E. Noll, Executive Vice-President of the within Mortgagee, and made oath in due form of law that Philip N. MacCord is ~~are~~ not in the military service as hereinafter set forth and that he ~~they~~ 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.

Shirley C. Dorey
Notary Public

SHIRLEY C. DOREY
WICOMICO COUNTY, MD.

BOOK 050 PAGE 291

BOOK 050 PAGE 292

| | | |
|---|---|---|
| CHARLES R. DASHIELL, JR., JAMES P. BAILEY and FREDERIC E. WIERMAN, Attorneys and Agents named in a Mortgage | : | No. 85CA000094 Civil Action ~~Chancery~~ |
| | : | In the Circuit Court for |
| | : | Somerset County |
| FROM | : | State of Maryland |
| | : | |
| PHILIP N. MACCORD<br>Rutger Street<br>Princess Anne, Maryland 21853 | : | |
| | : | |
| | : | |

* * * * * *

STATEMENT OF MORTGAGE DEBT

TO MARYLAND STATE BANK

| | |
|---|---|
| Principal Balance | $ 17,586.41 |
| Interest from August 1, 1983 to December 28, 1984, date of sale | 3,885.80 |
| Late Charges | 192.75 |
| TOTAL DUE | $ 21,664.96 |

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 3rd day of December, A.D., 1984, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Robert E. Noll, Executive Vice President 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.

Shirley C. Gray
Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

# Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

KNOW ALL MEN BY THESE PRESENTS: Bond Book 11 Page 446

That we, Charles R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman

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 TWENTY-TWO THOUSAND AND 00/100 ---------- ($22,000.00) Dollars, 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 28th day of December in the year of our Lord ONE THOUSAND NINE HUNDRED EIGHTY-FOUR

Whereas, the above bounden s Charles R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman

by virtue of the power contained in a mortgage from Philip N. MacCord

to Maryland State Bank

bearing date the 29th day of April, 1982 and recorded among the mortgage records of Somerset County, Maryland in Liber I.T.P. No. 332 Folio 493 ~~and~~

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 s Charles R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman

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.

In Testimony Whereof, the above bounden s Charles R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman

has hereto set their hand s and seal s and the said body corporate has caused these presents to be duly signed by its Attorney-in-Fact, the day and year first herein above written.

*Signed, sealed and delivered in the presence of:*

Shirley C. Gray

Charles R. Dashiell, Jr. (SEAL)

James P. Bailey (SEAL)

Frederic E. Wierman (SEAL)

BOND APPROVED AS PER: H. Sheldon Phoebus, CLERK

Witness:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Shirley C. Gray

Charles E. Hearne, Jr. Attorney-in-Fact

As to Surety

Oct 28 10 41 AM '84

MD3228a—1M, 9-68 180755
Mortgagee's or Attorney's Bond

RECORDED IN LIBER 40 FOLIO BOOK 050 PAGE 293
THE BOARD OF ELECTIONS CLERK CT.
BY DEPUTY

Case No. ~~84CV0011~~ 85CA0094

85CA00094

BOOK 050 PAGE 294

AFFIDAVIT

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 28th day of December, A.D., 19 84, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Montgomery Dukes, the purchaser named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, Montgomery Dukes, attended the sale the property described in the mortgage filed in these proceedings held in Princess Anne, Maryland, on Friday, December 28, 19 84, and purchased the same for myself.

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That neither I nor anyone on my behalf directly or indirectly discouraged anyone from bidding on said property.

Montgomery Dukes
Affiant

SUBSCRIBED AND SWORN TO, before me, this 28th day of December, A.D., 19 84.

Shirley C. Gray
Notary Public

My Commission Expires: 7/1/86

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

CHARLES R. DASHIELL, JR., JAMES P. BAILEY and FREDERIC E. WIERMAN, Attorneys and Agents named in a mortgage

FROM

PHILLIP N. MACCORD
Rutger Street
Princess Anne, Maryland 21853

NO. 85CA00094 ~~84CV0011~~ CIVIL

IN THE CIRCUIT COURT FOR

SOMERSET COUNTY

STATE OF MARYLAND

* * * * * * * *

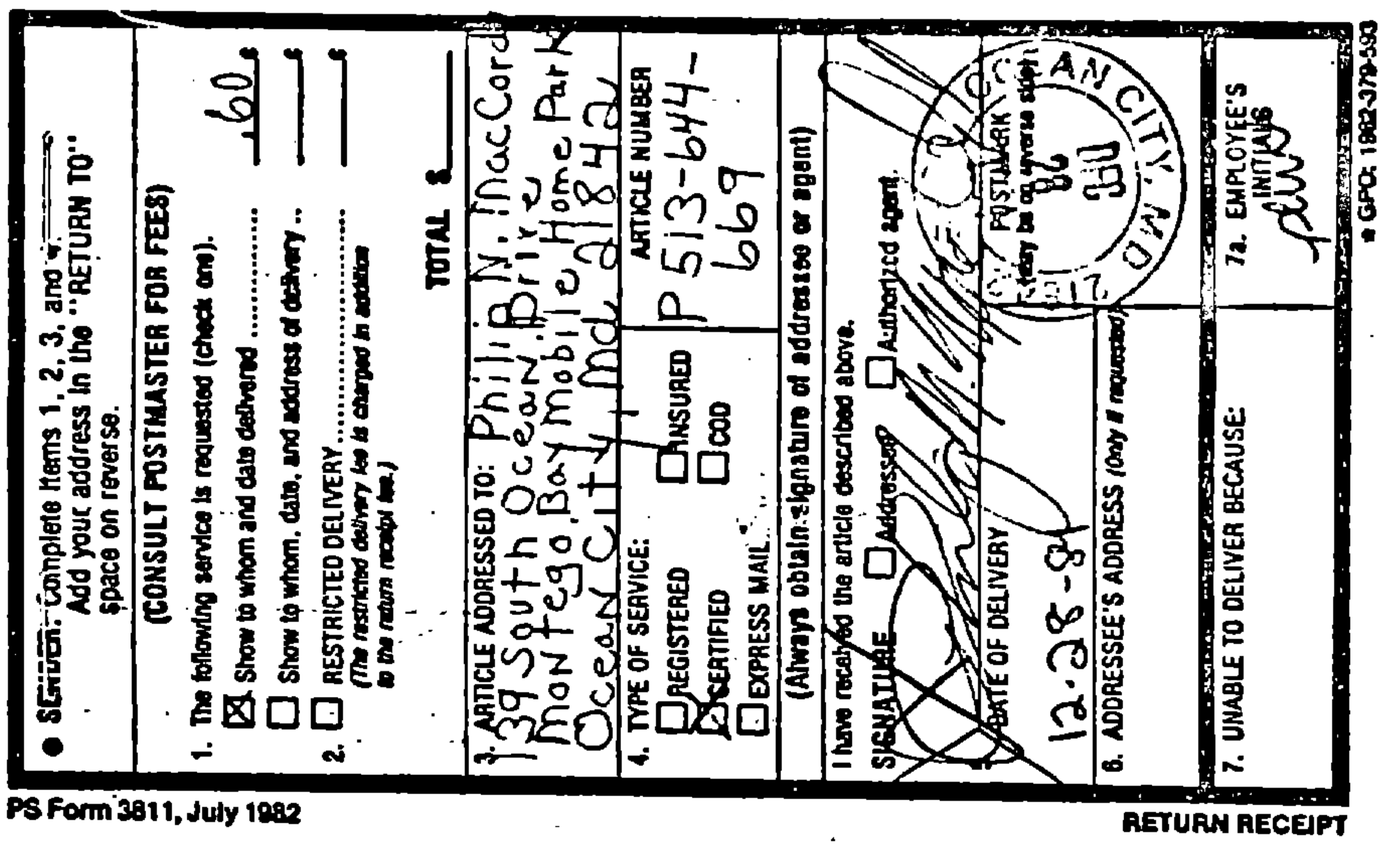
STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 4th day of January, A.D., 1985, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Frederic E. Wierman, 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 Mortgagor at his last known address of the sale of said property, by certified mail as evidenced by Receipt No. P513 644 669 attached hereto and made a part hereof.

AS WITNESS my hand and Notarial Seal.

Shirley C. Gray
Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.




BOOK 050 PAGE 295

| | | |
|---|---|---|
| CHARLES R. DASHIELL, JR., JAMES P. BAILEY and FREDERIC E. WIERMAN, Attorneys and Agents named in a Mortgage | : | NO. ~~84CV0011~~ 85CP00094 CIVIL |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY |
| FROM | : | STATE OF MARYLAND |
| PHILLIP N. MACCORD<br>Rutger Street<br>Princess Anne, Maryland 21853 | :<br><br>: | |

BOOK 050 PAGE 296

* * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF SALE of Charles R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman, Attorneys and Agents named in Mortgage under and by virtue of the power of sale contained in a certain mortgage made and executed by Phillip N. MacCord, dated April 29, 1982, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 332, Folio 493, default having been made in the payment of the money secured to be paid by said mortgage and in the payment of the interest thereon, and in other covenants and conditions of said mortgage, whereby the entire mortgage 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 the Marylander and Herald, a daily newspaper published in said

HEARNE, FOX & BAILEY
ATTORNEYS AT LAW
SALISBURY, MD.
AREA CODE 301
749-5144
PROFESSIONAL ASSOCIATION

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 December 28, 19 84 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, tract or parcel of land situate, lying and being in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, at the Northeast intersection of Division Street and Rutger Street (said streets being 30 feet in width and being shown as unnamed streets on the plat hereinafter referred to) and more particularly described as follows: BEGINNING at the aforesaid intersection, thence (1) North 30 degrees 30 minutes West, a distance of 133.25 feet by and with Rutger Street to a point at the Westernmost corner of the lot herein described and the Southernmost corner of Lot No. 1 on the plat hereinafter referred to, thence (2) North 80 degrees 0 minutes East, a distance of 60 feet to a point at the Northernmost corner of the lot herein described, thence (3) South 30 degrees 30 minutes East, a distance of 133.25 feet to a point on the Northeasterly side of Division Street at the Easternmost corner of the lot herein described, thence (4) South 80 degrees 0 minutes West, a distance of 60 feet to the first mentioned point and place of beginning, being shown and depicted as Lot 7 on a plat entitled "Miles & Hargis Subdivision", made by W. Ballard Miles, dated July 15, 1946, and recorded among the Land Records of Somerset County in Plat Book No. 1, Folio 42.

AND said Attorneys and Agents as aforesaid, under and by virtue of said power, sold the above described property unto Montgomery Dukes at and for the sum of ONE THOUSAND FOUR HUNDRED AND 00/100 ($1,400.00), he being at that sum the highest bidder therefor, and the said purchase has 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 R. Dashiell, Jr.

James P. Bailey

Frederic E. Wierman

STATE OF MARYLAND, WICOMICO COUNTY, to-wit:

I HEREBY CERTIFY, That on this 4th day of January, A.D., 1985, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Charles R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman, 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 was fairly made.

AS WITNESS my hand and Notarial Seal.

Notary Public

SHIRLEY C. GRAY NOTARY PUBLIC WICOMICO COUNTY, MD.

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 4 successive weeks, commencing 12/5, 19 84, and ending 12/26, 19 84 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lisa Price M+H.
Publisher.

Printer's Fee: $57.75 per insertion

Hearne + Bailey BOOK 050 PAGE 299

HEARNE & BAILEY, P.A.
Colonial Building
Salisbury, Maryland 21801

ATTORNEY'S AGENTS' SALE
OF VALUABLE REAL ESTATE

Under and by virtue of the power of sale contained in a certain mortgage from Philip N. MacCord, dated April 29, 1982, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 332, Folio 493, default having occurred in the covenants thereof, and pursuant to an Order for Relief from Automatic Stay, dated November 15, 1984, by James F. Schneider, U.S. Bankruptcy Judge for the District of Maryland in Case No. 84-B-1173, Motion No. M84-0794B, the undersigned, attorneys named in said mortgage, will offer at public auction, to the highest bidder, at the front door of the Court House in Princess Anne, Somerset County, Maryland, on

FRIDAY, DECEMBER 28, 1984
AT 11:00 O'CLOCK, A.M.

All that lot, tract or parcel of land situate, lying and being in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, at the Northeast intersection of Division Street and Rutger Street [said streets being 30 feet in width and being shown as unnamed streets on the plat hereinafter referred to] and more particularly described as follows: Beginning at the aforesaid intersection, thence [1] North 30 degrees 30 minutes West, a distance of 133.25 feet by and with Rutger Street to a point at the Westernmost corner of the lot herein described and the Southernmost corner of Lot No. 1 on the plat hereinafter referred to, thence [2] North 80 degrees 0 minutes East, a distance of 60 feet to a point at the Northernmost corner of the lot herein described, thence [3] South 30 degrees 30 minutes East, a distance of 133.25 feet to a point on the Northeasterly side of Division Street at the Easternmost corner of the lot herein described, thence [4] South 80 degrees 0 minutes West, a distance of 60 feet to the first mentioned point and place of beginning, being shown and depicted as Lot 7 on a plat entitled "Miles & Hargis Subdivision", made by W. Ballard Miles dated July 15, 1946, and recorded among the Land Records of Somerset County in Plat Book No. 1, Folio 42.

The above described property is improved by a single-family dwelling poor condition.

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 twelve per centum [12%] 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 and other public charges adjusted as of the date of sale.

Charles R. Dashiell Jr.
James P. Bailey
Frederic E. Wierman
Attorneys and Agents

Colonial Building
Salisbury, MD 21801
301-749-5144
80-12/5-4tMH

BOOK 050 PAGE 300

HEARNE & BAILEY, P.A.

ATTORNEYS AT LAW

| | | |
|---|---|---|
| CHARLES R. DASHIELL, JR., JAMES P. BAILEY and FREDERIC E. WIERMAN, Attorneys and Agents named in a mortgage | : | NO. 85CA00094 ~~84CV0011~~ CIVIL |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY |
| FROM | : | STATE OF MARYLAND |
| | : | |
| PHILLIP N. MACCORD<br>Rutger Street<br>Princess Anne, Maryland 21853 | : | |

* * * * * * * *

NOTICE
~~ORDER NISI~~

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 8th day of JAN., A.D., 19 85, 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 R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman, Attorneys and Agents

be ratified and confirmed, unless cause to the contrary be shown on or before the 7th day of February, A.D., 19 85, 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 4th day of February, A.D., 19 85.

The report states the amount of sale to be ONE THOUSAND FOUR HUNDRED AND 00/100----------DOLLARS ($ 1,400.00).

Floyd L. Anspach
JUDGE ~~CLERK~~

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 1-16, 1985, and ending 1-30, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $31.63 per insertion.

BOOK 050 PAGE 301

EARNE & BAILEY, P.A.
ATTORNEYS AT LAW

No. 85CA00094 CIVIL
IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND

CHARLES R. DASHIELL, JR.,
JAMES P. BAILEY and
FREDERIC E. WIERMAN,
Attorneys and Agents named in a mortgage
FROM
PHILLIP N. MACCORD
Rutger Street
Princess Anne, Maryland 21853

## NOTICE

ORDERED, by the Circuit Court for Somerset County and State of Maryland, in Equity, this 8th day of January, A.D., 1985, 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 R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman, Attorneys and Agents be ratified and confirmed, unless cause to the contrary be shown on or before the 7th day of February, A.D., 1985, 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 4th day of February, A.D., 1985.

The report states the amount of sale to be One Thousand Four Hundred and 00/100 Dollars [$1,400.00].

True Copy, Test:
I. Theodore Phoebus
Clerk

Lloyd L. Simpkins
Judge

80-1/16-3tSH

Civil Case No. 84CV0011
Philip N. MacCord

FINAL ORDER OF RATIFICATION

BOOK 050 PAGE 302

ORDERED, this 11th day of Feb, A.D., 1985, 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 R. Dashiell, Jr., James P. Bailey and Frederic E. Wierman, 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.

Lloyd L. Simpkins
JUDGE

| | | |
|---|---|---|
| CHARLES R. DASHIELL, JR., JAMES P. BAILEY and FREDERIC E. WIERMAN, Attorneys and Agents named in a mortgage | * | NO. 85CA00094 CIVIL |
| FROM | * | IN THE CIRCUIT COURT |
| PHILLIP N. MACCORD<br>Rutger Street<br>Princess Anne, MD 21853 | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 1,400.00 |
| Interest charged to Date of Settlement per Advertisement | | | 28.70 |
| | | | $ 1,428.70 |
| Fees, Costs, Expenses, etc.: | | | |
| I. Theodore Phoebus | | 143.00 | |
| Marylander & Herald | | | |
| Advertising | 231.00 | | |
| Order Nisi | 94.89 | 325.89 | |
| Fidelity & Deposit Company, Bond Premium | | 88.00 | |
| John Gallagher, Auctioneer | | 75.00 | |
| Hearne & Bailey, Attorney's Fees | | 300.00 | |
| Hearne & Bailey, Notary Fees | | 5.00 | |
| I. Theodore Phoebus for Certified Copy of Mortgage | | 5.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Philip Mahan, Treasurer | | | |
| 1983-84 State & County Taxes | $68.02 | | |
| 1984-85 State & County Taxes | 32.09 | 100.11 | |
| Town of Princess Anne | | | |
| 1983-84 Town Taxes | $33.87 | | |
| 1984-85 Town Taxes | 15.78 | 49.65 | |
| Somerset County Sanitary District | | | |
| 1984 Front Foot Assessment - Seller's Portion | $ 86.30 | | |
| Water Charges | 163.42 | 249.72 | |
| Total Fees, Costs, Expenses, etc. | | | $ 1,406.37 |
| Balance to be Distributed | | | $ 22.33 |
| Mortgage Debt as of 12/3/84 | | $21,664.96 | |
| | | -22.33 | |
| Deficiency plus interest since 12/3/84 | | | $21,642.63 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

ALL EXCEPTIONS to said report must be filed within ten days of the date of the filing of this report. 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:

Phillip N. MacCord
139 South Ocean Drive
Montego Bay Mobile Home Park
Ocean City, MD 21842

Charles R. Dashiell, Jr.
James P. Bailey
Frederic E. Wierman
Hearne & Bailey
P. O. Box 138
Colonial Building
Salisbury, MD 21801

Logan C. Widdowson, Auditor

Date of Filing: April 23, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

LCW/gjb
4/22/85
85 # 174

No. 85CA00094 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 23rd day of April, 19 85 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 4th day of May, 19 85.

I. Theodore Phoelus
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 May, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoelus
CLERK

JUL 10 1985
Entd.

BOOK 050 PAGE 305

In the Matter of the Foreclosure of a Deed of Trust from Malvern W. Rogers and Joan E. Rogers

: NO. 85-CA-00163 CIVIL

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : :

ORDER TO DOCKET

BOOK 050 PAGE 306

MR. CLERK:

Please docket suit as above, file the attached deed of trust for foreclosure and file the Affidavit of Debt.

Thomas S. Simpkins
51 N. Somerset Ave.
P.O. Box 207
Princess Anne, Md. 21853
651-1400

CIVIL 850016 3 #
APPEAR 10.00 L
CLRK FEE 60.00 L
" " 10.00 L
R# 087621 0
R # 087620

For PM Deed of Trust see Liber No. 325 page 245
For Assignment see Liber No. 349 Page 568

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Deed of Trust from Malvern W. Rogers and Joan E. Rogers

: NO. 85-CA-00163 CIVIL

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : :

AFFIDAVIT OF DEBT

STATE OF MARYLAND,
COUNTY OF SOMERSET, SS:

I hereby certify that on this 13th day of February 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Robert W. Bromley, Vice President of Maryland State Bank, beneficiary of the deed of trust herein, dated December 19th, 1980 and recorded among the Land Records of Somerset County, Maryland, in Liber 325, folio 245, et seq., who first being duly sworn according to law, deposes and says that there is justly due and owing on said deed of trust the sum of Six Thousand Nine Hundred Ninety-two Dollars and Four Cents [$6,992.24] principal with interest thereon in the amount of $455.14 and late charges in the amount of $58.86, and at $3.44823 per diem thereafter February 13, 1985.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

My commission expires July 1, 1986

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 050 PAGE 307

JEAN TAYLOR NOTARY PUBLIC SOMERSET COUNTY, MD.

WORKSHEET

BOOK 050 PAGE 308

| | | | |
|---|---|---|---|
| Principal due on Deed of Trust 10/3/84 (Date of last payment) | | | $ 6,992.24 |
| Interest 10/4/84 to 2/13/85 | | | 455.14 |
| Late Charges | December 1984 | 9.81 | |
| | January 1985 | 19.62 | |
| | February 1985 | 29.43 | |
| | | 58.86 | 58.86 |
| Total Principal, Interest and Late Charges due 2/13/85 | | | $ 7,506.24 |

PER DIEM thereafter = $ 3.44823

THOMAS S. SIMPKINS
ATTORNEY AT LAW
81 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

In the Matter of the Foreclosure of a Deed of Trust from Malvern W. Rogers and Joan E. Rogers

: CASE NO: 8500163

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET:

I hereby certify that on this 12th day of March 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on January 10, 1985, he did mail a notice of default in the above matter to: MalvernW. Rogers, P.O. Box 54, Deal Island, Maryland 21821, and to Joan E. Rogers, P.O. Box 54, Deal Island, Maryland 21821 notifying them of the pending foreclosure proceedings; that on March 12th, 1985, he did mail an exact copy of the advertizement of sale in the above matter to Malvern E. Rogers, P.O. Box 54, Deal Island, Maryland 21821, and to Joan E. Rogers, P.O. Box 54, Deal Island, Maryland, by certified mail, postage prepaid.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

JEAN TAYLOR ★ SOMERSET COUNTY, MD. ★

BOOK 050 PAGE 309

In the matter of the Foreclosure of a Deed of Trust from Malvern W. Rogers and Joan E. Rogers

: CASE NO. 8500163

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : :

BOOK 050 PAGE 310

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET:

I hereby certify that on this 25th day of March 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on February 28, 1985, he did mail a copy of the advertizement of sale in the above matter unto Mr. and Mrs. Robert O. Webster, 702 Riverside Pines, Salisbury, Maryland, 21801, by regular U.S. Mail, postage prepaid.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

My commission expires July 1, 1986

JEAN TAYLOR ★ SOMERSET COUNTY, MD. ★

THOMAS S. SIMPKINS
ATTORNEY AT LAW
81 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

FILED

MAR 26 10 43 AM '85

RECORDED IN
LIBER ___ FOLIO ___
LTMEDDCPF ___ CLK. CI. CT.
BY ___ DEPUTY

No. 85-CA-00163 Civil Action

Maryland

# Western Surety Company

## TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 60027032

That we, THOMAS S. SIMPKINS, 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 TEN THOUSAND AND NO/100 ($ 10,000) 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 25TH day of MARCH, 1985.

WHEREAS, the above bounden THOMAS S. SIMPKINS

by virtue of the power contained in a mortgage from MALVERN W. ROGERS AND JOAN E. ROGERS

to THOMAS S. SIMPKINS, et al., TRUSTEES

bearing date the 19TH day of DECEMBER, 1980 and recorded among

the mortgage records of SOMERSET COUNTY, MARYLAND

in Liber 325 No. _____ Folio 245

and THOMAS S. SIMPKINS

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 THOMAS S. SIMPKINS

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

Glen E. Webster

(Thomas S. Simpkins) Principal

Principal

As to Surety

A. Victor

K. Stoakes

WESTERN SURETY COMPANY

By _____ President

Countersigned by Mary Lou King Maryland Resident Agent

THE WITHIN BOND APPROVED. PER: L. Theodore Shockley, CLERK.

BOND BOOK NO. 11, PAGE 509

1268—5-81

BOOK 950 PAGE 311

# POWER OF ATTORNEY

BOND BOOK 11, PAGE 510

(Irrevocable)

*Know All Men by These Presents:*

BOND No. R- 40296303

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 the following SEVEN 7 authorized individuals:

BOOK 050 PAGE 312

| AUTHORIZED INDIVIDUALS | AUTHORIZED INDIVIDUALS |
|---|---|
| RANDALL L PRYOR<br>DONALD L HENDERSON<br>MARY LOU KING<br>CONSTANCE M TRADER | VICKIE L WAGNER<br>JERRY WARREN ELLIOTT<br>ROBERT J MEADE |

in the City of SALISBURY, 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, EXECUTOR, PERSONAL REPRESENTATIVE, GUARDIAN, CONSERVATOR, CURATOR, 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), REFEREE IN PARTITION, COMMISSIONER TO SELL REAL ESTATE, TRUSTEE OR RECEIVER — In Bankruptcy (Excluding Chapter 11) | $1,000,000 |
| (B) NOTARY PUBLIC, PUBLIC OFFICIAL AND DEPUTIES, RECEIVER — (In State Court Only) | $ 50,000 |
| (C) PLAINTIFF'S COURT BOND — Banks, Savings & Loan, and Trust Companies<br>— All Others, except bonds prohibited by "NOTE" below | $ 100,000<br>$ 20,000 |
| (D) COST ON APPEAL ) EXCLUDING OPEN PENALTY, STAY, REMOVAL OF CAUSE ) SUPERSEDEAS OR GUARANTEE OF A JUDGMENT | $ 2,000 |
| (E) LICENSE AND PERMIT Except bonds where the state is the obligee<br>SPECIAL FUEL USERS | $ 25,000<br>$ 2,000 |
| (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, Assistant 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, OR UTILITY DEPOSIT BONDS 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, Powers of Attorney 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, Powers of Attorney or other obligations of the corporation - the signature of any such officer and the corporate seal may be printed by facsimile."

Dated this 23rd day of August, 1982.

ATTEST C. Schmidt
Assistant Secretary

WESTERN SURETY COMPANY

By Joe P. Kirby
President

STATE OF SOUTH DAKOTA
County of Minnehaha } ss

On this 23rd day of August, 1982, before me, a Notary Public, personally appeared JOE P. 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 June 12, 19 88

FILED
MAR 26 10 43 AM '85

J. Rhone
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 *25th day of March, 1985.

RECORDED IN LIBER NO. FOLIO
CLERK OF CIRCUIT COURT
BY DEPUTY

WESTERN SURETY COMPANY

By Joe P. 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 A-5-83

In the Matter of the Foreclosure of a Deed of Trust from Malvern W. Rogers and Joan E. Rogers

: CIVIL NO. 8500163

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : : :

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Thomas S. Simpkins, Attorney in the above captioned cause, duly qualified after filing his approved bond, hereby reports: That he did on March 26th, 1985, 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 Maryland State Bank for the sum of Eighty-five Hundred Dollars ($8,500.00) that being the highest bid therefor and that a deposit of Two Thousand Dollars has been paid as per terms of sale, the unpaid portion to be paid upon ratification.

Respectfully submitted,

Thomas S. Simpkins

STATE OF MARYLAND, COUNTY OF SOMERSET:

I hereby certify that on this 26th day of March 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say: That he was duly appointed and qualified to sell the land and improvements in the above 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 the best of his information, knowledge and belief.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
81 N. SOMERSET AVE
P.O. BOX 307
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

JEAN TAYLOR ★ MD ★ SOMERSET COUNTY

In the Matter of the Foreclosure of a Deed of Trust from Malvern W. Rogers and Joan E. Rogers

: CIVIL NO. 8500163

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : :

AFFIDAVIT

BOOK 050 PAGE 314

STATE OF MARYLAND, COUNTY OF SOMERSET:

I hereby certify that on this 26th day of March 1985, before me the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins, Agent for Maryland State Bank, after being duly sworn, deposes and says:

1. That Maryland State Bank was the purchaser at the public auction of the property in these proceedings held on March 26th, 1985 at 2:00 p.m. for $8,500.00.

2. That it did not discourage directly or indirectly anyone from bidding on the property.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

JEAN TAYLOR ★ SOMERSET COUNTY, MD. ★

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE.
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

8500.63

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing Mar. 6, 1985, and ending 3/13 & Mar. 20 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $57.75 per insertion

BOOK 050 PAGE 315

THOMAS S. SIMPKINS
Attorney at Law
51 N. Somerset Avenue
Princess Anne, Maryland 21853

## FORECLOSURE SALE
## OF
## LOT AND RESIDENCE

**In Deal Island Election District**
**Somerset County, Maryland**

Under and by virtue of the power of sale contained in a deed of trust from Malvern W. Rogers and Joan E. Rogers to Thomas S. Simpkins, et al., Trustees, dated December 19th, 1980 and recorded among the Land Records of Somerset County, Maryland, in Liber 325, folio 245, default having occurred therein, I hereby give notice that I will on

**TUESDAY, MARCH 26th, 1985**
**At 2:00 p.m. o'clock**
**AT THE PRINCE WILLIAM COURTHOUSE DOOR, PRINCESS ANNE, MARYLAND**

offer the following land and improvements for sale at public auction to the highest bidder therefor:

All that parcel of improved land situate, lying and being in Deal Island Election District, Somerset County, Maryland, and being described in a mortgage executed in 1934 as "All that lot or parcel of ground on Deal Island in Somerset County, Maryland, and beginning at a bounder set up on the edge of a ditch at the northwest corner of the land now or formerly known as Joshua Mister's lot of land, indicated on a plat of the same by the letter "A", thence south 8 degrees 30 minutes West 12.9 poles, thence North 78 degrees, 15 minutes West 7.2 poles to Soren Webster's line, thence with his line North 10 degrees 15 minutes East 12.4 poles, thence South 82 degrees 15 minutes East 6.9 poles to the place of beginning, laid out for 9/16 of an acre, more or less"; and being the same land conveyed unto Malvern W. Rogers and Joan E. Rogers by June E. Webster by deed dated December 19, 1980 and recorded among the Land Records of Somerset County, Maryland, in Liber 325, folio 243.

IMPROVEMENTS: The property is improved by a two-story frame residence, 2 bedrooms, living room, kitchen-dining room, and gas heat.

TERMS: $2,000.00 on day of sale by cash or certified check balance upon ratification of sale, unpaid portion to bear interest at 12% to date of settlement. All title papers, revenue stamps, recording costs, agricultural transfer tax, if applicable, and other closing costs at the expense of the purchaser. Real estate taxes pro-rated to date of settlement.

THOMAS S. SIMPKINS, TRUSTEE
51 N. Somerset Ave.
Princess Anne, Md.
301-651-1400

86-3/6-3tSH

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

BOOK 050 PAGE 316

In the Foreclosure of a Deed
of Trust from Malvern W. Rogers
and Joan E. Rogers

---

Civil No. 8500163
In the Circuit Court For
Somerset County, Maryland

---

NOTICE
~~SHOW CAUSE ORDER~~

ORDERED, by the Circuit Court for Somerset County, Maryland, this 4th day of ~~March~~ April 1985, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED AND CONFIRMED unless cause to the contrary thereof be shown on or before the 6th day of ~~April~~ May 1985; 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 29th day of April 1985.

The Report states the amount of sale to be a total of Eighty-five Hundred Dollars ($8,500.00).

Richard M. Pollitt
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 4-10, 1985, and ending 4-17 & 4-24, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $20.00 per insertion

BOOK 050 PAGE 317

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

In the Foreclosure
of a Deed of Trust from
Malvern W. Rogers & Joan E. Rogers

Civil No. 8500163
In the Circuit Court for
Somerset County, Maryland

NOTICE

ORDERED, by the Circuit court for Somerset County, Maryland, this 4th day of April 1985, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED AND CONFIRMED unless cause to the contrary thereof be shown on or before the 6th day of May 1985; provided a copy of this NOTICE be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 29th day of April 1985.

The Report states the amount of sale to be a total of Eighty-five Hundred Dollars [$8,500.00].

True Copy, Test:
I. Theodore Phoebus
Clerk

Richard M. Pollitt
JUDGE
80-4/10-3tSH

PAGE 070 PAGE 318

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Deed of Trust from Malvern W. Rogers and Joan E. Rogers | : | CIVIL NO. 8500163 |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY, MARYLAND |

: : : : :

ORDER OF RATIFICATION

UPON the Report of Sale, Affidavit and Notice which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, IT IS this 7th day of May 1985, ORDERED AND DECREED by the Circuit Court for Somerset County, Maryland, in No. 8500163 Civil that the sale of the property mentioned in these proceedings BE and IT hereby IS RATIFIED AND CONFIRMED.

R. L. Horsey
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

8500163

Somerset Herald

~~MARYLANDER & HERALD~~

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 2 successive weeks, commencing 4-10, 1985, and ending 4-17 & 4-24, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: 20.00 per insertion

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

In the Foreclosure
of a Deed of Trust from
Malvern W. Rogers & Joan E. Rogers

Civil No. 8500163
In the Circuit Court for
Somerset County, Maryland

NOTICE

ORDERED, by the Circuit court for Somerset County, Maryland, this 4th day of April 1985, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED AND CONFIRMED unless cause to the contrary thereof be shown on or before the 6th day of May 1985; provided a copy of this NOTICE be inserted in some newspaper published in Somerset County, Maryland, once in each of three consecutive weeks before the 29th day of April 1985.

The Report states the amount of sale to be a total of Eighty-five Hundred Dollars [$8,500.00].

True Copy, Test:
I. Theodore Phoebus
Clerk

Richard M. Pollitt
JUDGE
80-4/10-3tSH

BOOK 050 PAGE 319

BOOK 050 PAGE 320

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Deed of Trust from Malvern W. Rogers and Joan E. Rogers | * | CIVIL NO. 8500163<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court reports that he 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 | | | $ 8,500.00 |
| Interest on $6,500.00 at 12% to May 10, 1985 | | | 98.30 |
| | | | $ 8,598.30 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | 141.00 | |
| Marylander & Herald | | | |
| Advertisement | $173.25 | | |
| Order Nisi | 66.13 | 239.38 | |
| Wallace Dashiell, Auctioneer | | 100.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Real Estate Taxes, 1983-84 | | 123.59 | |
| Real Estate Taxes, 1984-85 | | 124.71 | |
| Trustee's Commission | | 425.00 | |
| Attorney's Fees | | 250.00 | |
| Henderson, Elliott & Pryor, Bond | | 30.00 | |
| Notary Fees | | 8.00 | |
| Certified Mail | | 6.44 | |
| Total Fees, Costs, Expenses, etc. | | | $ 1,513.12 |
| Balance to be Distributed | | | $ 7,085.18 |
| Mortgage Debt - Principal Balance | | $6,992.24 | |
| Late Charges | | 58.86 | |
| Interest 10/4/84 to 5/10/85 | | 875.50 | |
| Interest 5/10/85 to 6/3/85 | | 82.76 | |
| Total Mortgage Debt | | | $ 8,009.36 |
| Deficit | | | $ 924.18 |

ALL EXCEPTIONS to said report must be filed within ten days of the date of the filing of this report; if no exceptions are filed, the account may be ratified.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3000

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:

Thomas S. Simpkins, Esquire
51 North Somerset Avenue
Princess Anne, MD 21853

Malvern W. Rogers
P.O. Box 54
Deal Island, MD 21821

Joan E. Rogers
P.O. Box 54
Deal Island, MD 21821

Logan C. Widdowson, Auditor

Date of Filing: May 24, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

LCW/gjb
5/24/85
85 # 177

BOOK 050 PAGE 322

No. YSCA80163 Civil Action ~~Chancery Case~~

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 24th day of May, 19 85 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 3 day of June, 19 85.

A. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 18th day of June, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

A. Theodore Phoebus
CLERK

Exd.
JUL 10 1985

| | | |
|---|---|---|
| Miriam Abbott<br>P.O. Box 68<br>Wenona, Maryland 21870<br>Plaintiff | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| | * | CIVIL CASE NO. 85CA00074 |
| Agnes E. Cox<br>c/o Charles Abbott<br>Box 68<br>Wenona, Maryland 21870<br>Defendant | * | |
| and | * | |
| Wilbert E. Cox<br>Baltimore, Maryland<br>Defendant | * | |
| and | * | |
| Mae N. Ford<br>Baltimore, Maryland<br>Defendant | * | |
| and | * | |
| Ethel Abbott<br>c/o Charles Abbott<br>Box 68<br>Wenona, Maryland 21870<br>Defendant | * | |

And all persons having claiming to have any interest in the following properties:

Item One: All that one acre, off Rt. 361, Catlin's Lane, Lower Fairmount, bearing County Tax Map # 47-6-15 located in Fairmount Election District and assessed to Agnes E. Cox.

Item Two: All that corner lot 70 feet x 100 feet on west side of Wenona Road, Wenona, bearing County Tax Map # 28-17-117, Liber 196, folio 172, located in Deal Island Election District and assessed to Ethel Abbott, Heirs.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

COMPLAINT TO FORECLOSE RIGHTS OF REDEMPTION

To The Honorable, The Judges of Said Court: BOOK 050 PAGE 324

The Plaintiff, Miriam Abbott, by the Law Office of Logan C. Widdowson, her attorneys, files this Complaint to Foreclose Certain Rights of Redemption as provided by Article 81 Section 97, et seq., of the Annotated Code of Maryland, and in support thereof says:

1. That on the 16th day of November, 1982, there was issued to Miriam Abbott, the Plaintiff herein, by Carlos Bozman, Collector of Taxes for the State of Maryland and Somerset County, the following certificates of sale:

(a) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of five hundred seventy nine dollars and seventy-five cents ($579.75) and the sale to the Plaintiff on said date of all that one acre, off Rt. 361, Catlin's lane Lower Fairmount, bearing County Tax Map number 47-6-15, located in Fairmount Election District and assessed to Agnes E. Cox (referred to herein as item one).

(b) a certificate of sale showing payment by the Plaintiff to said Collector of Taxes the sum of two hundred twenty dollars and five cents ($220.05) and the sale to the Plaintiff on said date of all that corner lot 70 feet x 100 feet on west side of Wenona Road, Wenona, bearing County Tax Map number 28-17-117, Liber 196, folio 172, located in Deal Island Election District and assessed to Ethel Abbott, Heirs (referred to herein as item two).

2. That said certificates of sale are attached to the Complaint as a part hereof.

3. That the aforementioned properties have not been redeemed by any party in interest although more than a year from the date of the sale has expired.

4. That the Plaintiff has caused the Land and Testamentary Records of Somerset County to be examined by Philip C. Widdowson, a member of the bar of the State of Maryland, whose affidavit is attached hereto and in reliance upon which your Plaintiff alleges and avers as follows:

(a) That Agnes E. Cox. Wilbert E. Cox, Mae N. Ford and Miriam Abbott (formerly known as Miriam E. Cox)acquired the property described in Paragraph 1 (a) of the Complaint by virtue of the Last Will and Testament of Wilbert E. Cox dated May 17, 1940 and recorded among the Testamentary Records of Somerset County, Maryland in Liber F.E.D. No 34, page 309, and said persons have made no off conveyances of record of said property.

(b) That Ethel Abbott, is the current record owner of the property described in Paragraph 1 (b) of this Complaint and that said Ethel Abbott has made no off conveyances of record of said property.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

5. That the amounts necessary to redeem the aforementioned properties are the amounts shown on the respective certificates aforesaid plus costs of sale, interest due on taxes, in addition to those costs and disbursements provided for in Article 81 Section 111 of the aforesaid Code.

WHEREFORE, your Plaintiff prays:

1. That this Honorable Court may direct service of process to the Defendants named in this Complaint.

2. That this Honorable Court may grant unto the Plaintiff the order of publication directed to the Defendants herein and all persons having or claiming to have any interest in the aforementioned properties.

3. That this Honorable Court direct the Collector of Taxes for the State of Maryland and Somerset County to execute a deed to the Plaintiff as provided in Section 115 of Article 81 of the Annotated Code of Maryland.

4. That your Plaintiff may have such other and further relief as her cause may require.

And, As in Duty Bound, Etc.

Law Office of Logan C. Widdowson

By _____
Philip C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853
Telephone: 651-3800

_____
Miriam Abbott, Plaintiff

STATE OF MARYLAND
COUNTY OF SOMERSET
TO WIT:

I hereby certify that on this 29th day of October, 1984, before me, a Subscriber, a Notary Public, in and for the State and County aforesaid, personally appeared Miriam Abbott, and she made oath in due form of law that the aforegoing Complaint is true and correct according to her best knowledge and belief.

As witness my hand and Notarial Seal

_____
Notary Public

My Commission Expires 7/01/86

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

AFFIDAVIT OF ATTORNEY

STATE OF MARYLAND, COUNTY OF SOMERSET, TO WIT:

I hereby certify that on this 29th day of October, 1984, before me, the subscriber, a Notary Public in and for the State and County aforesaid personally appeared Philip C. Widdowson, of the Law Office of Logan C. Widdowson, personally known to me and being sworn to deposes and says:

1. That he is a member of the Bar of the State of Maryland, having been admitted thereto on June 16, 1976, and that he made an examination of the public records of Somerset County, Maryland, in regards to the following properties:

ITEM ONE: All that one acre, of Rt. 361, Catlin's Lane, Lower Fairmount, bearing County Tax Map number 47-6-15 located in Fairmount Election District and assessed to Agnes E. Cox.

ITEM TWO: All that corner lot 70 feet x 100 feet on the west side of Wenona Road, Wenona, bearing County Tax Map number 28-17-117, Liber 196, folio 172, located in Deal Island Election District and assessed to Ethel Abbott, Heirs.

And found that Agnes E. Cox, Wilbert E. Cox, Mae N. Ford and Miriam Abbott are the owners of the property referred to above as Item One and that Agnes E. Cox, Wilbert E. Cox, Mae N. Ford and Miriam Abbott have made no off conveyances of record in regard to said property. The addresses of the said Wilbert E. Cox and Mae N. Ford. were obtained from the Testamentary Records of Somerset County, Maryland in Application Book F. E. D. No 44, page 11.

Philip C. Widdowson, Affiant

SUBSCRIBED AND SWORN TO, before me this 29th day of October, 1984.

Notary Public

My Commission Expires 7/01/86.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

500-6/65

## CERTIFICATE OF SALE

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to Miriam Abbott at public auction for the sum of $ 690.00 , of which $ 220.05 has been paid, the property in Somerset County, described as follows:

All that corner lot 70 feet x 100 feet on west side of Wenona Road, Wenona, bearing County Tax Map #28-17-117, Liber 196, folio 172, located in Deal Island Election District

and assessed to Ethel Abbott, Heirs
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982, before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman
Notary Public

BOOK 050 PAGE 327

500-6/65

CERTIFICATE OF SALE

BOOK 050 PAGE 328

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to Miriam Abbott at public auction for the sum of $ 580.00 , of which $ 579.75 has been paid, the property in Somerset County, described as follows:

All that one acre, off Rt. 361, Catlin's Lane, Lower Fairmount, bearing County Tax Map #47-6-15, located in Fairmount Election District

and assessed to Agnes E. Cox
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman

Carlos Bozman, Collector

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude H. Bozman

Notary Public

Miriam Abbott
Plaintiff *

vs. *

Agnes E. Cox
Defendant *

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
CIVIL CASE NO. 85CA00071

MOTION TO PROCEED AGAINST DEFENDANTS AS NON-RESIDENTS

The motion of the Plaintiff, by the Law Office of Logan C. Widdowson, her attorneys, respectfully represents:

That the Plaintiff caused a diligent search of the Land, Court and Testamentary Records of Somerset County to be made which determined the addresses of Wilbert E. Cox and Mae N. Ford to be Baltimore, Maryland; that the above addresses are insufficient for service of process.

Wherefore, the Plaintiff moves that the Defendants, Wilbert E. Cox and Mae N. Ford, 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 and posting on the premises pursuant to Rule 2-122 (a) (3).

LAW OFFICE OF LOGAN C. WIDDOWSON
BY Philip C. Widdowson
Philip C. Widdowson
Attorney for the Plaintiff

AFFIDAVIT

I Philip C. Widdowson, do hereby make affidavit that I have made reasonable and bona fide efforts to determine the addresses of Wilbert E. Cox and Mae N. Ford and that as a result of my investigation, the only addresses I was able to find were in Application Book F.E.D. No 44, Page 11 in the Testamentary Records of Somerset County, Maryland which gave the addresses of the said Wilbert E. Cox and Mae N. Ford as Baltimore, Maryland, which said addresses are insufficient for direct service of process.

Philip C. Widdowson

SUBSCRIBED AND SWORN TO, before me this 29th day of October, 1984.

Dawn M. Dryden
Notary Public

My Commission Expires July 1, 1986.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 330

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00074 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name Agnes E. Cox

Address c/o Charles Abbott, Box 68, Wenona, Maryland 21870

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by Miriam Abbott

(Name and Address)

P.O. Box 68, Wenona, Maryland 21870

on or before January 14, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued October 31, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Mordua Esq. 11-1-84

FEE $_____

SHERIFF Suzy L. Jones, Deputy

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

Case Number 85-CA-00074 Civil Action

TO:

Name Ethel Abbott

Address c/o Charles Abbott, Box 68, Wenona, Maryland 21870

County Somerset

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by Miriam Abbott

(Name and Address)

P.O. Box 68, Wenona, Maryland 21870

on or before January 14, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued October 31, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

Mortuna Est 11-1-84

FEE $_____

SHERIFF

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

BOOK 050 PAGE 331

BOOK 050 PAGE 332

| | | |
|---|---|---|
| Miriam Abbott<br>Plaintiff | * | IN THE CIRCUIT COURT |
| vs | * | FOR SOMERSET COUNTY |
| Agnes E. Cox<br>Defendant | * | STATE OF MARYLAND |
| | * | CIVIL CASE NO. 85CA000074 |

ORDER

Upon the foregoing Complaint for Foreclosure of Rights of Redemption, it is this 2nd day of Nov., 1984, ORDERED, by the Circuit Court for Somerset County, Maryland, that the Defendants Wilbert E. Cox and Mae N. Ford be proceeded against as non-residents 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 26th day of November, 1984, stating the substance and object of the original Complaint and warning the said Defendants to file an initial pleading to said Complaint on or before the 14th day of January, 1985, and by posting upon the land pursuant to Rule 2-122 (a) (3).

Lloyd L. Simpkins
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

| | | |
|---|---|---|
| Miriam Abbott<br>Plaintiff | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| Agnes E. Cox, et al<br>Defendants | * | STATE OF MARYLAND |
| | * | CIVIL CASE NO. 85 CA00074 |

AMENDED AFFIDAVIT OF ATTORNEY

I, Philip C. Widdowson, do hereby make affidavit that I have made reasonable and bonafide efforts to determine the addresses of Wilbert E. Cox and Mae N. Ford and that as a result of my investigation, the only addresses I was able to find among the Land Records, Testamentary Records and records of any court of law or equity of Somerset County were in Application Book F.E.D. No. 44, page 11 in the Testamentary Records of Somerset County, Maryland which gave the addresses of Wilbert E. Cox and Mae N. Ford as Baltimore, Maryland, which said addresses are insufficient for direct service of process. Inquiry was also made to Miriam Abbott, the Plaintiff herein, who is the step sister of said Wilbert E. Cox and Mae N. Ford. Mrs. Abbott stated the following: that Wilbert E. Cox and Mae N. Ford were much older than she and she had little contact with them after they moved from Somerset County; that both Mr. Cox and Mrs. Ford are deceased, Mr. Cox having died around 1974, and that she was unable to determine their last known addresses although she inquired of several persons whom she thought might have known.

Philip C. Widdowson
Philip C. Widdowson

SUBSCRIBED AND SWORN TO, before me this 2nd day of November, 1984.

Dawn M. Dryden
Notary Public

DAWN M. DRYDEN NOTARY PUBLIC SOMERSET COUNTY

My Commission Expires July 1, 1986.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

BOOK 050 PAGE 334

| | | |
|---|---|---|
| Miriam Abbott<br>P.O. Box 68<br>Wenona, Maryland 21870<br>Plaintiff | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| | * | CIVIL CASE NO. 85CA00074 |
| Agnes E. Cox<br>c/o Charles Abbott<br>Box 68<br>Wenona, Maryland 21870<br>Defendant | * | |
| and | * | |
| Wilbert E. Cox<br>Baltimore, Maryland<br>Defendant | * | |
| and | * | |
| Mae N. Ford<br>Baltimore, Maryland<br>Defendant | * | |
| and | * | |
| Ethel Abbott<br>c/o Charles Abbott<br>Box 68<br>Wenona Maryland 21870<br>Defendant | * | |

And all persons having claiming to have any interest in the following properties:

ITEM ONE: All that one acre, off Rt. 361, Catlin's Lane, Lower Fairmount, bearing County Tax Map number 47-6-15 located in Fairmount Election District and assessed to Agnes E. Cox.

ITEM TWO: All that corner lot 70 feet x 100 feet on west side of Wenona Road, Wenona, bearing County Tax Map number 28-17-117, Liber 196, folio 172, located in the Deal Island Election District and assessed to Ethel Abbott, Heirs.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
67 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

ORDER OF PUBLICATION

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following properties in the Fairmount Election District and the Deal Island Election District, Somerset County, Maryland sold by the Collector of Taxes for the State of Maryland and Somerset County to the Plaintiff in this proceeding:

ITEM ONE: All that one acre,off Rt. 361, Catlin's Lane, Lower Fairmount bearing County Tax Map number 47-6-15 located in Fairmount Election District and assessed to Agnes E. Cox.

TTEM TWO: All that corner lot 70 feet by 100 feet on west side of Wenona Road, Wenona, bearing County Tax Map number 28-17-117, Liber 196, folio 172 located in Deal Island Election District and assessed to Ethel Abbott, Heirs.

The Complaint states, among other things, that the amounts necessary for redemption have not been paid, although more than one year and a day from the date of sale has expired.

It is thereupon, this 2nd day of Nov., 1984, by the Circuit Court for Somerset County, Maryland ORDERED, that notice be given by the insertion of a copy of this order in some newspaper having general circulation in said Somerset County, once a week for three successive weeks, warning all persons interested is said properties to be and appear in this Court by the 14th day of JANUARY, 1985, and redeem the properties herein before described and answer the Complaint or thereafter a final decree will be rendered foreclosing all rights of redemption in the properties and vesting in the Plaintiff a title, free and clear of all encumbrances.

Lloyd L. Humphries
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

BOOK 050 PAGE 336

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 11/2, 19 84, and ending 11/21, 19 84 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lisa Price, M+H.
Publisher.

Printer's Fee: $66.00 per insertion

Law Office of Logan C. Widdowson
47 North Somerset Avenue
Princess Anne, Maryland 21853

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
CIVIL CASE NO. 85 CA 00074

Miriam Abbott, Plaintiff
P.O. Box 68
Wenona, Maryland 21870
vs.
Agnes E. Cox, Defendant
c/o Charles Abbott
Box 68, Wenona, Maryland 21870
and
Wilbert E. Cox, Defendant
Baltimore, Maryland
and
Mae N. Ford, Defendant
Baltimore, Maryland
and
Ethel Abbott, Defendant
c/o Charles Abbott
Box 68, Wenona, Maryland 21879

And all persons having claiming to have any interest in the following properties:

ITEM ONE: All that one acre, off Rt. 361, Catlin's Lane, Lower Fairmount, bearing County Tax Map Number 47-6-15 located in Fairmount Election District and assessed to Agnes E. Cox.

ITEM TWO: All that corner lot 70 feet x 100 feet on west side of Wenona Road, Wenona, bearing County Tax Map Number 28-17-117, Liber 196, folio 172, located in the Deal Island Election District and assessed to Ethel Abbott, Heirs.

## ORDER OF PUBLICATION

The object of this proceeding is to secure the foreclosure of all rights of redemption in the following properties in the Fairmount Election District and the Deal Island Election District, Somerset County, Maryland sold by the Collector of Taxes for the State of Maryland and Somerset County to the Plaintiff in this proceeding:

ITEM ONE: All that one acre, off Rt. 361, Catlin's Lane, Lower Fairmount bearing County Tax Number 47-6-15 located in Fairmount Election District and assessed to Agnes E. Cox.

ITEM TWO: All that corner lot 70 feet by 100 feet on west side of Wenona Road, Wenona, bearing County Tax Map Number 28-17-117, Liber 196, folio 172 located in Deal Island Election District and assessed to Ethel Abbott, Heirs.

The Complaint states, among other things, that the amounts necessary for redemption have not been paid, although more than one year and a day from the date of sale has expired.

It is thereupon, this 2nd day of NOVEMBER, 1984, by the Circuit Court for Somerset County, Maryland ORDERED, that notice be given by the insertion of a copy of this order in some newspaper having general circulation in said Somerset County, once a week for three successive weeks, warning all persons interested in said properties to be and appear in this Court by the 14th day of JANUARY, 1985, and redeem the properties herein before described and answer the Complaint or thereafter a final decree will be rendered forclosing all rights of redemption in the properties and vesting in the Plaintiff a title, free and clear of all encumbrances.

Lloyd R. Simpkins
Judge

True Copy, Test:
I.T. Phoebus, Clerk

80-11/7-3tMH

| | | |
|---|---|---|
| Miriam Abbott<br>Plaintiff | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| Agnes E. Cox, et al<br>Defendants | * | STATE OF MARYLAND |
| | * | CIVIL CASE NO.<br>SCA00074 |

I certify that I did post a copy of the Order of Publication in the above captioned case on Nov. 7, 1984, pursuant to Rule 2-122 (a) (3).

Deputy Bobby Jones
Sheriff 2519
2011

INSTRUCTIONS TO SHERIFF:

Property is on south side of, but not binding upon, county road through Lower Fairmount; property is situated on right hand side of lane off of said county road, opposite the home of Billy French; contains shell of burned house.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

BOOK 050 PAGE 338

| | | |
|---|---|---|
| Miriam Abbott | * | IN THE CIRCUIT COURT FOR |
| vs. | * | SOMERSET COUNTY, MARYLAND |
| Agnes E. Cox, et al | * | CIVIL CASE NO. 85 CA 00074 |

PETITION TO APPOINT SPECIAL EXAMINER

The Petition of the Plaintiff by the Law Office of Logan C. Widdowson, her attorneys, respectfully represents:

FIRST: That the Plaintiff stands ready to take testimony in the above-captioned matter in support of her Complaint filed herein.

SECOND: That Logan C. Widdowson, one of the Plaintiff's attorneys, is the Standing Examiner in this Court and it would be improper for him to examine the witnesses in this case; therefore, it is necessary that a Special Examiner be appointed.

WHEREFORE, your Plaintiff prays this Honorable Court to pass an Order appointing a Special Examiner to examine the Plaintiff's witnesses in said cause.

Law Office of Logan C. Widdowson

By [signature]
Attorney for the Plaintiff

ORDER OF COURT

Upon the aforegoing Petition, IT IS, this 6th day of March, 1984, by the Circuit Court for Somerset County, Maryland, ORDERED that Dawn M. Dryden be and she is hereby appointed Special Examiner to take testimony in the above-captioned cause.

[signature]
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3000

Miriam Abbott

vs.

Agnes E. Cox, et al

* IN THE CIRCUIT COURT FOR

* SOMERSET COUNTY, MARYLAND

* CIVIL CASE NO. 85 CA 00074

PETITION FOR ORDER OF DEFAULT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of the Plaintiff, Miriam Abbott, by her attorneys, the Law Office of Logan C. Widdowson, respectfully represents:

1. That the summonses have been returned mortuus est against the Defendants, Ethel Abbott and Agnes E. Cox.

2. That the time for answering said Complaint has elapsed.

3. That the Defendants have neither appeared to nor answered the same.

4. That the Plaintiff stands ready to take testimony in support of her Complaint to Foreclose Rights of Redemption.

WHEREFORE, your Plaintiff prays this Honorable Court:

A. To issue an Order of Default against the non-answering Defendants.

B. To grant the Plaintiff leave to take testimony before a Standing Examiner of this Court to support the allegations of the Complaint.

Law Office of Logan C. Widdowson

By _____

Attorneys for the Plaintiff
47 North Somerset Avenue
Princess Anne, Maryland 21853
Telephone: 651-3800

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

BOOK 050 PAGE 340

| | | |
|---|---|---|
| Miriam Abbott | * | IN THE CIRCUIT COURT FOR |
| vs. | * | SOMERSET COUNTY, MARYLAND |
| Agnes E. Cox, et al | * | CIVIL CASE NO. 85 CA 00074 |

ORDER OF DEFAULT

It appearing from the proceedings in the above cause that the Defendants have been duly notified to appear to the Complaint filed herein and have failed to appear or file an answer thereto, it is ORDERED thereupon, this 6TH day of March, 1984, by the Circuit Court for Somerset County, Maryland, that the Complaint be and the same is hereby taken by default against the Defendants.

And it is further ORDERED that the Plaintiff be granted leave to take testimony before one of the Standing Examiners of the Court in support of the allegations of the Complaint.

Lloyd L. Anderson
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

Miriam Abbott

vs.

Agnes E. Cox, et al

* IN THE CIRCUIT COURT FOR

* SOMERSET COUNTY, MARYLAND

* CIVIL CASE NO. 85 CA 00074

TESTIMONY

In this cause, testimony having to be taken to support the allegations of the Complaint, I, Dawn M. Dryden, of Princess Anne, Maryland, Special Examiner of the Circuit Court for Somerset County, Maryland, duly appointed, sworn, etc., do hereby certify that on this 8th day of March, 1985, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION OF PHILIP R. MAHAN:

Philip R. Mahan, a witness of lawful age produced on behalf of the Plaintiff, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.

A. I am Philip R. Mahan. I reside in Somerset County, Maryland, and I am the duly elected and qualified Treasurer of Somerset County, and as such collect the State and County Taxes for said Somerset County.

Q. Mr. Mahan, I hand you certain documents previously filed in this proceeding and ask if you can identify them.

A. Yes, these documents are certificates of sale issued by Carlos Bozman, former County Treasurer, to Miriam Abbott as the purchaser at certain tax sales held by Mr. Bozman in his official capacity on November 16, 1982.

Q. Will you please identify the certificates more specifically.

A. Yes, I am now testifying in reference to two certificate of sale, dated November 16, 1982, signed by Carlos Bozman, as Collector, and notarized on November 16, 1982, by Gertrude H. Bozman, Notary Public. The first certificate relates to the property assessed to Agnes E. Cox referred to in the Complaint in paragraph 1.(a). The certificate cites a sale to Mrs. Abbott on November 16, 1982, in the sum of $580.00 of which $579.75 was paid on the date of sale. The second certificate relates to the property assessed to Ethel Abbott, Heirs referred to in the Complaint in paragraph 1.(b). The certificate cites a sale to Miriam Abbott

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
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651-3800

on November 16, 1982, in the sum of $690.00 of which $220.05 was paid on the date of sale.

Q. Prior to the offering of these properties for sale at public auction for delinquent taxes, did you or your deputies receive due notice of assessment of these properties and tax bills for them for the years for which these were sold, and did you or your deputies comply with all the prerequisites of law pertaining to said tax sales?

A. Yes. The properties were so assessed and such bills were received and my deputies and Mr. Bozman complied with all the prerequisites of law in advertising and holding the tax sales.

Q. With reference to the two properties which you have set forth in your testimony, have you received any notice of redemption of these properties or any notice of intent to redeem these properties or any offers for payment on account of such redemption from any person or persons?

A. No, I have not.

Q. Since the date of the tax sale and the filing of the Complaint, has the purchaser, Miriam Abbott, made any further payments to you in your official capacity?

A. No.

Q. Does Mrs. Abbott owe anything further to your Office on account of these properties?

A. Yes, in regard to the property mentioned in paragraph 1.(a) of the Complaint, there is owed the balance of the purchase price which is $.25 and taxes of $119.33, which include March interest. In regard to the property mentioned in paragraph 1.(b) of the Complaint, there is owed the balance of the purchase price which is $469.95 and taxes of $ 39.77, which include March interest.

Q. Do you, in your official capacity, know of any reason why the sale of this property to Mrs. Abbott should not be ratified by this Court or do you have any objection to such ratification?

A. I know of no reason why the sale should not be ratified and I have no objection to its ratification.

Q. COURT'S QUESTION:

A. Nothing further.

Philip R. Mahan
Philip R. Mahan
Treasurer for Somerset County

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3500

EXAMINATION OF PHILIP C. WIDDOWSON, ESQ.:

Philip C. Widdowson, a witness produced on behalf of the Plaintiff, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.

A. I am Philip C. Widdowson, and I reside at Revell's Neck, Maryland. I am an attorney at law with an office for the practice of my profession in Princess Anne, Somerset County, Maryland.

Q. Will you please state your connection with this proceeding.

A. I was retained by the Plaintiff, Miriam Abbott, the purchaser of certain properties at tax sales held by the County Treasurer on November 16, 1982. I was requested by Mrs. Abbott to make an examination of the public records of Somerset County pertaining to the ownership of the properties mentioned in the Complaint in paragraphs 1.(a) and 1.(b) and to take such steps as are required by law to give notice of this proceeding to the attention of the former owners of record and to any other persons who might be interested in said properties or the redemption of them.

Q. What legal actions did you take?

A. I personally examined the appropriate Somerset County records and prepared and filed the Complaint in this proceeding together with affidavits dated October 29, 1984, and November 2, 1984, referring to my title examinations. I now reaffirm the contents of these affidavits as a part of my testimony in this proceeding. I also caused to be published the order of publication herein as more fully appears by the printer's certificate heretofore filed in this proceeding and caused subpoenas to be issued and served upon those property owners subject to process.

Q. Since the filing of the suit, the issuance of subpoenas and the publication of the order of publication, have there been any changes in the status of the properties mentioned in the Complaint?

A. No.

Q. Has any offer been made to you to redeem the properties described in the Complaint?

A. No person has made any offer to me to redeem the properties to which you refer nor has anyone disclosed to me any intention to redeem them.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3500

Q. Do you know of any reason why the sale of this property should not be ratified by this Court?

A. No.

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Q. COURT'S QUESTION:

A. Nothing further.

Philip C. Widdowson

Philip C. Widdowson

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

Bill of Costs

Special Examiner $25.00

Witness my hand and seal.

Dawn M. Dryden (SEAL)
Dawn M. Dryden
Special Examiner

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

| | | |
|---|---|---|
| Miriam Abbott | * | IN THE CIRCUIT COURT FOR |
| vs. | * | SOMERSET COUNTY, MARYLAND |
| Agnes E. Cox, et al | * | CIVIL CASE NO. 85 CA 00074 |

DECREE

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

DECREED, this 11th day of April, 1985, by the Circuit Court for Somerset County, Maryland, that as to the properties hereinafter named and described in this Decree, there is hereby vested in the Plaintiff, Miriam Abbott, an absolute and indefeasible title in fee simple in said properties, free and clear of all alienations and descents of the properties occurring prior to the time and date of this decree and free and clear of any encumbrances thereon, except taxes accruing subsequent to the date of sale (if any of said taxes remain outstanding, due and unpaid) and except easements to which said properties are subject and of which the Plaintiff has actual and constructive notice at the time of said sale, and it is further

DECREED, that all of the right, title and interest of the Defendants, Agnes E. Cox, Wilbert E. Cox, Mae N. Ford and Ethel Abbott and all persons having or claiming to have any interest in the properties mentioned and described in this proceeding, be and the same are hereby foreclosed, and it is further

DECREED, that Philip R. Mahan, Collector of Taxes for the State of Maryland and the County of Somerset execute a deed to Miriam Abbott conveying the hereinafter described properties upon payment to said Collector of the balance of the purchase price due on account of the purchase price of the properties, together with all taxes and interest and penalties thereon accruing subsequent to the date of sale (if any of said purchase price, taxes, interest and penalties remain outstanding, due and unpaid), and that the supervisor of assessment for Somerset County, Maryland enroll the Plaintiff, Miriam Abbott, as the owner of the hereinafter described properties in fee simple, the aforesaid deed to be prepared by the Plaintiff's attorney, and all expenses incident to the preparation and execution of said deed shall be paid by the said Miriam Abbott and it is further

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDWARD L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

DECREED that the Clerk of the Circuit Court for Somerset County shall issue a certified copy of this Decree to the aforesaid Philip R. Mahan, Collector of Taxes for the State of Maryland and the County of Somerset and to the supervisor of assessments for Somerset County, and the said Collector shall not be obligated to execute the deed hereinbefore provided for until such certified copy of said Decree is served upon him and it is further

DECREED that the Plaintiff, Miriam Abbott, shall forthwith and before delivery of said certified copy of this Decree to said Collector and supervisor by said Clerk, shall pay all Court costs accrued to date in this proceeding and it is further

DECREED that the property subject to this Decree is identified and described as follows:

ITEM ONE: All that one acre, off Rt. 361, Catlin's Lane, Lower Fairmount, bearing County Tax Map number 47-6-15 located in Fairmount Election District and assessed to Agnes E. Cox.

ITEM TWO: All that corner lot, 70 feet x 100 feet, on west side of Wenona Road, Wenona, bearing County Tax Map number 28-17-117, Liber 196, folio 172, located in the Deal Island Election District and assessed to Ethel Abbott, Heirs.

Lloyd L. Dumbrowski
Judge

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
67 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2800

July 2, 1985
DATE

I hereby acknowledge Receipt of a Certified copy of Decree filed in the case of Miriam Abbott v. Agnes E. Cox, etal being Civil Action Case No. 85-CA-00074.

Philip R. Mahan
Philip R. Mahan, Treasurer

Robert L. Lankford
Robert L. Lankford, Assessor

JUL 10 1985
Exd.

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BOOK 050 PAGE 348

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Deed of Trust from Edward G. Newton and Marsha L. Newton | : | NO. 85-CA-00187 CIVIL |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY, MARYLAND |

: : : : : : :

ORDER TO DOCKET

MR. CLERK:

Please docket suit as above, file the attached deed of trust for foreclosure and file the Affidavit of Debt.

Thomas S. Simpkins
51 N. Somerset Ave.
P.O. Box 207
PRINCESS ANNE, MD. 21853
651-1400

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Deed of Trust from Edward G. Newton and Marsha L. Newton : NO. 85CA00187 CIVIL

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : :

AFFIDAVIT OF DEBT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 13th day of March 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Robert W. Bromley, Vice President of Maryland State Bank, beneficiary of the deed of trust herein, dated July 8th, 1982 and recorded among the Land Records of Somerset County, Maryland, in Liber 333, folio 461, et seq., who first being duly sworn according to law deposes and says that there is justly due and owing on said deed of trust the sum of Nineteen Thousand Seven Hundred Seventy-nine Dollars and Eighteen Cents ($19,779.18 as of March 8, 1985, and per diem at $8.46 thereafter March 8, 1985.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

My commission expires July 1, 1986

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

EDWARD G. NEWTON AND MARSHA L. NEWTON

WORKSHEET

| | |
|---|---|
| Principal Balance on Deed of Trust November 9, 1984 | $ 18,719.56 |
| Nov. 10, 1984 to March 8, 1985 INTEREST | 1,015.64 |
| To Late Charges Dec. 8, 1984, Jan. 8, 1985 and Feb. 8, 1985 | 43.98 |
| Total as of March 8, 1985 | $ 19,779.18 |

Per Diem at $8.46 thereafter

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Deed of Trust from Edward G. Newton and Marsha L. Newton | : | No. 8500187 CIVIL |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY, MARYLAND |

: : : : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 1st day of April 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on February 6, 1985 he did mail a notice of default in the above matter to: Edward G. Newton, Rt. 1, Box 210, Princess Anne, Maryland 21853, and to Marsha L. Newton, Rt. 1, Box 210, Princess Anne, Maryland 21853, notifying them of the pending foreclosure proceedings; that on March 27, 1985, he did mail an exact copy of the advertizement of sale in the above matter to Edward G. Newton and Marsha L. Newton, Rt. 1, Box 210 Princess Anne, Maryland 21853, by certified mail, postage prepaid.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

85CA00187

BOOK 050 PAGE 352

PS Form 3811, Jan. 1978

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:
Edward G. Newton
Rt. 1, Box 210
Princess Anne, Md.21853

3. ARTICLE DESCRIPTION:

| REGISTERED NO. | CERTIFIED NO. | INSURED NO. |
|---|---|---|
| P30 | 3384324 | |

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☐Authorized agent
X Edward G. Newton

4. DATE OF DELIVERY
3-29

POSTMARK
MAR 29 1985

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆GPO : 1978-253-048

PS Form 3811, Jan. 1978

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:
Marsha L. Newton
Rt. 1, Box 210
Princess Anne, Md. 21853

3. ARTICLE DESCRIPTION:

| REGISTERED NO. | CERTIFIED NO. | INSURED NO. |
|---|---|---|
| P30 | 3384323 | |

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐Addressee ☐Authorized agent
X Edward G. Newton

4. DATE OF DELIVERY
3-29

POSTMARK
MAR 29 1985

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆GPO : 1978-253-048

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

8SCA00187

Maryland

# Western Surety Company

Bond Book 11 Page 526

## TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. 60027186

That we, THOMAS S. SIMPKINS, 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 TWO THOUSAND AND NO/100 ($22,000) 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 9TH day of April, 1985.

WHEREAS, the above bounden THOMAS S. SIMPKINS

by virtue of the power contained in a mortgage from EDWARD G. NEWTON AND MARSHA L. NEWTON

to MARYLAND STATE BANK,

bearing date the July 8Th, 1982 day of July and recorded among

the mortgage records of SOMERSET COUNTY MARYLAND

in Liber 333461 No. _____ Folio _____

and _____
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

THOMAS S. SIMPKINS

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

Mary Lou King

Thomas S. Simpkins Principal

As to Surety

A. Victor

K. Stokes

Principal

WESTERN SURETY COMPANY

By Joe Kirby
President

Countersigned by Mary Lou King Maryland Resident Agent

THE WITHIN BOND APPROVED

BOOK 050 PAGE 353

1268—5-81

WESTERN SURETY COMPANY • ONE OF AMERICA'S OLDEST BONDING COMPANIES

# POWER OF ATTORNEY

(Irrevocable)

*Know All Men by These Presents:* BOND No. R- 40296304

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 the following

SEVEN 7 authorized individuals: BOOK 050 PAGE 354

| AUTHORIZED INDIVIDUALS | AUTHORIZED INDIVIDUALS |
|---|---|
| RANDALL L PRYOR<br>DONALD L HENDERSON<br>MARY LOU KING<br>CONSTANCE M TRADER | VICKIE L WAGNER<br>JERRY WARREN ELLIOTT<br>ROBERT J MEADE |

in the City of SALISBURY, 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, EXECUTOR, PERSONAL REPRESENTATIVE, GUARDIAN, CONSERVATOR, CURATOR, 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), REFEREE IN PARTITION, COMMISSIONER TO SELL REAL ESTATE, TRUSTEE OR RECEIVER — In Bankruptcy (Excluding Chapter 11) | $1,000,000 |
| (B) NOTARY PUBLIC, PUBLIC OFFICIAL AND DEPUTIES, RECEIVER — (In State Court Only) | $ 50,000 |
| (C) PLAINTIFF'S COURT BOND — Banks, Savings & Loan, and Trust Companies<br>— All Others, except bonds prohibited by "NOTE" below | $ 100,000<br>$ 20,000 |
| (D) COST ON APPEAL ) EXCLUDING OPEN PENALTY, STAY, REMOVAL OF CAUSE ) SUPERSEDEAS OR GUARANTEE OF A JUDGMENT | $ 2,000 |
| (E) LICENSE AND PERMIT Except bonds where the state is the obligee<br>SPECIAL FUEL USERS | $ 25,000<br>$ 2,000 |
| (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, Assistant 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, OR UTILITY DEPOSIT BONDS 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, Powers of Attorney 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, Powers of Attorney or other obligations of the corporation - the signature of any such officer and the corporate seal may be printed by facsimile."

Dated this 23rd day of August, 1982.

ATTEST C. Schmidt
Assistant Secretary

WESTERN SURETY COMPANY

By Joe P. Kirby
President

STATE OF SOUTH DAKOTA
County of Minnehaha } ss

On this 23rd day of August, 1982, before me, a Notary Public, personally appeared JOE P. KIRBY, who being by me duly sworn, acknowledged that he signed the above P[illegible] President of the said WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

My commission expires June 12, 19 88

Bond Book 11 Page 527

Phone
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 *9th day of April, 1985

RECORDED IN LIBER [illegible] FOLIO [illegible] THIS [illegible] DAY [illegible] CLERK OF CIRCUIT CT. DEPUTY

WESTERN SURETY COMPANY

By Joe P. 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 A-5-83

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Deed of Trust from Edward G. Newton and Marsha L. Newton | : | CIVIL NO. 8500187 |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY, MARYLAND |

: : : : : :

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Thomas S. Simpkins, Attorney in the above captioned cause, duly qualified after filing his approved bond, hereby reports: That he did on April 9th, 1985, 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 Virgil Thomas Leath for the sum of Fifteen Thousand Dollars ($15,000.00) that being the highest bid therefor and that a deposit of Three Thousand Dollars has been paid as per terms of sale, the unpaid portion to be paid upon ratification.

Respectfully submitted,

Thomas S. Simpkins

STATE OF MARYLAND, COUNTY OF SOMERSET:

I hereby certify that on this 9th day of April 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say: that he was duly appointed and qualified to sell the land and improvements in the above 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 the best of his information, knowledge and belief.

As Witness my hand and Notarial Seal.

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 050 PAGE 356

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Deed of Trust from Edward G. Newton and Marsha L. Newton | : | CASE NO. 8500187 |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY, MARYLAND |

: : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET:

I hereby certify that on this 9th day of April 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Virgil Thomas Leath, after being duly sworn, deposes and says:

1. That he was the purchaser at the public auction of the property in these proceedings held on April 9th, 1985, at 2:00 p.m. for $15,000.00.

2. That he did not discourage directly or indirectly anyone from bidding on the property.

As Witness my hand and Notarial Seal.

Virgil Thomas Leath
Virgil Thomas Leath, Affiant

Jean Taylor
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
81 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

THOMAS S. SIMPKINS
Attorney at Law
Princess Anne, Maryland

In the Foreclosure of a
Deed of Trust From
Edward G. Newton and Marsha L. Newton

---

Civil No. 8500187
In the Circuit Court For
Somerset County, Maryland

---

NOTICE

ORDERED, by the Circuit Court for Somerset County, Maryland this 18TH day of April 1985, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED AND CONFIRMED unless cause to the contrary thereof be shown on or before the 20TH day of May 1985, 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 13TH day of May 1985.

The Report states the amount of sale to be a total of Fifteen Thousand Dollars ($15,000.00).

JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

85CA66187

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

BOOK 050 PAGE 358

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 4-24, 1985, and ending 5-8, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois J. Taylor Somerset Herald
Publisher.

Printer's Fee: $26.13 per insertion

**THOMAS S. SIMPKINS**
**Attorney at Law**
**Princess Anne, Maryland**

**In the Foreclosure**
**of a Deed of Trust from**
**Edward G. Newton & Marsha L. Newton**

**Civil No. 8500187**
**In the Circuit Court for**
**Somerset County, Maryland**

## NOTICE

**ORDERED, by the Circuit Court for Somerset County, Maryland this 18th day of April 1985, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, BE RATIFIED AND CONFIRMED Unless cause to the contrary thereof be shown on or before the 20th day of May 1985, 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 13th day of May 1985.**

**The Report states the amount of sale to be a total of Fifteen Thousand Dollars [$15,000.00].**

**True Copy, Test:** **R.D. Horsey**
**I. Theodore Phoebus** **JUDGE**
**Clerk** **[illegible]**

85CA00187

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 3/20, 1985, and ending 3/27 & 4/3, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $66.00 per insertion.

BOOK 050 PAGE 359

**THOMAS S. SIMPKINS**
**Attorney at Law**
**51 N. Somerset Avenue**
**Princess Anne, Md. 21853**

## FORECLOSURE SALE

**Civil No. 85-CA00187**
**In the Circuit Court for**
**Somerset County, Md.**
**OF**
**LOT AND MOBILE HOME**
**Situate in Mt. Vernon**
**Election District**
**Somerset County, Maryland**

Under and by virtue of the power of sale contained in a deed of trust from Edward G. Newton and Marsha L. Newton to Thomas S. Simpkings, et al., Trustees, dated July 8th, 1982 and recorded among the Land Records of Somerset County, Maryland, in Liber 333, folio 461, default having occurred therein, I hereby give notice that I will on

**TUESDAY, APRIL 9th, 1985**
**AT 2:00 P.M. O'CLOCK**

**AT THE PRINCE WILLIAM**
**COURTHOUSE DOOR**
**PRINCESS ANNE, MARYLAND**

offer the following land and improvements for sale at public auction to the highest bidder therefor:

All that lot or parcel of land situate in Mt. Vernon Election District, Somerset County, Maryland, lying and binding on the southerly side of Mt. Vernon County Road and more particularly described as follows: Beginning at the northwesternmost corner of the land of Gerald James Wisnicwski and Billie Daye Wisnicwski, said plont being designated by the figure "6" on a plat of the Bloodsworth Estate recorded among the Chancery Records of Somerset County, Maryland, in Liber 20, folio 375 by George T. Whelton, dated October 15, 1925; thence [1] South 16° West a distance of 272 1/4 feet by and with Lot No. 2 on said plat to a point; thence [2] North 77° West a distance of 160 feet [said course being parallel with the second course of Lot No. 3 on said plat]; thence [3] North 16° East parallel with the land of Eli Daniels and Myrtle Bloodsworth and Lot No. 4 on said plat a distance of 272.25 feet to the southerly side of said County Road; thence [4] Easterly by and with the Southerly side of said County Road to the first mentioned point and place of beginning; being a part only and the Northeasternmost corner of Lot No. 3 on the plat hereinbefore referred to and being all that lot conveyed unto Edward G. Newton and Marsha L. Nerton, by John H. Murray and Dorothy N. Murray, by deed dated October 5, 1981 and recorded among the Land Records of Somerset County, Maryland, in Liber 329, folio 553.

IMPROVEMENTS: The property is improved by a 1974 CHAM. Mobile Home, Serial #6800, in good condition.

TERMS: $3,000.00 on day of sale by case or certified check; balance upon ratification of sale, unpaid portion to bear interest at 12% to date of settlement. All title papers, revenue stamps, recording costs, agricultural transfer tax, if applicable, and other closing costs at the expense of the purchaser. State and County real estate taxes pro-rated to date of settlement.

THOMAS SIMPKINS 51 N. Somerset Ave.
TRUSTEE Princess Anne, Md. 21853
80-3/20-3tSH [301] 651-1400

BOOK 050 PAGE 360

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Deed of Trust from Edward G.Newton and Marsha L. Newton | : | CIVIL NO. 8500187 |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY, MARYLAND |

: : : : :

ORDER OF RATIFICATION

UPON the Report of Sale, Affidavit and Notice which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, IT IS this 23rd day of May 1985, ORDERED AND DECREED by the Circuit Court for Somerset County, Maryland, in No. 8500187 Civil that the sale of the property mentioned in these proceedings BE and IT hereby IS RATIFIED AND CONFIRMED.

R. D. Horsey
JUDGE

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE
P.O. BOX 307
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Deed of Trust from Edward G. Newton and Marsha L. Newton

CIVIL NO. 8500187

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 the 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 |
| Fees, Costs, Expenses, etc.: | | | |
| I. Theodore Phoebus, Court costs | | 153.00 | |
| Somerset Herald | | | |
| Advertising | $198.00 | | |
| Order Nisi | 78.39 | 276.39 | |
| Wallace Dashiell, Auctioneer | | 100.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Real Estate Taxes | | | |
| 1982-83 | 188.14 | | |
| 1983-84 | 187.61 | | |
| 1984-85 | 161.01 | 536.76 | |
| Trustee's Commission | | 750.00 | |
| Attorney's Fees | | 250.00 | |
| Henderson, Elliott & Pryor | | 66.00 | |
| Notary Fees | | 8.00 | |
| Certified Mail | | 6.44 | |
| Total Fees, Costs, Expenses, etc. | | | 2,211.59 |
| Balance to be Distributed | | | $ 12,788.41 |
| Mortgage Debt | | | |
| Principal Balance on Deed of Trust - 11/9/84 | | $18,719.56 | |
| Interest 11/10/84 to 3/8/85 | | 1,015.64 | |
| Interest 3/9/85 to 6/10/85 | | 786.78 | |
| Late Charges | | 43.98 | |
| Total Mortgage Debt | | | $ 20,565.96 |
| Deficit | | | $ 7,777.55 |

ALL EXCEPTIONS to said report must be filed within ten days of the date of filing; if not exceptions are filed, the account may be ratified.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2800

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:

Thomas Simpkins, Esquire
51 N. Somerset Avenue
Princess Anne, MD 21853

Marsha L. Newton
Rt. 1, Box 210
Princess Anne, MD
21853

Edward G. Newton
Rt. 1, Box 210
Princess Anne, MD 21853

Logan C. Widdowson, Auditor

Filing Date: May 31, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

LCW/gjb
5/31/85
85 # 178

No. 85CA00187 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 31st day of May, 19 85 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 June, 19 85.

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 June, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

Theodore Phoebus
CLERK

BOOK 050 PAGE 364

| | | |
|---|---|---|
| Eugene A. Melvin | : | No. ESCA0084 Civil Action |
| vs | : | In the Circuit Court for |
| Ethel B. Melvin and Annie G. Melvin: | | Somerset County, Maryland |

Mr. Clerk:

Please file the within Complaint, affidavit, certificate of sale and issue subpoenas for all party defendants named in said Complaint who are reisdents of this state and issue an order of publication as prescribed by Sections 106 and 107 of Article 81 of the Annotated Code of Maryland.

JONES & JONES

By _____
Attorneys for Plaintiff
P. O. Box 186
Princess Anne, Maryland 21853
Telephone: 651-2747

| | |
|---|---|
| CIVIL | 8500084 W |
| CLRK FEE | 70.00 L |
| APPEAR | 10.00 L |
| SUBTOTAL | 80.00 |
| CHECK/MO TL | 80.00 |
| #066390 C005 R00 T14:28 | |
| | 11/08/84 |

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

Eugene A. Melvin : No. 85C10008 Civil Action
5161 Linnean Terrace
Washington, D.C. 20008 : In the Circuit Court for

vs : Somerset County, Maryland

Ethel B. Melvin and Annie G. Melvin and all persons having, or claiming to have, any interest in certain property in Lawsons Election District described as follows: "All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map #64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin" and whose last known address is c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D.C. 20008.

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

COMPLAINT

To the Honorable, the Judge of said Court:

Your Plaintiff, Eugene A. Melvin, by Tony Bruce of Jones & Jones, his attorney, files this Complaint to Foreclosure Certain Rights of Redemption as provided by Article 81, Section 97 et seq. of the Annotated Code of Maryland, and in support thereof, says:

1. That on the 16th day of November, 1982, there was issued to Eugene A. Melvin, the Plaintiff herein, whose address appears above, by Carlos Bozman, Collector of Taxes for the State of Maryland and Treasurer of Somerset County and Collector of State and County taxes therein the following certificate of sale, to wit:

(a) A certificate showing payment by the said Eugene A. Melvin unto the said Treasurer and Collector the sum of $497.09 for which he had issued a certificate of tax slae showing sale to the said Eugene A. Melvin on said 16th day of November, 1982, of the following real estate, namely: "All that 5 acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map #64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin."

2. That said certificate of sale is attached to the Complaint as a part hereof.

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

4. That the Plaintiff has caused the Land and Testamentary Records of Somerset County, to be examined by Tony Bruce, a member of the Bar of Maryland, whose affidavit is attached hereto, and in reliance upon it your Plaintiff alleges and avers as follows:

BOOK 050 PAGE 365

(a) That as to the property assessed to Ethel B. Melvin said records indicate that the property was conveyed by Frances M. Melvin and Lucy A. Melvin, his wife, unto Ethel B. Melvin and Annie G. Melvin, as tenants in common, by deed dated January 9, 1915 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 67, folio 546, said deed indicates it consists of four acres of land conveyed unto the grantors by George R. Stephenson and wife. The land was initially assessed to Ethel B. Melvin and Annie G. Melvin but was changed to Ethel B. Melvin only for unknown reasons. There is no known source of title for the additional acre assessed and occupied by the taxpayer, and further that the amount necessary for the redemption of said property is $ 556.74 including costs of sale, taxes and interest through November, 1984 in addition to those costs and disbursements provided for in Article 81, Section 111 of the aforesaid code.

5. That in reliance upon the aforesaid affidavit your Plaintiff alleges and avers that there has been no off conveyance of record against the real estate standing in the name of Ethel B. Melvin and Annie G. Melvin or known heirs of them and further that there is no record of any administration in said Somerset County on the estates of Ethel B. Melvin and Annie G. Melvin. It is known the said Ethel B. Melvin and Annie G. Melvin were sisters and are deceased survived by the Plaintiff (son of their deceased brother) who is the only known heir at law left surviving them who might be entitled to the real estate of which they were seized as aforesaid, wherefore your Plaintiff has joined in these proceedings all persons having or claiming to have any interest in any of said property.

WHEREFORE, the Plaintiff prays your Honor:

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

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

(c) That this Honorable Court may pass a final decree as provided in Article 81, Section 112 foreclosing all rights of redemption of the defendants and of any of them in and to any and all of the real estate of which they are assessed.

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

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

And as in duty bound, etc.

JONES & JONES

By: Tony Bruce

Attorneys for Plaintiff

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of November, 1984, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce and made oath in due form of law that the matters and facts set forth and contained in the aforegoing Complaint are true as therein stated, to the best of his knowledge, information and belief, and signed same in my presence.

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

Patsy E. Oke

Notary Public

500-6/65

85CA00084

CERTIFICATE OF SALE

BOOK 050 PAGE 368

I, Carlos Bozman, Collector of taxes for the State of Maryland and Somerset County, hereby certify that on November 16, 1982 I sold to Eugene A. Melvin at public auction for the sum of $ 3100.00, of which $ 497.09 has been paid, the property in Somerset County, described as follows:

All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map #64-10-420, Liber 119, folio 172, located in Lawsons Election District

and assessed to Ethel B. Melvin
The property described herein is subject to redemption. Upon redemption the holder of this certificate will be refunded the sums paid on account of the purchase price, together with interest thereon at the rate of 6% per annum from the date of payment to the date of redemption, together with all other amounts specified by Chapter 761 of the Acts of 1943, and acts amendatory thereof. The balance due on account of the purchase price and all taxes, together with interest and penalties thereon, accruing subsequent to the date of sale, must be paid to the Collector before a deed can be delivered to the purchaser. After Nov. 17, 1983 a proceeding can be brought to foreclose all rights of redemption in the property. This certificate will be void unless such a proceeding is brought within two years from the date of this certificate.

Witness my hand and seal, this 16th day of November, 1982

Carlos Bozman

Carlos Bozman, Collector.

STATE OF MARYLAND, Somerset County, to wit:

I hereby certify that on November 16, 1982 , before me, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Carlos Bozman, and he acknowledged the foregoing certificate of sale to be his act and deed, and I witnessed the execution of the same.

Witness my hand and Notarial Seal.

Gertrude T. A. Bozman

Notary Public

85CA000084

**AFFIDAVIT**

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of November in the year nineteen hundred and eighty-four, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce, and being first duly sworn, did depose and say that he is a member of the Bar of the State of Maryland and has been practicing his profession therein said Somerset County for ten years and that he made an examination of the public records of Somerset County, Maryland, to ascertain whether there have been any conveyances by or liens against the owners of the property described in the bill of complaint filed in this proceeding with repsect to the property described in said Complaint; that siad examination reveals the following:

(a) The property described in the Complaint was assessed to Ethel B. Melvin and the records indicate that the property was conveyed by Frances M. Melvin and Lucy A. Melvin, his wife, unto Ethel B. Melvin and Annie G. Melson, as tenants in common, by deed dated January 9, 1915 and recorded among the Land Records of Somerset County in Liber W.J.S. No. 67, folio 546; said deed indicates it consists of four acres of land conveyed unto the grantors by George R. Stephenson and wife. The land was initially assessed to Ethel B. Melvin and Annie G. Melvin but was changed to Ethel B. Melvin only for unknown reasons. The record does not disclose a source of title for the additional acre assessed and occupied by the taxpayer.

The said Tony Bruce did further depose and say that there have been no off conveyances of record against the real estate standing in the name of Ethel B. Melvin and Annie G. Melvin and further that there is no record of any administration on the estates of Ethel B. Melvin and Annie G. Melvin in Somerset County. However, it is known that the said Ethel B. Melvin andAnnie G. Melvin are deceased survived by the Plaintiff (son of their deceased brother) who is the only known heir at law left surviving them who might be entitled to the real estate.

BOOK 050 PAGE 369

As witness my hand and Notarial Seal.

Patsy E. Oake
Notary Public

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 370

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00084 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name Annie G. Melvin

Address c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D. C. 20008

County _____

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by Eugene A. Melvin
(Name and Address)
5161 Linnean Terrace, Washington, D.C. 20008

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

FEE $_____ SHERIFF _____

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS-REDEMPTION

Case Number 85-CA-00084 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:

Name Ethel B. Melvin

Address c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D.C. 20008

County

You are hereby summoned to file a written answer or petition to redeem in this Court to the attached Complaint filed by Eugene A. Melvin

(Name and Address)

5161 Linnean Terrace, Washington, D.C. 20008

on or before January 29, 1985 OR THIRTY DAYS FROM THE DATE OF SERVICE OF THIS SUMMONS WHICHEVER LAST OCCURS.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued November 9, 1984

CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.
2. FAILURE TO FILE EITHER A WRITTEN ANSWER OR PETITION TO REDEEM THE PROPERTY(IES) MENTIONED IN THE ATTACHED COMPLAINT ON OR BEFORE THE DATE SPECIFIED ABOVE WILL RESULT IN A FINAL DECREE FORECLOSING ALL RIGHTS OF REDEMPTION IN THE PROPERTY(IES) BEING RENDERED BY THE COURT AGAINST YOU.

Sheriff's Return

FEE $

SHERIFF

NOTE: 1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126 (a).

Tony Bruce
Jones & Jones
Princess Anne, Maryland 21853

BOOK 050 PAGE 372

Eugene A. Melvin : No. SCA0084 Civil Action

vs : In the Circuit Court for Somerset County, Maryland

Ethel B. Melvin and Annie G. Melvin and all persons having, or claiming to have, any interest in certain property in Lawsons Election District described as follows: "All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map #64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin" and whose last known address is c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D.C. 20008.

* * * *

Tony Bruce
Jones & Jones
Princess Anne, Maryland 21853

| | | |
|---|---|---|
| Eugene A. Melvin | : | No. 85CA00084 Civil Action |
| vs | : | In the Circuit Court for |
| | : | Somerset County, Maryland |

Ethel B. Melvin and Annie G. Melvin and all persons having, or claiming to have, any interest in certain property in Lawsons Election District described as follows: "All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map #64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin" and whose last known address is c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D.C. 20008.

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

NOTICE

The object of this proceeding is to secure the foreclosure of all rights to redemption in the following property in Somerset County, Maryland, sold by Carlos Bozman, Collector of Taxes for Somerset County and State of Maryland, to the complaint in this proceeding: "All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map #64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin."

The bill states, among other things, that the amounts necessary for redemption have not been paid although more than a year and a day from the date of said sale, being November 16, 1982, has expired; it is thereupon this 21st day of Feb, 1985, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in said Somerset County, once a week for three successive weeks before the 18th day of March, 1985, warning all persons interested in said property to be and appear in this Court by the 22ND day of April, 1985, and redeem the property and answer the bill, or thereafter a final decree

will be rendered foreclosing all rights of redemption in said property and vesting in the Plaintiff a title free and clear of all encumbrances.

Lloyd L. Smith
Judge

No. 85CA00084 Civil Action

Area Code (302) 674-4750

85CA00084

**INDEPENDENT NEWSPAPERS INCORPORATED** • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Theresa Dawson of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of Feb. 27 & Mar. 6 1985.

Theresa Dawson
Independent Newspapers, Inc.

Sworn to and subscribed before me this fifth day of March, A.D. 1985.

Wendolyn A. Roberts
Notary Public

BOOK 050 PAGE 375

85CA00084

BOOK 050 PAGE 376

~~Tony Bruce~~
Jones & Jones
Princess Anne, Md. 21853
No. 85CA00084
Civil Action
In the Circuit Court
For Somerset County
Maryland
Eugene A. Melvin
vs
Ethel B. Melvin and Annie B. Melvin and all persons having, or claiming to have, any interest in certain property in Lawsons Election District described as follows: "All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map No. 64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin" and whose last known address is c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D.C. 20008.

# Notice

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The bill states, among other things, that the amounts necessary for redemption have not been paid although more than a year and a day from the date of said sale, being November 16, 1982, has expired; it is thereupon this 21st day of Feb., 1985, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in said Somerset County, once a week for three successive weeks before the 18th day of March, 1985, warning all persons interested in said property to be and appear in the Court by the 22nd day of April, 1985, and redeem the property and answer the bill, or thereafter a final decree will be rendered foreclosing all rights of redemption in said property and vesting in the Plaintiff a title free and clear of all encumbrances.

LLoyd L. Simpkins
Judge
True Copy Test
I.T. Phoebus
Clerk
~~3/27/3~~

| | | |
|---|---|---|
| Eugene A. Melvin | : | No. 85CA00084 Civil Action |
| vs | : | In the Circuit Court for |
| Ethel B. Melvin and Annie G. Melvin, et al | : | Somerset County, Maryland |

AFFIDAVIT OF SERVICE

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 19th day of March, 1985, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce, Attorney for Plaintiff, and made oath in due form of law that on November 9, 1984 a copy of the Complaint, Affidavit, Certificate of Sale and summons were mailed to Defendant, Ethel B. Melvin, c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D.C. 20008, by Certified Mail Restricted Delivery, Return Receipt Requested, as indicated by the postal Service receipt attached hereto number P704 023 778, and to Annie G. Melvin, c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D.C. 20008,by Certified Mail Restricted Delivery, Return Receipt Requested, as indicated by the postal service receipt attached hereto number P704 023 779, and that said documents were received by T. Melvin on November 13, 1984 as evidenced by the official postal service documents.

The aforesaid post office documents are attached hereto to be filed in this proceeding.

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

Patsy E. Ake
Notary Public

Tony Bruce
Tony Bruce, Attorney for Plaintiff

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

UNITED STATES POST OFFICE

Princess Anne, Md.
21853-9998

OFFICIAL BUSINESS
EP194

1510

Postmaster
Claims & Inquiry
Washington, D. C. 20066-9998

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, $300

U.S. MAIL

8SCA00084

BOOK P 050 023 378 PAGE

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Ms. Ethel B. Melvin ~~c/o Eugene Melvin~~ | |
| Street and No. 5161 Linnean Terrace | |
| P.O., State and ZIP Code Washington, D. C. 20008 | |
| Postage | $ .37 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | 1.00 |
| Return Receipt Showing to whom and Date Delivered | .60 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 2.72 |
| Postmark or Date | |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

P 704 023 779

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Ms. Annie G. Melvin ~~c/o Eugene Melvin~~ | |
| Street and No. 5161 Linnean Terrace | |
| P.O., State and ZIP Code Washington, D.C. 20008 | |
| Postage | $ .37 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | 1.00 |
| Return Receipt Showing to whom and Date Delivered | .60 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 2.72 |
| Postmark or Date | |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

## PART I

8SCA00084

Postal Customer:

The sender of the article described below has made an inquiry regarding delivery of the item. The article was not located at the mailing office; therefore, we are contacting you to determine if the article has been delivered. Please indicate below if the article has been received, and return the form in the enclosed PREADDRESSED ENVELOPE WHICH REQUIRES NO POSTAGE. Your response will assist the Postal Service in providing improved service. **PLEASE RETURN BOTH PARTS I AND II-A.**

THANK YOU

| THE ARTICLE WAS | DATE OF REPLY | SIGNATURE OF ADDRESSEE OR AGENT |
|---|---|---|
| ☐ RECEIVED (Date if known) _____ ☐ NOT RECEIVED ☐ REFUSED | | |

REMARKS

PS Form 1510 July 1982 — Do Not Detach

## PART II-A

U.S. POSTAL SERVICE

### MAIL LOSS/RIFLING REPORT

| 1. COMPLAINT DATE | 2. OFFICE ACCEPTING COMPLAINT (City and State) | 3. COMPLAINT |
|---|---|---|
| 02/20/85 | Princess Anne, Md. 21853 | ☒ LOSS ☐ RIFLING |

| 4. ARTICLE WAS MAILED BY | | | 5. ARTICLE WAS ADDRESSED TO | | |
|---|---|---|---|---|---|
| A. NAME: Jones & Jones | | | A. NAME: Anna G. Melvin % Eugene Melvin | | |
| B. RETURN ADDRESS AS ON ARTICLE MAILED: P. O. Box 186 | | | B. ADDRESS ON ARTICLE: 5161 Linnean Terrace | | |
| C. CITY: Princess Anne | D. STATE: Md. | E. ZIP CODE: 21853 | C. CITY: Washington | D. STATE: D. C. | E. ZIP CODE: 20008 |
| F. DAY TELEPHONE NUMBER (Include Area Code) | | | F. DAY TELEPHONE NUMBER (Include Area Code) | | |

| 6. ARTICLE MAILED | | | | 7. ARTICLE WAS SENT | 8. TYPE OF MAIL |
|---|---|---|---|---|---|
| A. DATE | | | B. TIME | ☒ 1ST-CLASS ☐ PARCEL POST | ☒ LETTER ☐ PARCEL |
| MONTH: 11 | DAY: 09 | YEAR: 84 | 4 (Hour) ☐ AM ☒ PM | ☐ OTHER (Specify) Return Rec. Req. | ☐ OTHER (Specify) |

| 9A. SPECIAL SERVICES | 9B. CANADIAN MAIL ONLY |
|---|---|
| ☐ SPECIAL HANDLING ☐ SPECIAL DELIVERY ☒ CERTIFIED NO. 704023779 | ☐ INSURED NO. _____ ☐ REGISTERED NO. _____ |

| 10. PLACE OF MAILING | NAME AND/OR ADDRESS OF LOCATION CHECKED | ZIP CODE FOR LOCATION CHECKED |
|---|---|---|
| ☒ MAIN POST OFFICE<br>☐ STATION OR BRANCH<br>☐ COLLECTION BOX<br>☐ RESIDENCE OR BUSINESS | Main Office<br>CITY AND STATE: Princess Anne, Md. | 21853 |

| 11. CONTENTS OF ARTICLE (Describe in detail, size, color, brand name, serial no., check no., and amount, etc.) | 12. VALUE |
|---|---|
| Summons<br>BOOK 050 PAGE 379 | $ |

PS Form 1510 July 1982

## PART III

8SCA000 84

POSTMASTER *(Office of Address)*
Indicate disposition of the Certified article described in Part II-B below

BOOK 050 PAGE 380

1.A. IF RECORDS INDICATE DELIVERY, SHOW DELIVERY DATE: 11/13/85

B. STATE NAME OF INDIVIDUAL ACCEPTING ARTICLE: D. Melvin

2. IF NO RECORD OF DELIVERY, FORWARD PARTS I AND II-A TO ADDRESSEE: DATE

3. IF NO RESPONSE IS RECEIVED IN 15 DAYS FROM ADDRESSEE, CHECK ☐ AND RETURN PARTS II-B AND III TO THE POSTMASTER, OFFICE OF ORIGIN

4. IF ADDRESSEE RESPONDS, RETURN ALL PARTS OF FORM 1510 TO OFFICE OF ORIGIN.

5. IF NO RECORD OF DELIVERY AND ADDRESSEE DENIES RECEIPT, CONDUCT SEARCH FOR ARTICLE BEFORE RETURNING FORM TO OFFICE OF ORIGIN.

PS Form **1510** July 1982

## PART IV

SUPERINTENDENT DEAD LETTER OR PARCEL BRANCH
Conduct search for article described in Part II-B below

1. BRANCH SERVING MAILING OFFICE

| A. CONDUCTED SEARCH ON *(Date)* | B. SEARCH CONDUCTED BY *(Name)* | C. ARTICLE WAS ☐ LOCATED ☐ NOT LOCATED |
|---|---|---|
| | | |

2. BRANCH SERVING ADDRESSEE OFFICE

| A. CONDUCTED SEARCH ON *(Date)* | B. SEARCH CONDUCTED BY *(Name)* | C. ARTICLE WAS ☐ LOCATED ☐ NOT LOCATED |
|---|---|---|
| | | |

3. IF ARTICLE WAS LOCATED, IT WAS FORWARDED TO ☐ SENDER ☐ ADDRESSEE

PS Form **1510** July 1982

**Do Not Detach**

## PART II-B

U.S. POSTAL SERVICE

### MAIL LOSS/RIFLING REPORT

| 1. COMPLAINT DATE | 2. OFFICE ACCEPTING COMPLAINT *(City and State)* | 3. COMPLAINT |
|---|---|---|
| 02/20/85 | Princess Anne, Md. 21853 | ☒ LOSS ☐ RIFLING |

| 4. ARTICLE WAS MAILED BY | | | 5. ARTICLE WAS ADDRESSED TO | | |
|---|---|---|---|---|---|
| A. NAME Jones & Jones | | | A. NAME Anna G. Melvin & Eugene Melvin | | |
| B. RETURN ADDRESS AS ON ARTICLE MAILED P. O. Box 186 | | | B. ADDRESS ON ARTICLE 5161 Linnean Terrace | | |
| C. CITY Princess Anne | D. STATE Md. | E. ZIP CODE 21853 | C. CITY Washington | D. STATE D. C. | E. ZIP CODE 20008 |
| F. DAY TELEPHONE NUMBER *(Include Area Code)* | | | F. DAY TELEPHONE NUMBER *(Include Area Code)* | | |

| 6. ARTICLE MAILED | | | | 7. ARTICLE WAS SENT | 8. TYPE OF MAIL |
|---|---|---|---|---|---|
| A. DATE | | | B. TIME | ☒ 1ST-CLASS ☐ PARCEL POST | ☒ LETTER ☐ PARCEL |
| MONTH 11 | DAY 09 | YEAR 84 | 4 *(Hour)* ☐ AM ☒ PM | ☐ OTHER *(Specify)* Return Rec. Req | ☐ OTHER *(Specify)* |

| 9A. SPECIAL SERVICES | 9B. CANADIAN MAIL ONLY |
|---|---|
| ☐ SPECIAL HANDLING ☐ SPECIAL DELIVERY ☒ CERTIFIED NO. 704023779 | ☐ INSURED NO. ☐ REGISTERED NO. |

| 10. PLACE OF MAILING | NAME AND/OR ADDRESS OF LOCATION CHECKED | |
|---|---|---|
| ☒ MAIN POST OFFICE | Main Office | |
| ☐ STATION OR BRANCH | CITY AND STATE | ZIP CODE FOR LOCATION CHECKED |
| ☐ COLLECTION BOX | Princess Anne, Md. | 21853 |
| ☐ RESIDENCE OR BUSINESS | | |

11. CONTENTS OF ARTICLE *(Describe in detail, size, color, brand name, serial no., check no., and amount, etc.)*

Summons

12. VALUE $

PS Form **1510** July 1982

## PART I

Postal Customer: 85CA00084

The sender of the article described below has made an inquiry regarding delivery of the item. The article was not located at the mailing office; therefore, we are contacting you to determine if the article has been delivered. Please indicate below if the article has been received, and return the form in the enclosed PREADDRESSED ENVELOPE WHICH REQUIRES NO POSTAGE. Your response will assist the Postal Service in providing improved service. **PLEASE RETURN BOTH PARTS I AND II-A.**

THANK YOU

| THE ARTICLE WAS | DATE OF REPLY | SIGNATURE OF ADDRESSEE OR AGENT |
|---|---|---|
| ☐ RECEIVED (Date if known) _____ ☐ NOT RECEIVED ☐ REFUSED | | |

REMARKS

PS Form 1510 July 1982

Do Not Detach

## PART II-A

U.S. POSTAL SERVICE

### MAIL LOSS/RIFLING REPORT

| 1. COMPLAINT DATE | 2. OFFICE ACCEPTING COMPLAINT (City and State) | 3. COMPLAINT |
|---|---|---|
| 02/20/85 | Princess Anne, Md. 21853 | ☒ LOSS ☐ RIFLING |

| 4. ARTICLE WAS MAILED BY | 5. ARTICLE WAS ADDRESSED TO |
|---|---|
| A. NAME: Jones & Jones | A. NAME: Ethel B. Melvin &Eugene Melvin |
| B. RETURN ADDRESS AS ON ARTICLE MAILED: P. O. Box 186 | B. ADDRESS ON ARTICLE: 5161 Linnean Terrace |
| C. CITY: Princess Anne; D. STATE: Md.; E. ZIP CODE: 21853 | C. CITY: Washington; D. STATE: D. C.; E. ZIP CODE: 20008 |
| F. DAY TELEPHONE NUMBER (Include Area Code): | F. DAY TELEPHONE NUMBER (Include Area Code): |

| 6. ARTICLE MAILED | 7. ARTICLE WAS SENT | 8. TYPE OF MAIL |
|---|---|---|
| A. DATE: MONTH 11, DAY 09, YEAR 84; B. TIME: 4 (Hour) ☐ AM ☒ PM | ☒ 1ST-CLASS ☐ PARCEL POST ☐ OTHER (Specify) Return Rec. Req. ~~xxxxxxxxxx~~ | ☒ LETTER ☐ PARCEL ☐ OTHER (Specify) |

| 9A. SPECIAL SERVICES | 9B. CANADIAN MAIL ONLY |
|---|---|
| ☐ SPECIAL HANDLING ☐ SPECIAL DELIVERY ☒ CERTIFIED NO. 704023778 | ☐ INSURED NO. ☐ REGISTERED NO. |

| 10. PLACE OF MAILING | NAME AND/OR ADDRESS OF LOCATION CHECKED | |
|---|---|---|
| ☒ MAIN POST OFFICE<br>☐ STATION OR BRANCH<br>☐ COLLECTION BOX<br>☐ RESIDENCE OR BUSINESS | Main Office | |
| | CITY AND STATE: Princess Anne, Md. | ZIP CODE FOR LOCATION CHECKED: 21853 |

| 11. CONTENTS OF ARTICLE (Describe in detail, size, color, brand name, serial no., check no., and amount, etc.) | 12. VALUE |
|---|---|
| Summons BOOK 050 PAGE 381 | $ |

PS Form 1510 July 1982

## PART III

POSTMASTER *(Office of Address)*
Indicate disposition of the Certified article described in Part II-B below 8SC70008Y

1.A. IF RECORDS INDICATE DELIVERY, SHOW DELIVERY DATE:

B. STATE NAME OF INDIVIDUAL ACCEPTING ARTICLE: BOOK 050 PAGE 382

2. IF NO RECORD OF DELIVERY, FORWARD PARTS I AND II-A TO ADDRESSEE: DATE _____

3. IF NO RESPONSE IS RECEIVED IN 15 DAYS FROM ADDRESSEE, CHECK ☐ AND RETURN PARTS II-B AND III TO THE POSTMASTER, OFFICE OF ORIGIN

4. IF ADDRESSEE RESPONDS, RETURN ALL PARTS OF FORM 1510 TO OFFICE OF ORIGIN.

5. IF NO RECORD OF DELIVERY AND ADDRESSEE DENIES RECEIPT, CONDUCT SEARCH FOR ARTICLE BEFORE RETURNING FORM TO OFFICE OF ORIGIN.

PS Form **1510** July 1982

## PART IV

SUPERINTENDENT DEAD LETTER OR PARCEL BRANCH
Conduct search for article described in Part II-B below

1. BRANCH SERVING MAILING OFFICE

| A. CONDUCTED SEARCH ON *(Date)* | B. SEARCH CONDUCTED BY *(Name)* | C. ARTICLE WAS ☐ LOCATED ☐ NOT LOCATED |
|---|---|---|
| | | |

2. BRANCH SERVING ADDRESSEE OFFICE

| A. CONDUCTED SEARCH ON *(Date)* | B. SEARCH CONDUCTED BY *(Name)* | C. ARTICLE WAS ☐ LOCATED ☐ NOT LOCATED |
|---|---|---|
| | | |

3. IF ARTICLE WAS LOCATED, IT WAS FORWARDED TO ☐ SENDER ☐ ADDRESSEE

PS Form **1510** July 1982 **Do Not Detach**

## PART II-B

U.S. POSTAL SERVICE

### MAIL LOSS/RIFLING REPORT

1. COMPLAINT DATE: 02/20/85
2. OFFICE ACCEPTING COMPLAINT *(City and State)*: Princess Anne, Md. 21853
3. COMPLAINT: [X] LOSS ☐ RIFLING

4. ARTICLE WAS MAILED BY
A. NAME: Jones & Jones
B. RETURN ADDRESS AS ON ARTICLE MAILED: P. O. Box 186
C. CITY: Princess Anne D. STATE: Md. E. ZIP CODE: 21853
F. DAY TELEPHONE NUMBER *(Include Area Code)*:

5. ARTICLE WAS ADDRESSED TO
A. NAME: Ethel B. Melvin & Eugene Melvin
B. ADDRESS ON ARTICLE: 5161 Linnean Terrace
C. CITY: Washington D. STATE: D. C. E. ZIP CODE: 20008
F. DAY TELEPHONE NUMBER *(Include Area Code)*:

6. ARTICLE MAILED
A. DATE: MONTH 11 DAY 09 YEAR 84
B. TIME: 4 *(Hour)* ☐ AM [X] PM

7. ARTICLE WAS SENT: [X] 1ST-CLASS ☐ PARCEL POST ☐ OTHER *(Specify)* Return Rec. Req.

8. TYPE OF MAIL: [X] LETTER ☐ PARCEL ☐ OTHER *(Specify)*

9A. SPECIAL SERVICES: ☐ SPECIAL HANDLING ☐ SPECIAL DELIVERY [X] CERTIFIED NO. 704023778

9B. CANADIAN MAIL ONLY: ☐ INSURED NO. ☐ REGISTERED NO.

10. PLACE OF MAILING: [X] MAIN POST OFFICE ☐ STATION OR BRANCH ☐ COLLECTION BOX ☐ RESIDENCE OR BUSINESS

NAME AND/OR ADDRESS OF LOCATION CHECKED: Main Office
CITY AND STATE: Princess Anne, Md.
ZIP CODE FOR LOCATION CHECKED: 21853

11. CONTENTS OF ARTICLE *(Describe in detail, size, color, brand name, serial no., check no., and amount, etc.)*: Simmons

12. VALUE: $

PS Form **1510** July 1982

930067

Area Code (302) 674-4750

85CA00084

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of March 13th, 1985.

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this eighteenth day of March, A.D. 1985.

Wendolyn A. Roberts
Notary Public

BOOK 050 PAGE 383

85CA00084

BOOK 050 PAGE 384

# Notice

Tony Bruce
Jones & Jones
Princess Anne, Md. 21853
No. 85CA00084
Civil Action
In the Circuit Court
For Somerset County
Maryland
Eugene A. Melvin
vs
Ethel B. Melvin and Annie B. Melvin and all persons having, or claiming to have, any interest in certain property in Lawsons Election District described as follows: "All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map No. 64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin" and whose last known address is c/o Eugene Melvin, 5161 Linnean Terrace, Washington, D.C. 20008.

The object of this proceeding is to secure the foreclosure of all rights to redemption in the following property in Somerset County, Maryland, sold by Carlos Bozman, Collector of Taxes for Somerset County and State of Maryland, to the complaint in this proceeding: "All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map No. 64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin."

The bill states, among other things, that the amounts necessary for redemption have not been paid although more than a year and a day from the date of said sale, being November 16, 1982, has expired; it is thereupon this 21st day of Feb., 1985, by the Circuit Court for Somerset County, Maryland, ORDERED that notice be given by the insertion of a copy of this Order in some newspaper having a general circulation in said Somerset County, once a week for three successive weeks before the 18th day of March, 1985, warning all persons interested in said property to be and appear in the Court by the 22nd day of April, 1985, and redeem the property and answer the bill, or thereafter a final decree will be rendered foreclosing all rights of redemption in said property and vesting in the Plaintiff a title free and clear of all encumbrances.

LLoyd L. Simpkins
Judge
True Copy Test
I.T. Phoebus
Clerk
2/27/3x

| | | |
|---|---|---|
| Eugene A. Melvin | : | No. 8500084 Civil Action |
| vs | : | In the Circuit Court for |
| Ethel B. Melvin and Annie G. Melvin | : | Somerset County, Maryland |

TESTIMONY

In this cause, testimony having to be taken to support the allegations of the bill, I, Logan C. Widdowson, of Princess Anne, Maryland, Standing Examiner of the Circuit Court for Somerset County, Maryland, in Equity, duly appointed, sworn, etc. do hereby certify that on this day of 1985, in Somerset County aforesaid, I did take the following testimony, to wit:

EXAMINATION OF PHILIP R. MAHAN, ESQ.:

Philip R. Mahan, a witness of lawful age produced on behalf of the Plaintiff, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.

A. I am Philip R. Mahan, I reside in Somerset County, Maryland, and I am the duly elected and qualified Treasurer of Somerset County, and as such collect the State and County taxes for said Somerset County.

Q. Mr. Mahan, I hand you certain document previously filed in this proceeding and ask if you can identify it.

A. Yes. This document is a certificate of sale issued by Carlos Bozman, former County Treasurer, to Eugene A. Melvin as the purchaser at certain tax sales held by Mr. Bozman in his official capacity on November 16, 1982.

Q. Will you please identify the certificate more specifically?

A. Yes. I am now testifying in reference to a certificate of sale, dated November 16, 1982, signed by Carlos Bozman, as Collector, notarized on November 16, 1982 by Gertrude H. Bozman, Notary Public. The certificate relates to the property assessed to Ethel B. Melvin referred to in the complaint in paragraph 1.(a) and in paragraph 4.(a). The certificate cites a sale to Mr. Melvin on November 16, 1982 in the sum of $3100.00 of which $497.09 was paid on the date of sale.

Q. Prior to the offering of this property for sale at public auction for delinquent taxes, did you or your deputies receive due notice of assessment of this property and tax bill for it for the years for which it was sold, and did you or your deputies comply with all the prerequisites of law pertaining to said tax sale?

A. Yes. The property was so assessed and such bills were received and my deputies and Mr. Bozman complied with all the prerequisites of law in advertising and holding the tax sale.

Q. With reference to the property which you have set forth in your testimony, have you received any notice of redemption of this property, or any notice of intent to redeem this property, or any offer for payment on account of such redemption from any person or persons?

A. None whatsoever.

Q. Since the date of the tax sale and the filing of the complaint, has the purchaser, Mr. Eugene A. Melvin, made any further payments to you in your official capacity?

A. Yes. I wish to file as an exhibit a statement issued by my office showing that Mr. Melvin paid a total of $2,602.91 representing the total balance due on the bids or purchase price for this property. This figure represents the total difference between the amount bid and the amount paid on November 16, 1982.

Q. Does Mr. Melvin owe anything further to your office on account of this property?

A. No. As to this property Mr. Melvin has paid all charges made by my office and in addition has paid all taxes and interest thereon levied against this property through June 30, 1985.

Q. Do you in your official capacity know of any reason why the sale of this property to Mr. Melvin should not be ratified by this Court or do you have any objection to such ratification?

A. I know of no reason why the sale should not be ratified and I have no objection to its ratification.

Q. COURT'S QUESTION:

A. Nothing further.

Philip R. Mahan

Philip R. Mahan

EXAMIANTION OF TONY BRUCE, ESQ.:

Tony Bruce, a witness produced on behalf of the Plaintiff, being duly sworn, deposes and says:

Q. Please state your name, residence and occupation.

A. I am Tony Bruce and I reside at Princess Anne, Maryland. I am an attorney at law with an office for the practice of my profession in Princess Anne, Somerset County, Maryland.

Q. Will you please state your connection with this proceeding?

A. I was retained by the Plaintiff, Eugene A. Melvin, the purchaser of certain property at tax sale held by the County Treasurer on November 16, 1982. I was requested by Mr. Melvin to make an examination of the public records of Somerset County pertaining to the ownership of the property mentioned in the complaint in paragraphs 1.(a) and 4.(a) and to take such steps as are required by law to give notice of this proceeding to the attention of the former owner of record and to any other persons who might be interested in said property or the redemption of it.

Q. What legal actions did you take?

A. I personally examined the appropriate Somerset County records and prepared and filed the complaint in this proceeding together with an affidavit dated November 7, 1984 referring to my title examination. I now reaffirm the contents of that affidavit as a part of my testimon in this proceeding. I also caused to be published the Notice herein as more fully appears by the printer's certificate heretofore filed in this proceeding and caused subpoena to be issued and served upon the property owners subject to process.

Q. Since the filing of the suit, the issuance of subpoenas and the publication of the Notice have there been any changes in the status of the property mentioned in the Complaint?

A. I can confirm the testimony of Mr. Philip R. Mahan, County Treasurer, filed in this proceeding. There has been no change in the property described in paragraphs 1.(a) and 4.(a) in the Complaint. As Mr. Mahan stated all costs, taxes and interest levied by his office against the property have been paid in full by Mr. Melvin.

Q. Has any offer been made to you to redeem the property described in the complaint?

A. No person has made any offer to me to redeem the property to which you refer nor has anyone disclosed to me any intention to redeem it.

Q. Do you know of any reason why the sale of the property should not be ratified by this Court?

A. No.

Q. COURT'S QUESTION:

A. Nothing further.

Tony Bruce

Tony Bruce

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

Bill of Costs

| | |
|---|---|
| Examiner | $25.00 |

Witness my hand and seal.

Logan C. Widdowson
Standing Examiner

85CA00084

Sandy

# Office Of Treasurer Of Somerset County

PRINCESS ANNE, MARYLAND

Ethel B. Melvin

To _____ Dr.

District #8

April 22,1985

| | |
|---|---|
| Balance Purchase price | $2,602.91 |

PAID
APR 30 1985
PHILIP R. MAHAN
TREASURER

BOOK 050 PAGE 389

| | | |
|---|---|---|
| Eugene A. Melvin | : | No. 8500084 Civil Action |
| vs | : | In the Circuit Court for |
| Ethel B. Melvin and Annie G. Melvin, et al | : | Somerset County, Maryland |

JUDGMENT

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

DECREED, this 17th day of JUNE, 1985, by the Circuit Court for Somerset County, Maryland, in equity, that as to the property hereinafter named and described in this judgment there is hereby vested in the Plaintiff, Eugene A. Melvin, an absolute and indefeasible title in fee simple in said property, free and clear of all alienations and descents of said property occuring prior to the time and date of this decree and free and clear of any encumbrances thereon, except taxes accruing subsequent to the date of sale of said property (if any of said taxes remain outstanding, due and unpaid), and except easements to which said property is subject and of which the Plaintiff had actual or constructive knowledge at the time of said sales, and it is further

DECREED, that Philip R. mahan, Treasurer of Somerset County and Collector of State and County taxes for Somerset County, shall execute a deed to Eugene A. Melvin conveying the hereinafter described property upon payment to said Collector of the balance of the purchase price due on account of the purchase price of the property, together with all taxes and interest and penalties thereon accruing subsequent to the date of sale (if any of said purchase

price, taxes, interest and penalties remain outstanding, due and unpaid); the said deed to be prepared by the Plaintiff's attorney, and all expenses incident to the preparation and execution of said deed and shall be paid by the said Eugene A. Melvin, and it is further

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

DECREED, that the Complainant, Eugene A. Melvin shall forthwith, and before delivery of said certified copy of this decree to said Collector by said Clerk, shall pay all Court costs accrued to date in this proceeding and it is further

DECREED, that the property subject of this judgment is identified and described as follows:

All that 5-acres west side Jacksonville Road, northeast of Crisfield, bearing County Tax Map #64-10-420, Liber 119, folio 172, located in Lawsons Election District and assessed to Ethel B. Melvin.

Lloyd L. Simpkins
Judge

BOOK 050 PAGE 392

June 17, 1985
DATE

I hereby acknowledge Receipt of a Certificd copy of Decree filed in the case of Eugene A. Melvin vs. Ethel B. Melvin and Annie G. Melvin, et al being Civil Action Case No. 85-CA-00084.

Philip R. Mahan
Philip R. Mahan, Treasurer

Robert L. Lankford
Robert L. Lankford, Assessor

| | | |
|---|---|---|
| UPSHUR PAUL L G | * | IN TH CIRCUIT COURT |
| Complainant and Cross-Respondent | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| v. | | |
| MARGIE ESTELLA LONG | * | CHANCERY NO. 11,293 |
| Respondent and Cross-Complainant | * | |

* * * * * * * * * * * * * * * *

## REQUEST TO SET BOND

Comes now John R. Sullivan and Alan V. Cecil, Co-Trustees and for their request states as follows:

1. That the Co-Trustees herein have been appointed to sell part of the property described in a Deed dated May 31, 1967 from Robert D. Horsey, Trustee, to Paul Long and Margie Long, his wife, and recorded among the Land Records of Somerset County, Maryland in Liber 239, Page 191, et seq.

2. That the parties believe that a Bond of $25,000.00 will cover the sale of the aforesaid property.

WHEREFORE, the Co-Trustees request that this Honorable Court set the Bond in this matter at $25,000.00.

JOHN R. SULLIVAN, Co-Trustee
Banks, Nason & Hickson, P.A.
216 E. Main St.
Salisbury, Md. 21801 546-4644

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

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| | | |
|---|---|---|
| UPSHUR PAUL LONG | * | IN THE CIRCUIT COURT |
| Complainant and Cross-Respondent | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| v. | | |
| MARGIE ESTELLA LONG | * | CHANCERY NO. 11,293 |
| Respondent and Cross-Complainant | * | |
| | * | |

* * * * * * * * * * * * * *

ORDER

Upon consideration of the Request to Set Bond, it is this 27 th day of Nov., 1984, by the Circuit Court of Maryland for Somerset County;

ORDERED, that the Co-Trustees post a Bond herein in the amount of Twenty-Five Thousand Dollars ($25,000.00).

Floyd E. Griffin
JUDGE

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

| | | |
|---|---|---|
| UPSHUR PAUL LONG | * | IN THE CIRCUIT COURT |
| Complainant and Cross-Respondent | * | FOR SOMERSET COUNTY |
| v. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG | * | CHANCERY NO. 11,293 |
| Respondent and Cross-Complainant | * | |
| | * | |

* * * * *** * * * * * *

Request to Substitute Trustee

Comes now the Co-trustee, John R. Sullivan and requests that this Honorable Court substitute a Trustee for Alan V. Cecil, and as reasons therefor states:

1. That this Honorable Court ordered on October 3, 1984 that John R. Sullivan and Alan V. Cecil sell the marital property of the parties hereto.

2. That on October 31, 1984, I forwarded to Alan V. Cecil, Esquire at his last known address a Request to Set Bond which needed his signature.

3. That due to his failure to execute same and file it with the Court, it became necessary for the undersigned to file a Request to Set Bond with the Court without Alan V. Cecil's signature.

4. That on November 26, 1984, I forwarded a letter to the last known address of Alan V. Cecil, Esquire requesting that he contact my office immediately upon receipt of same.

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

That as of this date, I have not received any response to that letter.

6. That the undersigned has attempted to obtain the telephone number of Alan V. Cecil but has been advised by the telephone company that said phone number has been disconnected. The undersigned further attempted to obtain a number for him in the Annapolis area as that was a prior address. That as of this date, the undersigned has been unable to obtain any type of telephone number.

7. That on November 30, 1984, I wrote the Co-trustee, Alan V. Cecil and advised him that I had in my possession an original Bond which needed his signature for filing with the Court prior to us being able to go forward with the sale. That as of this date, he has never contacted my office to make arrangements to execute same.

8. That all the letters as set forth herein, copies of which are attahced hereto, have not been returned as being undeliverable at the address stated therein.

9. That Margie Estella Long is in need of the money that would be produced from the sale of said property and has repeatedly contacted my office questioning my efforts to sell said property and requesting that same be accomplished immediately.

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

WHEREFORE, the undersigned requests that this Honorable Court appoint a substitute Trustee in place and stead of Alan V. Cecil to sell the property which is the subject of the above captioned domestic case.

JOHN R. SULLIVAN
BANKS, NASON & HICKSON, P.A.
216 East Main Street
Salisbury, Maryland 21801
301/546-4644
Attorneys for Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of December, 1984, I mailed a copy of the foregoing Request to Substitute Trustee, by regular U.S. Mail, postage prepaid to Alan V. Cecil, Esquire at 305 Caroline Street, Ocean City, Maryland 21842.

JOHN R. SULLIVAN

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

LAW OFFICES OF
BANKS, NASON & HICKSON
PROFESSIONAL ASSOCIATION
216 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

EDWARD G. BANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON
JOHN R. SULLIVAN

TELEPHONE
(301) 546-4544

BOOK 050 PAGE 398

November 30, 1984

11,243

Alan V. Cecil, Esquire
305 Caroline Street
Ocean City, Md. 21842

Re: Long v. Long

Dear Alan:

Avery Hall Insurance Agency, Inc. has forwarded the Bond in connection with the pending sale for the Longs to my office. This Bond requires your signature as well as my own. I am reluctant to put it in the mail until you have verified that this address is correct.

Please contact my office as soon as possible. Thank you.

Very truly yours,

John R. Sullivan

scw

LAW OFFICES OF
BANKS, NASON & HICKSON
PROFESSIONAL ASSOCIATION
216 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

EDWARD G. BANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON
JOHN R. SULLIVAN

TELEPHONE
(301) 548-4844

November 26, 1984

11,293

Alan V. Cecil, Esquire
305 Caroline Street
Ocean City, Md. 21842

Re: Long v. Long

Dear Alan:

On October 31, 1984, I forwarded to your last known address a Request to Set Bond which I had executed, requesting that you do likewise and forward same to the Court for its consideration. Pursuant to a conversation with the Clerk's office in Somerset County, I was advised that the Request to Set Bond has not been filed as of this date. Enclosed you will find a copy of the Request which I have executed and forwarded to the Court for its consideration.

I attempted to contact you by telephone at your last known phone number which I was advised has been disconnected. Also, I attempted to obtain a new number for you in both Ocean City and Annapolis but was advised that there was no listing for you.

Please contact my office immediately upon receipt of this letter or I will have no choice but to request that the Court appoint a substitute Trustee so that the sale of the property can be accomplished immediately.

Very truly yours,

John R. Sullivan

JRS/scw

Enclosure

cc: Margie E. Long

BOOK 050 PAGE 400

| | | |
|---|---|---|
| UPSHUR PAUL LONG | * | IN THE CIRCUIT COURT |
| Complainant and Cross-Respondent | * | FOR SOMERSET COUNTY |
| v. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG | * | CHANCERY NO. 11,293 |
| Respondent and Cross-Complainant | * | |
| | * | |

* * * * *** * * * * * *

ORDER

Upon considersation of the aforegoing Request to Substitute Trustee, it is this 14th day of DEC, 1984 by the Circuit Court for Somerset County,

ORDERED, that Edmond L. WIDDOWSON, JR be substituted as Co-trustee with John R. Sullivan to sell property described in this Court's Order dated October 3, 1984 in place of Alan V. Cecil.

Floyd R. Smith
JUDGE

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

Judicial 10—MARYLAND—TRUSTEE TO S

IN THE CIRCUIT COURT OF SOMERSET COUNTY

STATE OF MARYLAND

UPSHUR PAUL LONG

versus

MARGIE ESTELLA LONG

BOND OF TRUSTEE TO SELL

CHANCERY NO. 11,293

KNOW ALL MEN BY THESE PRESENTS: That we, JOHN R. SULLIVAN, Esquire and EDMOND L. WIDDOWSON, JR., Esquire as Principal, and the UNITED STATES FIDELITY AND GUARANTY COMPANY, a corporation 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-FIVE THOUSAND DOLLARS AND NO CENTS ---------- Dollars ($25,000.00 ---) 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, administrators, successors and assigns, jointly and severally, firmly by these presents.

SEALED WITH OUR SEALS and dated this 20th day of December in the year of our Lord one thousand, nine hundred and eighty-four.

WHEREAS THE ABOVE BOUNDEN John R. Sullivan and Edmond L. Widdowson, Jr. by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County, Chancery No. 11,293 have been appointed trustees to sell real property mentioned in the proceedings in the case of

UPSHUR PAUL LONG

versus

MARGIE ESTELLA LONG

BOOK 050 PAGE 401

now pending in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, if the above bounden John R. Sullivan and Edmond L. Widdowson, Jr. 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 virtue in law.

Sandra C Wells — JOHN R. SULLIVAN

..... EDMOND L. WIDDOWSON, JR. (SEAL)

..... (SEAL)

Brenda H. Moore ..... (SEAL)

BOND APPROVED AS PER:
E. Theodore Phillips, CLERK

UNITED STATES FIDELITY AND GUARANTY COMPANY

By Thomas J. Wisniewski
Thomas J. Wisniewski
Attorney-in-Fact

Bond Book 11 Page 449

(CERTIFIED COPY)

# POWER OF ATTORNEY

Bond Book 11 Page 450

No. 94941

BOOK 050 PAGE 402

*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

Thomas J. Wisniewski

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 Thomas J. Wisniewski

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 16th day of September, A. D. 19 83

UNITED STATES FIDELITY AND GUARANTY COMPANY

(Signed) By John A. Huss
*Vice-President.*

(SEAL)

(Signed) James M. Carroll
*Assistant Secretary.*

STATE OF MARYLAND, }
CITY OF BALTIMORE, } ss:

On this 16th day of September A. D. 19 83, before me personally came John A. Huss Vice-President of UNITED STATES FIDELITY AND GUARANTY COMPANY, and James M. Carroll, 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 John A. Huss and James M. Carroll 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 86

(SEAL) (Signed) Margaret M. Hurst
*Notary Public.*

STATE OF MARYLAND, }
CITY OF BALTIMORE, } ss:

*I,* Saundra E. Banks Clerk of Superior Court of Baltimore City, which Court is a Court of Record, and has a seal, do hereby certify that Margaret M. Hurst, Esquire, before whom the annexed affidavits were made, and who has thereto subscribed her 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 her 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 16th day of September A. D. 1983

(SEAL) (Signed) Saundra E. Banks
*Clerk of the Superior Court of Baltimore City.*

FS 17 9-67

BOL

RECORDED IN
LIBER No. FOLIO
CHARGEABLE TO THE CLERK OF
BY DEPUTY

## COPY OF RESOLUTION

JAN 2 1 2 4 PM '85

*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.

FILED

*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*, W. J. D. Somerville, Jr., 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 Thomas J. Wisniewski

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 20th day of December A. D. 19 84

W J D Somerville jr
*Assistant Secretary.*

BOOK 050 PAGE 403

Bond Book 11 Page 451

BOOK 050 PAGE 404

| | | |
|---|---|---|
| UPSHUR PAUL LONG | * | IN THE CIRCUIT COURT |
| Complainant and Cross-Respondent | * | FOR SOMERSET COUNTY |
| v. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG | * | CHANCERY NO. 11,293 |
| Respondent and Cross-Complainant | * | |

* * * * * * * * * * * * *

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, COUNTY OF Somerset, TO WIT:

I, Paul Whittington, make oath that the following facts are true:

1. That I am the successful bidder and purchaser at the judicial sale of property in the above-captioned case.

2. As purchaser of the said property I am ~~not~~ acting as agent for ~~anyone~~ Paul Long.

3. That no other persons are interested as principals in my purchase of the property which is the subject of this proceeding other than Paul Long.

4. That I have not directly or indirectly discouraged anyone from bidding for the said property.

Paul Whittington
,Purchaser

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

I HEREBY CERTIFY that on this 4th day of February, 1986, before me, a Notary Public in and for the State and County aforesaid, personally appeared Paul Whittington, Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true to the best of his knowledge, information and belief.

Deborah D. Reynolds
NOTARY PUBLIC

My Commission Expires: 7/1/86

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

**Alan V. Cecil**
**Esquire**
**305 Caroline Street**
**Ocean City, Maryland 21842**
**301-289-6047**

BOOK 050 PAGE 406

John R. Sullivan,esq.
Banks,Nason and Hickson,P.A.
216 East Main Street
Salisbury ,Maryland 21801

Re: Long vs Long Chancery # 11,293
Somerset County

Edmund L. Widdowson,Jr. esq.
North Somerset Ave.
Princess anne,Md. 21853

Dear John and Ed,

Enclosed please find copies of the Motion to Substitute Purchaser which we all discussed last Monday in Princess Anne at the time of the auction sale in this matter.

Please not my new address is 305 Caroline Street,Ocean City,Md. 21842 and my telephone number is 301-289-6047.

I will be out of my office and the areal for the remainder ofFebuary and until March 10,1985.If there in any urgency in contacting me please call me and leave a message at305-233-2789. Get time and phone charges and I'll reimburse you upon my return. I am sending a copy of this note to the Clerk of the Court and am advising him of the same. If for some unknown reason there is the necessity for any hearing on this matter I would appreciate it being held after March 11,1985.

I would also suggest that Mr. Long be credited with his appropriate credit as being a tennant in common with Margie Long after all deductions are made for court costs,trustees' fees,advertising costs,aution fees, taxes,transfer costs,etc. I would appreciate a preliminary copy of the breakdown of the mathmatical calculations in this matter.

Thankyou for your patience.

Sincerely,

Alan V. Cecil,esq.
cc: Theodore PhoebusClerk of the Court

Upshur Paul Long
Complainant and Cross Respondent

vs
Margie Estella Long
Respondent and CrossComplainant

In the Circuit Court for

Somerset County Maryland

Chancery 11,293

NOTICE AND MOTION FOR SUBSTITUTION OF PURCHASER OF REAL PROPERTY

---

TO THE HONORABLE THE JUDGE OF SAID COURT:

COMES NOW UPSHUR PAUL LONG( a/k/aPaul Long)) by his Solicitor,Alan V. Cecil and represents unto this Honorable Court as follows:

1. That the Court appointed trustees in the above divorce case did after public advertisement conduct a public auction on the Courthouse stairs of Somerset County selling the real property of Upshur Paul Long and Margie Estella Long at the highest bid pursuant to Orders of this Court.

2.That both of the parties litigant were present at this sale as well as the trustees and theparties' respective attornies.

3.That pursuant to an authorization and agency agreement Paul T. whittington did bid,at the request of Upshur Paul Long,$7,000.00 for all of the real property,rights,ways,etc. being auctioned at said sale on Feb. 4, 1985.

4. That the $7,000.00 bid was the highest and best bid of the sale.

5. That immediate disclosure was made by Paul Wittington and Paul Long that Paul Whittington was acting as an agent for Paul Long and that the said Paul Long paid the required $2,000.00 downpayment from his own funds and written disclosures were made as to the agency relationshipbetween Paul T. Whittington and Upshur Paul Long on optional disclosure forms provided by the trustees.

6. ThatPaul Whittington did sign certain promissory notes and agreements at said sale and that Upshur Paul Long desires to have these obligations and rights as his own,and that the auctioned property be transferred into the name of Upshur Paul Long in any Trustee's Deed ratified or approved by this Court.

7. That no other parties are affected by the substitution of parties herein requested.

8. That both Paul T. Whittington and Upshur Paul Long agree to this Motion and proposed substitution of purchaser.

Wherefore;Upshur Paul Long by his Solicitor,Alan V. Cecilprays this Honorable Court:

A. That Upshur Paul Long be substituted forPaul T. Whittington as the purchaser of that property and real estate sold in Chancery Case 11,293(Long vs Long) at public Auction on Feb.4,1985.

B.That all rights duties,and obligations of the contract purchser of the real property sold in this matter be bestowed and assumed by Upshur Paul Long.

C. That Upshur Paul Long be credited with the $2,000.00 downpayment he made toward the Purschase price of the sale of the subject real property.

D.That Upshur Paul Long be credited with one half of the net proceeds of the instant described sale as he is 1/2 owner of the subject premises as a tennant in common.

E. And for such other and further relief as the nature of this cause may be just and proper.

Upshur Paul Long

Upshur Paul Long

Paul T. Whittington

Paul T. Whittington

| | | |
|---|---|---|
| UPSHUR PAUL LONG | * | IN THE CIRCUIT COURT |
| Complainant and Cross-Respondent | * | FOR SOMERSET COUNTY |
| V. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG | * | CHANCERY NO. 11,293 |
| Respondent and Cross-Complainant | * | |
| | * | |

* * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of JOHN R. SULLIVAN and EDMUND L. WIDDOWSON, JR. appointed under and by virtue of the Judgment of Divorce and Order for Sale in Lieu of Partition passed in Chancery Case No. 11,293, authorizing the said Trustees to sell the hereinafter described real property, shows that after giving bond, with security, for the faithful discharge of the trust, and having given the required Notice of the time, place, manner and terms of sale, by advertisement in The Marylander & Herald, a newspaper published in Somerset County, the said Trustees did, pursuant to said notice, attend the place of sale on Monday, February 4, 1985 at 1:30 p.m. o'clock, and then and there proceeded to sell the property mentioned in said proceedings, to wit:

ALL that lot or parcel of land situate, lying and being in Brinkley's Election District, Somerset County, State of Maryland, and being located on the Northwest side of but not binding upon the County road leading from Kingston to Marion and beginning at a point where a ditch separating the land hereby conveyed from the land of Llewlyn Long empties into another ditch which leads from Gales's Creek in a northeasterly direction to the Scotland Neck Road, said beginning point being about one hundred eighty-five (185) yards measured northeasterly along said last mentioned ditch from the Cedar Grove Lane, running by and with said last mentioned ditch in a northeasterly direction to the

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HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

said Scotland Neck Road, thence by and with said Scotland Neck Road in a southeasterly direction about two hundred and five (205) yards to the line of the land of Edward L. C. Long, thence by and with said Edward's line in a southwesterly direction to the said ditch separating the land hereby conveyed from the land of Llewlyn Long, thence running northwesterly by and with said ditch to the place of beginning, except that portion of land conveyed to Albert E. Wise by deed duly recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 232, Folio 212 - to which said deeds and records aforesaid, and all the references therein contained, special reference is here made and as a part hereof for a more full and complete description of the property hereby conveyed; subject to any state of facts an accurate survey would show and being the same and all that property conveyed to the said Margie Long from Zola Long, widow, by deed dated April 6, 1966, and recorded among the Land Records of Somerset County, State of Maryland, in Liber I.T.P. No. 233, Folio 176, excepting that life estate in the house and lot consisting of approximately one acre which was reserved for herself, the said Zola Long, in the aforementioned deed I.T.P. No. 233, Folio 176.

The said property was sold to Paul Whittington, at the sum of Seven Thousand Dollars ($7,000.00).

The said purchaser has complied with the terms of the sale, having deposited in the form of a cashier's check at the time of sale the sum of Two Thousand Dollars ($2,000.00).

EDMUND L. WIDDOWSON, JR.

JOHN R. SULLIVAN

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this 15th day of FEBRUARY, 1985, before me, a Notary Public in and for the State and County aforesaid, personally appeared EDMUND L. WIDDOWSON, JR., Co-Trustee, named in the above Report Of Sale, and he made oath in due form of law that the matters and facts set forth in the foregoing Report Of Sale are

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PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

true to the best of his knowledge, information and belief, and that the said sale was fairly made.

AS WITNESS my hand and Notarial Seal.

Laura M. Snyder
NOTARY PUBLIC
My Commission Expires: 7/1/86

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this 12th day of February, 1985, before me, a Notary Public in and for the State and County aforesaid, personally appeared JOHN R. SULLIVAN, Co-Trustee, named in the above Report Of Sale, and he made oath in due form of law that the matters and facts set forth in the foregoing Report Of Sale are true to the best of his knowledge, information and belief, and that the said sale was fairly made.

AS WITNESS my hand and Notarial Seal.

Connie J. Holland
NOTARY PUBLIC
My Commission Expires: 7/1/86

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BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

Long vs Long(cont) Motion to Substitute etc.

BOOK 050 PAGE 412

By:
Alan V. Cecil,esq.
305 Caroline Street
Ocean City,Maryland 21842
289-6047

Certificate of Service

I hereby certify that on this 11th.day of Feb.1985 an exact copy of the foregoing pleading and Motion to Substitute Purchaser was sent by 1st. class mail toJohn R. Sullivan,esq.Banks ,Nason and Hickson,P.A. 216 East Main Street,Salisbury Md.(Attorney for Margie Long and Trustee) and to Edmund L. Widdowson,Jr.,esq.,North Somerst Ave. Princess Anne, Maryland 21853

Alan V. Cecil

Upshur Paul Long
Complainant and Cross Respondent

vs

Margie Estella Long
Respondent and Cross Complainant

In the Circuit Court for

Somerset County

Chancery #11,293

Order of Court Releating to Substitution of Purchaser

It is this 19 day of Feb 1985 ORDERED,ADJUDGED AND DECREED in the year of 1985 that Upshur PaulLong is hereby substituted as Purchaser of all that real property sold by the Court Appointed Trustees on Feb 4,1985 in Chancer case 11,293 of the Circuit Court for Somerset County,Md. (Long vs Long) and that all rights,duties,and obligations of a bona fide purchaser shall be assumed andbestowed upon Upshur Paul Long,and be it Further Ordered that Upshur Paul Long be credited with making the $2,000.00 deposit paid at the time of said sale.

Dated after due consideration of the Motion to Substitute Purchaser, this 19th day of Feb 1985.

Lloyd L. Simpkins

Judge ,Circuit Court for Somerset County Maryland

| | | |
|---|---|---|
| UPSHUR PAUL LONG<br>Complainant and<br>Cross-Respondent | *<br>* | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY |
| VS. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG<br>Respondent<br>Cross-Complainant | *<br>*<br>* | CHANCERY NO. 11,293 |

NOTICE

ORDERED, by the Circuit Court for Somerset County, this 20th day of Feb., 1985, that the sale of the property mentioned in these proceedings to Paul Whittington made and reported by John R. Sullivan and Edmund L. Widdowson, Jr. be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22ND day of March next;

Provided a copy of this Order be inserted in some newspaper published in Somerset County once each week for three (3) successive weeks before the 18th day of March next.

The Report Of Sale states the amount of the sale to be Seven Thousand Dollars ($7,000.00).

Edmund L. Duffy
JUDGE

Note - on 2/19/85 signed an order for a substitute purchaser - E.L. Duffy

BOOK 050 PAGE 414

| | | |
|---|---|---|
| UPSHUR PAUL LONG<br>Complainant and<br>Cross-Respondent | * | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG<br>Respondent and<br>Cross-Complainant | * | CHANCERY NO. 11,293 |

**IN THE CIRCUIT COURT**
**FOR SOMERSET COUNTY**
**STATE OF MARYLAND**
**CHANCERY NO. 11,293**

**UPSHUR PAUL LONG**
**Complainant and Cross-Respondent**
**VS.**
**MARGIE ESTELLA LONG**
**Respondent and Cross-Complainant**

**NOTICE**

**ORDERED, by the Circuit Court for Somerset County, this 20th day of February, 1985, that the sale of the property mentioned in these proceedings to Paul Whittington made and reported by John R. Sullivan and Edmund L. Widdowson, Jr. be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 22nd day of March next:**

**Provided a copy of this Order be inserted in some newspaper published in Somerset County once each week for three [3] successive weeks before the 18th day of March next.**

**The Report Of Sale states the amount of the sale to be Seven Thousand Dollars [$7,000.00].**

**TRUE COPY, TEST:** **Lloyd L. Simpkins**
**I.T. Phoebus** **JUDGE**
**CLERK** **80-2/27-3tSH**

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing Feb. 27, 1985, and ending 3/6 & March 13, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald.
Publisher.

Printer's Fee: $28.88 per insertion.


LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3500

| | | |
|---|---|---|
| UPSHUR PAUL LONG<br>Complainant and<br>Cross-Respondent | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG<br>Respondent and<br>Cross-Complainant | * | CHANCERY NO. 11,293 |

## PETITION TO APPOINT SPECIAL AUDITOR

Now comes Edmund L. Widdowson, Jr., Co-Trustee in the above matter, who respectfully represents as follows:

1. That this matter stands ready for audit.

2. That Logan C. Widdowson is the Standing Auditor in this Court and it would be improper for him to audit this case.

WHEREFORE, Edmund L. Widdowson, Jr. prays this Honorable Court to pass an Order appointing Tony Bruce, Esquire Special Auditor in this matter.

Edmund L. Widdowson, Jr.,
Co-Trustee
47 North Somerset Avenue
Princess Anne, MD 21853
Telephone: 651-3800

## ORDER OF COURT

Upon the aforegoing Petition, IT IS, this 27th day of March, 1985, by the Circuit Court for Somerset County, Maryland, In Equity, ORDERED that Tony Bruce, Esquire be and he is hereby appointed Special Auditor in the above case.

JUDGE

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

BOOK 050 PAGE 416

John R. Sullivan,Esquire
Banks,Nason and Hickson
Box 44
Salisbury,Maryland,21801

April 23,1985

Re: Long vs Long ,Circuit Court for Somerset County : Boat and Property settlement

Chancery#11,293

Dear John,

I spoke with Paul Long last evening and he informed me that his ex-wife, your client came to his house yesterday in a disturbed state and made demends that he get her small boat for her. I wasn't there but apparently the usual (usual for the two of them) took place and there was a shouting match.

I called Sherrif Tom Windsor and volunteered myself to accompany him at a mutually agreeable time to help oversee Mrs. Long's removal of the boat in question and help keep the peace. I am sure that you don't want to be present but you of course are welcome. Just have Mrs. Long give you two or three tenative dates and inform me and I'll try to arrange something with the Sherriff. Sherriff Windsor has discussed the matter with Judge Simpkins and apparently has been advised to wait for sommesort of action by you. I like Mr. Long very much and I will certainly try to accomidate him to see that all of the bickering is brought to an end.

In Febuary you wrote me stating that Mrs. Long would waive her interest in the small boat if Mr. Long would give her certain personal items. I spoke with you and stated: 1. Mr. Long states that he does not have an oil painting of his ex-wife and that she had never posessed one to start with; 2) He does not have her birth certificate--she may obtain one in Baltimore; 3) He would give her the picture of her father.

Since two of the items do not exhist but the picture of Margie Long's father is in exhistance I ask of you in March if your client would exchange her interest in the boat for the one picture. I have heard no more about the matter until last night. Today when I called you you stated that Mrs. Long no longer wanted the boat. I know that this is confusing...-. but if she wants to trade the picture for the boat please notify me in writing. Mr. Long would also "throw in" Margie's father's "Death Book", whatever that is.

I spoke with Ed. Widdowson today and he said that the sale of the real property had been submitted for ratification and audit and that he would prepare a deed in the near future for settlement.

I have not received anything in writing relevant to that sale or the Motion for Substitution of Purchaser which I filed for Mr. Long in that matter. I do not believe that Mr. Long should have to pay any interest on the balance of the purchase price beyond 20 days past the sale date as he has been ready willing and able to pay the amount and has had to pay interest on the loan for which he borrowed the deposit monies. Mr. Long needs only one week after he is notified to arrange for the accmulation of thebalance of his purchase price monies.. After the payment of the attendant costs relevant to the sale and the adjustments pursuant to the Divorce Decree and the payment of the open Court Costs then I would assume that after the apportionment of taxes due that the net surplus(if any) will be equally divided between the parties.

If Mrs. Long desires to exchange the picture for her interest in the boat please let me know in writing. If she desire the boat please co-ordinate a date with me so that my client can be notified and I can be present to facilitate the matter. Obviously,since Mr. Long is the Contract Purchaser Subsitute and is in possession of the real property formerly the marital residence of both of the parties he does not wantMagie Long on the Property without a scheduled appearance for the boat pickup and unfortunately she will be regared as asstrespasser at any other time.

Sincerely,

Alan V. Cecil
cc

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APR 26 9 42 AM '85
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THEO. JOS. CLK. CIR. CT.
BY ___ DEPUTY

| | | |
|---|---|---|
| UPSHUR PAUL LONG<br>Complainant and<br>Cross-Respondent | * | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG<br>Respondent and<br>Cross-Complainant | * | CHANCERY NO. 11,293 |

BOOK 050 PAGE 418

## FIRST AND FINAL AUDITOR'S REPORT

Tony Bruce, Special Auditor, duly appointed by this Court, reports that he 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 | | $ 7,000.00 |
| Fees, Costs, Expenses, Etc.: | | |
| I. Theodore Phoebus, Court costs | 194.00 | |
| Avery Hall Insurance, Bond | 100.00 | |
| Atlantic Publications, Advertising and Order Nisi | 400.44 | |
| Circuit Court costs for photocopy charges | 3.00 | |
| Money due Margie Long per Court Order | 655.00 | |
| Trustee's Commission (10% of the first $3,000.00 - 5% of the balance) | 500.00 | |
| Tony Bruce, Special Auditor | 65.00 | |
| Total Fees, Costs, Expenses, Etc. | | $ 1,917.44 |
| Balance to be Distributed (½ to each party) | | $ 5,082.56 |

ALL EXCEPTIONS to said report must be filed within ten 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:

Edmund L. Widdowson, Jr., Esq.
47 North Somerset Avenue
Princess Anne, MD 21853

John R. Sullivan, Esq.
Banks, Nason & Hickson
216 E. Main Street, P.O. Box 44
Salisbury, MD 21801

Alan V. Cecil, Esquire
305 Caroline Street
Ocean City, MD 21842

Filing Date: May 7, 1985

Tony Bruce

Tony Bruce, Special Auditor

85 # 175

No. 11,293 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 7th day of May, 19 85 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 17th day of May, 19 85.

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

_____
CLERK

| | | |
|---|---|---|
| UPSHUR PAUL LONG<br>Complainant and<br>Cross-Respondent | * | IN THE CIRCUIT COURT<br>BOOK 050 PAGE 420 |
| | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG<br>Respondent and<br>Cross-Complainant | * | CHANCERY NO. 11,293 |
| | * | |

AMENDED FIRST AND FINAL AUDITOR'S REPORT

Tony Bruce, Special Auditor, duly appointed by this Court, reports that he made a re-examination of the proceedings in the above entitled cause and from them and the list of expenses furnished him therein, re-states the following Account:

| | | |
|---|---|---|
| Amount of Sale | | $ 7,000.00 |
| Fees, Costs, Expenses, etc.: | | |
| I. Theodore Phoebus, Court costs | 194.00 | |
| Avery Hall Insurance, Bond | 100.00 | |
| Atlantic Publications, Advertising and Order Nisi | 400.44 | |
| Philip Mahan, Treasurer<br>1982 Taxes - 194.00<br>1983 Taxes - 185.93<br>1984 Taxes - 195.19 | 575.12 | |
| Circuit Court costs for photocopy charges | 3.00 | |
| Money due Margie Long per Court Order | 655.00 | |
| Trustee's Commission (10% of the first $3,000.00 - 5% of the balance) | 500.00 | |
| Tony Bruce, Special Auditor | 65.00 | |
| Total Fees, Costs, Expenses, etc. | | $ 2,492.56 |
| Balance to be Distributed (½ to each party) | | $ 4,507.44 |

ALL EXCEPTIONS to said report must be filed within ten 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:

Edmund L. Widdowson, Jr., Esq.
47 North Somerset Avenue
Princess Anne, MD 21853

John R. Sullivan, Esq.
216 E. Main Street
P.O. Box 44
Salisbury, MD 21801

Alan V. Cecil, Esq.
305 Caroline Street
Ocean City, MD 21842

Tony Bruce

Tony Bruce, Special Auditor

Filing Date: May 13, 1985

85 # 176

| | | |
|---|---|---|
| UPSHUR PAUL LONG<br>Complainant and<br>Cross-Respondent | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| V. | * | STATE OF MARYLAND |
| MARGIE ESTELLA LONG<br>Respondent and<br>Cross-Complainant | * | CHANCERY NO. 11,293 |
| | * | |

* * * * * * *

EXCEPTIONS TO AMENDED FIRST AND FINAL AUDITOR'S REPORT

Comes now the Respondent and Cross-Complainant, Margie Estella Long, by and through her attorney, John R. Sullivan and Banks, Nason & Hickson, P.A., for her Exceptions To The First and Final Auditor's Report states as follows:

1. That the Respondent left the marital home of the parties on or about March 2nd, 1982.

2. That subsequent to the Respondent leaving in March of 1982, the Complainant sought, and received, a Restraining Order from this Honorable Court restraining the Respondent from entering onto the property of the parties.

3. That because Respondent was unable to enter onto the property, she was unable to protect her interest in the rent payments which the parties received for the renting of the land which is the subject matter of this partition suit.

4. That the Respondent believes, and therefore avers, that the land was rented in 1982, 1983 and 1984 for the amount of One Thousand One Hundred Dollars ($1,100.00). Therefore, Respondent's one-half (1/2) interest in said amount is One Thousand Six Hundred and Fifty Dollars ($1,650.00).

5. The Respondent requests that her share of the sale proceeds of the property be increased by One Thousand Six Hundred Fifty Dollars ($1,650.00) to reflect her share of the rent paid during the years 1982, 1983, and 1984.

6. In the alternative, should this Court decide that Respondent is not entitled to one-half (1/2) of the rent

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PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

payments made during those years, then, the Respondent would request that since the Complainant had sole possession of the property during the years 1982, 1983, and 1984, and sole benefit of the rent payments received, that the Complainant be ordered to pay from his share of the proceeds of the sale the open taxes on the property in the amount of Five Hundred Seventy-Five Dollars and Twelve Cents ($575.12).

WHEREFORE, the Respondent requests that the Amended First And Final Auditor's Report be adjusted to show a credit to the Respondent in the amount of One Thousand Six Hundred and Fifty Dollars ($1,650.00) as one-half (1/2) of the rent received on the property during the period of time that the Respondent was restrained from entering the property, or, in the alternative, that the Amended First And Final Auditor's Report be adjusted to show the Five Hundred and Seventy-Five Dollars and Twelve Cents ($575.12) be paid from the Complainant's share of the proceeds of this sale.

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, MD 21801
Telephone: 301-546-4644

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of May, 1985, an exact copy of the foregoing Exceptions To Amended First And Final Auditor's Report, was mailed by regular U.S. mail, postage prepaid, to: Edmund L. Widdowson, Jr., Esquire 47 North Somerset Avenue; Alan V. Cecil, Esquire, 305 Caroline Street, Ocean City, MD 21842; and to Tony Bruce, Special Auditor, 311 S. Somerset Avenue, P.O. Box 186, Princess Anne, MD 21853.

JOHN R. SULLIVAN

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

Upshur Paul Long
Complainant and
Cross Respondent

vs

Margie Estella Long
Respondent and
Cross Complainant

In the Circuit Court

for Somerset County

) Chancery # 11293

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ANSWER AND REBUTAL TO EXCEPTIONS TO AMENDED FIRST AND FINAL AUDITOR"S REPORT

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To the Honorable the Judge of Said Court:

Now comes Upshur Paul Long,Complainant and Cross Respondent by and through his Solicitor,Alan V. Cecil, and states in Answer and Reutal to the Execptions filed by Margie Estella Long and state:

1. That he agrees to the allegations contained in paragraphs #1 and #2.

2.That in answer to allegation # 3 Upshur Paul Long states that although legally restrained from entering upon the (marital real)property the Respondent Margie Estella Long did on numerous od asions enter upon said property without the authority of the Complainant and did remove numerous articles and disturb the peace of the Complainant and did take and secretly hide various articles belonging to the Compalainant. The Complainant further states that any income received by him on the premeises was less than adequate to maintain the well being and of the residence and landscaping and maintainence of the marital abode and ground as well as control the spread of johnson grass and other noxious weeds as required by the Agricultural Code of the Annotated Code of Maryland.

3. That theComplainant denies those allegations contained in paragraph #4.

Long vs Long Continued



4. That the Complainant denies thoses allegations contained in paragraph #5 and #6.

5. That the Execptions filed are untimely in that the refer to alleged property determinations and divisions which should have been timely presented by the Respondent and Cross Complainant at the time of the divorce hearing before this Honorable Court when a lenghty and exhaustive session was conduct-d to determine all of the property interests of the respective parties.

6. That the real estate property taxes are joint obligations of the parties andshould be equally shared from the proceeds of the Sale by the Trustees .

Wherefore your Complainant prays this Honorable Court:

A. Deny the Relief Requested in the Execptions filed.

B.Direct that the funds be distributed between the parties pursuant to the First and Final Auditor's Report.

C. That this Honorable Court determine this matter on the facts contained in the Court files,ex parte , unless a hearing is requested by the Respondent and Cross Complainant.

Alan V. Cecil,esq.
305 Caroline Street
1-N
Ocean City,Md. 21842
301 289-6047
Solicitor for Upshur Paul Long

Certificate of Service

I hereby certify that on this _ day of May ,1985 an exact copy to the foregoing Answer and Rebutal was maild by first slass mail to: John R. Sullivan,esq. Box 44 Salisbury,Md. 21801; Tony Bruce ,Esq. 311 S.Somerset Ave. Box 186,Princess Anne,Md. 21853;and to Ed. Widdowson, esq. 47 N. Somerset Ave. Princess Anne,Md. 21853.

Alan V. Cecil,esq.

Upshur Paul Long

vs

Margie Estella Long

In the Circuit Court for

Somerset County

Chancery #11,293

ORDER OF COURT ON EXECPTIONS TO FIRST AND FINAL AUDITORS REPORT

After a review of the pleadings and the Court records it is this _____day of _____,1985 ORDERED ADJUDGED AND DECREED by the Circuit Court for Somerset County,Maryland that:

A. The relief requested in the EXECPTIONS TO AMENDED FIRST AND FINAL AUDITOR'S REPORT is hereby denied.

B. That the AMENDED FIRST AND FINAL AUDITOR"S REPORT is Approved by this Court.

C. That the real property owned formerly by Upshur Paul Long and Margie Estella Long sold by appointed trustees be transferred to Upshur Paul Long by trustees deed and that the net proceeds of the purchase price of the auction of said property be equally divided between the parties pursuant to the Amended First and Final Auditors Report and the terms of the Sale.

SO Ordered,by:

_____

Lloyd Simpkins,Judge
Circuit Court for Somerset County.

Book 50 Page 426

No. 11,293 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 13TH day of May, 19 85 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 23RD day of May, 19 85.

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 30th day of July, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Phoebus
CLERK

OFFICE OF

# Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. June 4, 1985

TO: Alan V. Cecil, Esq.
305 Caroline Street 1-N
Ocean City, MD 21842

John R. Sullivan, Esq.
Banks, Nason & Hickson
216 E. Main St., Box 44
Salisbury, MD 21801

Edmund L. Widdowson, Jr., Esq.
47 N. Somerset Ave.
Princess Anne, MD 21853

Tony Bruce, Esq.
Princess Anne, MD 21853

RE:

RE: No. 11,293 Chancery - Upshur Paul Long v. Margie Estella Long

The above case has been *scheduled* as follows:

Hearing on Exceptions to Auditor's Report, on Monday, July 8, 1985, 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 Subpoena for *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. 11,293 Chy - Long v. Long

Mon., July 8, 1985, at 9:30 A.M.

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

DATE 6/4/85 ATTORNEY [signature]

BOOK 050 PAGE 427

RE No. 11,293 Chy - Long v. ng

Mon., July 8, 1985,
at 9:30 A.M.

Receipt of trial date is hereby acknowledged for the date of

DATE 6/12 ATTORNEY

BOOK 050 PAGE 428

OFFICE OF

# Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. June 4, 1985

TO: Alan V. Cecil, Esq.
305 Caroline Street 1-N
Ocean City, MD 21842

John R. Sullivan, Esq.
Banks, Nason & Hickson
216 E. Main St., Box 44
Salisbury, MD 21801

Edmund L. Widdowson, Jr., Esq.
47 N. Somerset Ave.
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Very truly yours,

(Mrs.) Alice C. Webster
Assignment Clerk

---

RE No. 11,293 Chy - Long v. Long

Mon., July 8, 1985, at 9:30 A.M.

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

DATE 6/5/85 ATTORNEY [signature]

BOOK 050 PAGE 429

UPSHUR PAUL LONG
Complainant and
Cross Respondent

vs

Margie Estella Long
Respondent and
Cross Complainant

In the CIrcuit Court for

Somerset County Maryland

Sitting in Equity

Chancery # 11,293

BOOK 050 PAGE 430

Withdrawal of Execptions to Final Auditors Report,Compromise,and Consent Order Thereon

Now comes Upshur Paul Long, by his solicitor,Ahan V. Cecil,esquire and Margie Estella Long,by her solicitor, John R. Sullivan,esquire and upon agreement of the parties and their mutual consents the disputes arising out of the dispersion of funds arising from the sale of certain real properties formerly owned by the above named parties having been settled the parties through their solicitors do pray this Honorable Court to pass a Consent Order: Now in consideration of the above compromise the Circuit Court for Somerset County,Maryland does ratify fully the Auditor's Reports submitted by Tony Bruce,Special Auditor,and pursuant to the agreement of the parties the Trustees appointed in this case shall disburse the funds they now hold in Trust to the parties equally;save and except that Margie Estella Long shall receive $287.56 more than Upshur Paul Long as a compromise amount to settle the dispute raised by her fully in the Execptions filed. All matters having been fully settled in this case,the parties are Further Ordered not to harass,bother or molest one another and be it Further Ordered that each shall pay equally any open court costs for this proceeding. The Trustees are Ordered to transmit the dispersal monies due to the respective parties to Alan V. Cecil,esq.,solicitor for Upshur Paul Long and to John R. Sullivan,solicitor for Margie Estella Long for tranmittal to their respective clients.

Copies of this Consent ORDER shall be sent,when signed,to the attornies

**********T**********

of record, the Trustees, and the Special Auditor. All ORDERED

THIS 26 DAY OF July ,1985.

Approved and consent Given:

Signed: Lloyd L. Simpkins

Lloyd Simpkins, Judge

Alan V. Cecil, esquire

Solicitor for Upshur Paul Long

John R. Sullivan, esquire

Solicitor for Margie Estella Long

JUL 26 9 22 AM '85

BOOK 950 PAGE 432

| | | |
|---|---|---|
| Hobart B. Hughes and John B. Long, II, Trustees named in the Deed of Appointment for the purpose of foreclosure and collection of a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to First Virginia Bank | * | NO. 85CA00153<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY,<br><br>STATE OF MARYLAND |

* * * * * * *

ORDER TO FILE DEED OF TRUST FOR FORECLOSURE

Mr. Clerk:

Please docket a suit as above and file for foreclosure a Deed of Trust and Deed of Trust Note from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to First Virginia Bank, dated June 3, 1977, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 304, Folio 726, said Deed of Trust Note having been endorsed specially, negotiated and transferred by written endorsement to First Virginia Bank, the present holder in due course of said Deed of Trust Note. Further, please file a copy of the Deed of Appointment of Substitute Trustees, of even date and record the original of said Deed of Appointment among the Land Records of Somerset County, Maryland and after recording of same, please have the original filed in these proceedings.

HOBART B. HUGHES,
Substitute Trustee

JOHN B. LONG, II,
Substitute Trustee
Long, Hughes, Bahen, Duvall
& Dashiell
124 East Main Street
Salisbury, Maryland 21801-0259

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0259

| | | |
|---|---|---|
| Hobart B. Hughes and John B. Long, II, Trustees named in the Deed of Appointment for the purpose of foreclosure and collection of a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to First Virginia Bank | * | NO. 85CA00153<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY,<br><br>STATE OF MARYLAND |

* * * * * * *

STATEMENT OF DEBT AND NONMILITARY AFFIDAVIT

STATE OF VIRGINIA, COUNTY OF FAIRFAX, TO WIT:

I HEREBY CERTIFY, that on this 23rd. day of January, 1985, before me, the subscriber, a Notary Public of the state and County aforesaid, personally appeared Douglas R. Myers, of First Virginia Bank, and made oath in due form of law that the following account represents the amount due and owing on the mortgage filed for foreclosure in the above entitled cause:

| | | |
|---|---|---|
| Principal amount due | $ | 16,101.79 |
| Interest from December 1, 1983 thru November 16, 1984 | $ | 1,316.25 |
| Plus debit in expense account | $ | 212.60 |
| Late charges | $ | 58.08 |
| TOTAL BALANCE DUE | $ | 17,688.72 |

(The above statement is good until November 16, 1984. Thereafter interest is to be added at $3.75 per day.)

AND, at the same time, the said Douglas R. Myers, as aforesaid, did further make oath in due form of law that to the best of his knowledge, information and belief:

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0289

1. The said Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein are not in the military service of any nation allied with the United States; and

2. The said Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein have not been ordered to report for induction under the Selective Service Act of 1940, as amended; and

3. The said Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein are not members of the Enlisted Reserve Corps who has been ordered to report for military service.

IN WITNESS WHEREOF, I hereunto set my hand and affix my seal the day and year first above written.

FIRST VIRGINIA BANK

Douglas R. Myers, Asst. Vice-President

Helen H. Blake
Notary Public

My Commission Expires:
~~July 1, 1986~~
Oct. 12, 1986

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0259

# Fidelity and Deposit Company

HOME OFFICE **OF MARYLAND** BALTIMORE, MD. 21203 No. 38

KNOW ALL MEN BY THESE PRESENTS:

That we, Hobart B. Hughes and John B. Long, II, Substitue Trustees 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 Eighteen Thousand and 00/100 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 and administrators, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 27th day of February in the year of our Lord one thousand nine hundred and eighty five

WHEREAS, the above bounden Hobart B. Hughes and John B. Long, II, Substiute Trustees by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County, Maryland has been appointed Trustee to sell real estate known as 810 S. College Place, Princess Anne, Maryland

mentioned in the proceedings in the case of Hobart B. Hughes and John B. Long, II, Trustees

vs.

Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein

now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Hobart B. Hughes and John B. Long, II, Trustees

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 virtue in law.

BOOK 050 PAGE 435

Signed, sealed and delivered in the presence of:

THE WITHIN BOND APPROVED

Hobart B. Hughes (SEAL)

John B. Long, II (SEAL)

WITNESS:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By Cocheyse Epps
Cocheyse Epps As to Surety

By Maria L. Evans
Maria L. Evans, Attorney-in-Fact

J3116(MD)—500. 12-84 221107
Trustee's Bond

Bond Book 11 Page 503

BOOK 050 PAGE 436

*Power of Attorney*

# FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE, BALTIMORE, MD

Bond Book 11 Page 504

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 L. C. WAYMAN, JR. , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or 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 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 judgements, decrees, mortgages and instruments in the nature of mortgages, . . . and to affix the seal of the Company thereto."

does hereby nominate constitute and appoint Charles W. Blank, Clinton A. Killam, Jr., J. Donald Haynes, Douglas C. Benjamin, Brian D. O'Rourke, Pauline A. Beall, Maria L. Evans, Jeffrey D. Gerberich and John C. Muth, 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 Charles W. Blank, etal, dated, December 2, 1982.

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 28th day of July, A.D. 19 83

SEAL

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

*Assistant Secretary*

By

*Vice-President*

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 28th day of July, A.D. 19 83, 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 by Official Seal, at the City of Baltimore, the day and year first above written.

CAROL J. FABER NOTARY PUBLIC BALTIMORE CITY, MD.

Notary Public Commission Expires July 1, 1986

## 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 day of MAR. 4, 19 28 AM '85

RECORDED IN
LIBER No. FOLIO
THEODORE FROMEES CLK. CI. CT.
BY DEPUTY

L1428a—Cif. 060

*Assistant Secretary*

FOR YOUR PROTECTION LOOK FOR THE F&D WATERMARK

| | | |
|---|---|---|
| Hobart B. Hughes and John B. Long, II, Trustees named in the Deed of Appointment for the purpose of foreclosure and collection of a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to First Virginia Bank | * | NO. 85CA00153<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY,<br><br>STATE OF MARYLAND |

* * * * * * *

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 21st day of March, A. D., 1985, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Hobart B. Hughes one of the Substitute Trustees in the above captioned, and made oath in due form of law, and pursuant to Rule 74a2(c) of the Maryland Rules of Procedure, that he mailed by Registered Mail, Return Receipt Requested, to the Mortgagors, Samuel Deck, Temimeh Deck and Priscilla Helbein, at their respective last known addresses: 9318 Kilby Glen Drive, Vienna, Virginia 22180 and 810 South College Avenue, Princess Anne, Maryland 21853, a notice of the time, place and terms of sale; that said notice was mailed on the 20th day of March, 1985, which was not earlier than twenty (20) days and not later than five (5) days before the date of sale, the Registered Receipts for said mailing being attached hereto.

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

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0259

My commission expires:
June 1, 1986

Notary Public

Hobart B. Hughes,
Substitute Trustee

SSCA00153

BOOK 050 PAGE 438

ABH P 705 654 249

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Mrs. Temimah S. Deck | |
| Street and No. 9318 Kilby Glen Drive | |
| P.O., State and ZIP Code Vienna, Virginia 22180 | |
| Postage | $ .22 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | .70 |
| Return Receipt showing to whom, Date and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.67 |
| Postmark or Date | SALISBURY, MD MAIN STREET STA. MAR 20 1985 USPO |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

ABH P 705 654 251

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Mr. Samuel Deck | |
| Street and No. 9318 Kilby Glen Drive | |
| P.O., State and ZIP Code Vienna, MD 22180 | |
| Postage | $ .22 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | .70 |
| Return Receipt showing to whom, Date and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.67 |
| Postmark or Date | SALISBURY, MD MAIN STREET STA. MAR 20 1985 USPO |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

ABH P 705 654 248

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Ms Priscilla A. Helbein | |
| Street and No. 810 South College Place | |
| P.O., State and ZIP Code Princess Anne, MD 21853 | |
| Postage | $ .22 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | .70 |
| Return Receipt showing to whom, Date and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.67 |
| Postmark or Date | SALISBURY, MD MAIN STREET STA. MAR 20 1985 USPO |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

| | | |
|---|---|---|
| Hobart B. Hughes and John B. Long, II, Substitute Trustees under and by virtue of a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to First Virginia Bank | * | NO. 85 CA00153 |
| | * | 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 Hobart B. Hughes and John B. Long, II, Substitute Trustees named in a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to First Virginia Bank, dated June 3, 1977 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 304, Folio 726, respectfully represents:

That after having given bond with sufficient security for the faithful performance of the trust reposed in them and after having complied with all the other prerequisites as required by law and the aforesaid Removal of Trustees and Appointment of Substitute Trustees and after having given notice of the time, place, manner and terms of sale by advertisement duly inserted in the Marylander and Herald, a daily newspaper published in Somerset County, Maryland, for three (3) successive weeks before the day of sale all as more particularly set forth in Certificate of Publication attached hereto, they did, pursuant to said advertisement attend, at the front door of the Court House,

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0250

on Friday, the 29th day of March, 1985, at the hour of 1:00 o`clock P.M., and they did then and there proceed to sell said property in the manner following, that is to say: Your Substitute Trustees offered at public sale to the highest bidder or bidders the property mentioned in the aforesaid advertisement, and more particularly described as follows: ALL that parcel of land situate, lying and being in East Princess Anne Election District of Somerset County, Maryland, and being all of Lot No. 29 in Block "A" on a plat entitled "Manokin Glen" Subdivision for Wilson E. Davis & Sons, dated July 1972, and recorded among the Land Records of Somerset County, Maryland in Plat Book I.T.P. No. 8, Folio 98.

AND YOUR Trustees sold the property unto Sovran Equity Mortgage Corporation at and for the sum of $20,101.00, it being at that sum, the highest bidder therefor.

Respectfully submitted.

Hobart B. Hughes - Trustee

John B. Long, II - Trustee

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0289

STATE OF MARYLAND, COUNTY OF :

I HEREBY CERTIFY that on this 16th day of April, 1985, before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared HOBART B. HUGHES and JOHN B. LONG, II, Substitute Trustees named in the aforegoing Report of Sale and made oath in due form of law that the matters and facts stated herein are true and correct to the best of their knowledge, information and belief, and the sale therein was fairly made.

AS WITNESS my hand and Notarial Seal.

My commission expires:
July 1, 1986

Notary Public

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0289

BOOK 050 PAGE 442

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 3/13, 1985, and ending 3/27, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $49.50 per insertion.

LONG, HUGHES, BAHEN,
DUVALL & DASHIELL,
ATTORNEYS

Hobart B. Hughes and
John B. Long, II

**SUBSTITUTE TRUSTEES' SALE OF VALUABLE DWELLING HOUSE AND LOT**

Under and by virtue of a power of sale contained in a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein, to First Virginia Bank, dated June 3, 1977, and recorded among the Land Records of Somerset County in I.T.P. No. 304, Folio 726 default having been made in the terms, covenants and conditions thereof, the undersigned Substitute Trustees for the purposes of foreclosure and collection will offer for sale

**At The Front Door
Of The Court House,
Princess Anne, Maryland
On
Friday, March 29, 1985
Beginning At 1:00 O'clock P.M.**

all the following described property: ALL that lot or parcel of land situate, lying and being in the East Princess Anne Election District, of Somerset County, Maryland and being all of Lot No. 29 in Block "A", on a plat entitled "Manokin Glen" Subdivision for Wilson E. Davis & Son, 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.

TERMS OF SALE: Deposit of $5,000.00 by certified check on the date of sale and the balance to be paid upon final ratification of sale, the credit portion to bear interest from date of sale, until paid at the rate of ten percent [10%] per annum and to be secured to the satisfaction of the undersigned, or all cash, at the option of the purchaser. The preparation of all documents for transfer, state stamps, state transfer tax and recording costs are the expense of the purchaser. State, County and City Taxes and City water will be pro-rated at the date of final ratificaiton of said sale.

Long, Hughes, Bahen,
Duvall & Dashiell
124 East Main Street
Salisbury, Md. 21801
[301] 749-2356

Hobart B. Hughes
Substitute Trustee
John B. Long, II
Substitute Trustee

80-3/12-3tSH

| | | |
|---|---|---|
| Hobart B. Hughes and John B. Long, II, Substitute Trustees under and by virtue of a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to to First Virginia Bank | * | NO. 85 CA00153 |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| | * | |
| | * | |

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND

COUNTY OF MONTGOMERY

ON THIS, the 19th day of April, 1985, before me, the undersigned officer, personally appeared H. C. LEONARD, JR., Assistant Vice-President of Sovran Equity Mortgage Corporation, and made oath in due form of law that Sovran Equity Mortgage Corporation, is the purchaser at the sale of the property described in this cause, and that

(a) He is not acting as agent for any other person, firm, partnership, or corporation other than Sovran Equity Mortgage Corporation;

(b) There are no other interested principals;

(c) No one was either dierectly or indirectly discouraged from bidding at said sale.

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0259

BOOK 050 PAGE 444

H. C. Leondard, Jr.

SUBSCRIBED AND SWORN to before me this 19th day of April, 1985.

Notary Public
COLLEEN M.BOOKS

Colleen M. Books NOTARY PUBLIC Montgomery County, MD

My commission expires:
July 1, 1986

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0239

| | | |
|---|---|---|
| Hobart B. Hughes and John B. Long, II, Substitute Trustees under and by virtue of a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to to First Virginia Bank | * | NO. 85 CA 00153 |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| | * | |
| | * | |

NOTICE ORDER

ORDERED, by the Circuit Court for Somerset County, State of Maryland, this 22nd day of April, 1985, that the sale of the property mentioned in these proceedings and made and reported by HOBART B. HUGHES and JOHN B. LONG, II, Substitute Trustees, be ratified and confirmed unless cause to the contrary be shown on or before the 22nd day of May, 1985, provided a copy of this Order be inserted in some newspaper published in this County, once in each of three (3) successive weeks before the 20th day of May, 1985.

The Report of Sale states the amount of the sale to be $ 20,101.00.

Lloyd L. Griffin
XXXXXX JUDGE

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 - 0289

Somerset Herald

**MARYLANDER & HERALD** BOOK 050 PAGE 446

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 5-1, 1985, and ending 5-22, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor - Somerset Herald
Publisher.

Printer's Fee: $27.50 per insertion.

Hobart Hughes Confirmation - Sam Deck

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND

NO. 85 CA 00153

Hobart B. Hughes & John B. Long, II,
Substitute Trustees
Under and by Virtue
of a Deed of Trust from
Samuel L. Deck, Temimeh Deck,
& Priscilla A. Helbein
to First Virginia Bank

**NOTICE ORDER**

OFDERED, by the Circuit Court for Somerset County, State of Maryland, this 22nd day of April, 1985, that the sale of the property mentioned in these proceedings and made and reported by HOBART B. HUGHES and JOHN B. LONG, II, Substitute Trustees, be ratified and confirmed unless cause to the contrary be shown on or before the 22nd day of May, 1985, provided a copy of this Order be inserted in some newspaper published in this County, once in each of three [3] successive weeks before the 20th day of May, 1985.

The Report of Sale states the amount of the sale to be $20,101.00.

True Copy, Test:
L Theodore Phoebus
Clerk

Lloyd L. Simpkins
JUDGE

80-5/1-3tSH

| | | |
|---|---|---|
| Hobart B. Hughes and John B. Long, II, Substitute Trustees under and by virtue of a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to to First Virginia Bank | * | NO. 85 CA00153 |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| | * | |
| | * | |

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 5th day of June, 1985, 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 said cause and the said Trustees are allowed the usual commissions or fees and such proper expenses as they shall produce vouchers therefor.

JUDGE

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801 • 0239

**ARLINGTON MORTGAGE Company**

6400 ARLINGTON BOULEVARD, FALLS CHURCH, VIRGINIA 22042-2336 • (703) 241-3173

July 2, 1985

BOOK 050 PAGE 448

Mr. Hobart B. Hughes
124 East Main Street
P.O. Box 259
Salisbury, Maryland 21901-0259

RE: AMC Loan #23939
Samuel L. Deck

Dear Mr. Hughes:

This is to advise that First Virginia Bank, became sucessor to First Virginia Mortgage Company.

First Virginia Mortgage Company was disolved on April 8, 1983.

I trust this information will be of assistance to you.

Sincerly,

Helen H. Blake

Helen H. Blake
Assistant Vice-President

HHB/cac

| | | |
|---|---|---|
| Hobart B. Hughes and John B. Long, II, Substitute Trustees under and by virtue of a Deed of Trust from Samuel L. Deck, Temimeh Deck and Priscilla A. Helbein to First Virginia Bank | * | NO. 85CV00153<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 20,101.00 |
| Interest to Date of Settlement | | | 284.92 |
| | | | $ 20,385.92 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, costs | | $ 179.00 | |
| Somerset Herald, advertising | 148.50 | | |
| Somerset Herald, Order Nisi | 82.50 | 231.00 | |
| Harris J. Rigging Agency, Bond | | 72.00 | |
| G. William Oakley, Auctioneer | | 100.00 | |
| Long, Hughes, Bahen, Duvall & Dashiell, Commission | | 1,132.55 | |
| Ross, Marsh & Foster, Attorneys Re: Lift of Stay Bankruptcy | | 1,239.50 | |
| Philip R. Mahan, Treasurer | | 302.52 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Notary Fees | | 5.00 | |
| Total Fees, Costs, Expenses, etc. | | $3,326.67 | |
| Balance to be Distributed | | | $ 17,059.25 |
| Mortgage Debt | | | |
| Principal Balance | | 17,688.72 | |
| Interest from 11/16/84 3/29/85 | | 497.75 | |
| Interest from 3/30/85 to July 29, 1985 | | 457.50 | |
| Total Mortgage Debt | | 18,643.97 | |
| Deficit | | | $ 1,584.72 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3500

BOOK 050 PAGE 450

ALL EXCEPTIONS to said report must be filed within ten 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:

Mrs. Temimah S. Deck
9318 Kilby Glen Drive
Vienna, VA 22180

Mr. Sameul Deck
9318 Kilby Glen Drive
Vienna, VA 22180

Ms. Priscilla A. Helbein
810 South College Place
Princess Anne, MD 21853

Hobart B. Hughes, Esquire
Long, Hughes, Bahen, Duvall & Dashiell
124 East Main Street
P.O. Box 259
Salisbury, MD 21801

Logan C. Widdowson, Auditor

Date of Filing: July 19, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
85 # 181
7/19/85

No. 85CA00153 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 19th day of July, 19 85 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 29th day of July, 19 85.

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 1st day of August, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

S. Theodore Phoebus
CLERK

BOOK 050 PAGE 452

| | | |
|---|---|---|
| JOHN R. SULLIVAN, ASSIGNEE<br>For the purpose of foreclosure<br>and collection of a Mortgage to<br>Mountaire of Delmarva, Inc.<br>216 East Main Street<br>Salisbury, Maryland 21801 | * | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. SCA00089 |
| vs. | * | |
| ROBERT L. POYNER<br>BLANCHE JEAN POYNER, his wife<br>215 Hampden Avenue<br>Princess Anne, Maryland 21853 | * | |

* * * * * * * * * * * * *

ORDER TO DOCKET SUIT

MR. CLERK:

Please docket this case as above and file for foreclosure the attached Mortgage from Robert L. Poyner and Blanche Jean Poyner, his wife, to Mountaire of Delmarva, Inc. dated October 29, 1982 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 335, Folio 64, which said Mortgage has been duly assigned to John R. Sullivan for the purpose of foreclosure and collection, default having occurred in the covenants of said Mortgage, and enter the appearance of Banks, Nason and Hickson, P.A., as attorneys for the said Assignee. Please additionally record the Assignment of said Mortgage, in the form as tendered herewith, among the Land Records of Somerset County, Maryland, so as to have the assignment of the same properly a matter of record.

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

| | | |
|---|---|---|
| JOHN R. SULLIVAN, ASSIGNEE<br>For the purpose of foreclosure<br>and collection of a Mortgage to<br>Mountaire of Delmarva, Inc.<br>216 East Main Street<br>Salisbury, Maryland 21801 | *<br>*<br>*<br>*<br>* | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85CA000089 |
| vs. | * | |
| ROBERT L. POYNER<br>BLANCHE JEAN POYNER, his wife<br>215 Hampden Avenue<br>Princess Anne, Maryland 21853 | *<br>*<br>* | |

* * * * * * * * * * * * *

STATEMENT OF INDEBTEDNESS

Balance due on principal of Mortgage from Robert L. Poyner and Blanche Jean Poyner, his wife, to Mountaire of Delmarva, Inc., dated October 29, 1982 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 335, Folio 64, is Nineteen Thousand One Hundred Sixteen Dollars and Eighty-Four Cents ($19,116.84) as of November 16, 1984, plus per diem interest thereafter of Six Dollars and Forty-One Cents ($6.41), as well as late charges that may accrue after said date plus attorney's fees and other costs as provided for in said Mortgage.

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
16 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

BOOK 050 PAGE 454

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

On this 20th day of November, 1984, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared John R. Sullivan, Assignee for the purpose of foreclosure and collection of a certain Mortgage from Robert L. Poyner and Blanche Jean Poyner, his wife, to Mountaire of Delmarva, Inc., dated October 29, 1982, and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 335, Folio 64, and made oath in due form of law that the above Statement of Indebtedness is true and correct to the best of his knowledge, information and belief, and that he has the authority to make said Affidavit on behalf of the said Mortgagee and at the same time, made oath in due form of law that the said Robert L. Poyner and Blanche Jean Poyner, his wife, are not now serving in the Armed Forces of the United States of America nor any of its allies and have not served in said Armed Forces for a period of ninety (90) days prior to the filing hereof.

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

AS WITNESS my hand and Notarial Seal.

Notary Public
My commission expires 7/1/86

SANDRA C. WEBB NOTARY PUBLIC WICOMICO CO., MD.

OFFICES OF
KS, NASON &
ICKSON
SIONAL ASSOC.
AST MAIN ST.
). BOX 44
SBURY, MD
21801

# The Ohio Casualty Insurance Company

HAMILTON, OHIO

BOND NO. 1-583-272

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

JOHN R. SULLIVAN, ASSIGNEE FOR THE PURPOSE OF FORECLOSURE AND COLLECTION OF A MORTGAGE TO MOUNTAIRE OF DELMARVA, INC.
Plaintiff

vs.

ROBERT L. POYNER & BLANCHE JEAN POYNER, his wife
Defendant

CHANCERY ~~Equity~~ No. 8500089

FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, JOHN R. SULLIVAN, ASSIGNEE as Principal and The Ohio Casualty Insurance Company, a body corporate, duly incorporated under the laws of the State of Ohio and duly authorized to transact a surety 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 Twenty-Two Thousand Dollars ---------- ($ 22,000.00 ---------- ) Dollars, 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 13th day of December in the year of our Lord One Thousand Nine Hundred and eighty-four.

Whereas, the above bounden JOHN R. SULLIVAN, ASSIGNEE by virtue of the power contained in a mortgage--~~deed of trust~~ from ROBERT L. & BLANCHE JEAN POYNER to MOUNTAIRE OF DELMARVA, INC. bearing date the 29th day of October, 1982 and recorded among the mortgage--~~deed of trust~~ records of Somerset County, Maryland in Liber No. I.T.P. No. 335 folio 64 and JOHN R. SULLIVAN, ASSIGNEE is/are about to sell the land and premises described in said mortgage--deed of trust, 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 R. SULLIVAN, ASSIGNEE

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 remain in full force and virtue in law.

In Testimony Whereof, the above bounden JOHN R. SULLIVAN, ASSIGNEE has hereto set his hand and Seal and the said body corporate has caused these presents to be duly signed by its Attorney-in-fact, the day and year first herein above written.

JOHN R. SULLIVAN (SEAL)

Signed, Sealed and delivered in the presence of:

Sandra C. Wilson

(SEAL)

As to Surety:

Brenda H. Moore

THE OHIO CASUALTY INSURANCE COMPANY

By: Donald L. Toadvine
Donald L. Toadvine
Attorney-in-Fact

BOND APPROVED AS PER:
V. Theodore Gharlas CLERK

S-4753

OC Book 11 Page 439

CERTI D COPY OF POWER OF ATT( NEY Book 11 Page 440

# THE OHIO CASUALTY INSURANCE COMPANY

BOOK 050 PAGE 456

HOME OFFICE, HAMILTON, OHIO

No. 11-407

**Know All Men by These Presents:** That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint:

Donald L. Toadvine - - - - - - - - - - - - - - - - - - - - of Laurel, Delaware - - - - - -

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, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance

TWO HUNDRED FIFTY THOUSAND - - - - - - - - - - - - - - - - - - ($250,000.00 - - -) Dollars, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

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 Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

SEAL

In WITNESS WHEREOF, the undersigned, officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 2nd day of April 19 71.

(Signed) J. Earl Rochester
Vice President

STATE OF OHIO,
COUNTY OF BUTLER } ss.

On this 2nd day of April A. D. 19 71 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came J. Earl Rochester, Vice President - - - of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposeth and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

NOTARIAL SEAL BUTLER COUNTY, OHIO

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.

(Signed) Dorothy Bibee
Notary Public in and for County of Butler, State of Ohio

My Commission expires December 9, 1971.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

"ARTICLE VI"

"Section 7. Appointment of Attorney-in-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

## CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 13th day of Dec. A.D., 19 84

DEC 17 9 07 AM '84

SEAL

RECORDED IN
LIBER NO. ___ FOLIO ___
THEODORE PHOBUS, CLK. CI. CT.
BY ___ DEPUTY

Assistant Secretary

S-4300-C 12-80-3M

| | | |
|---|---|---|
| JOHN R. SULLIVAN, ASSIGNEE<br>For the purpose of foreclosure<br>and collection of a Mortgage to<br>Mountaire of Delmarva, Inc.<br>216 East Main Street<br>Salisbury, Maryland 21801 | *<br>*<br>*<br>*<br>* | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85 00089 |
| vs. | * | |
| ROBERT L. POYNER<br>BLANCHE JEAN POYNER, his wife<br>215 Hampden Avenue<br>Princess Anne, Maryland 21853 | *<br>*<br>* | |

* * * * * * * * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of John R. Sullivan, Assignee for the purpose of foreclosure and collection in the above entitled cause, respectfully states as follows:

1. That after giving bond with security approved by the Clerk of said Court for the faithful performance of their trust, and having complied with all prerequisites as required by law, and having given notice of the time, place, manner and terms of sale by advertisement in The Somerset Herald, a daily newspaper published in Somerset County, Maryland, once each week for three successive weeks before the day of sale, beginning on April 17, 1985, as will appear by reference of the attached Notice of Sale, he did, pursuant to said Notice, attend said sale conducted on premises of the mortgaged property on May 3, 1985, at or about the hour of 10:00 A.M., and then and there did offer for sale the following described real estate to the highest bidder:

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

ALL that tract or parcel of land situate in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, beginning for the outlines of the same at a one inch iron shaft on the Northerly side of Hampden Avenue, said point of beginning being shown and designated on a plat recorded in Plat Book I.T.P. No. 7, folio 99, by the Letter "A"; thence (1) North 7° 06' East, 200 feet to an iron shaft; thence (2) South 82° 54' East, 157.20 feet to a pipe; thence (3) South 15° 46' East, 156.8 feet to the Northerly side of Hampden Avenue; thence (4) South 82° 47' West by and with the Northerly side of Hampden Avenue, 225.08 feet to the point of beginning, and containing 33,210 square feet; and being a part only of all the land conveyed unto E. Mace Smith Company, Inc. by E. Mace Smith, et al., by deed dated September 1, 1954, and recorded among the Land Records of Somerset County in Liber No. 166, folio 187; and being fully shown and designated on said plat; and being all that lot or parcel of land conveyed by E. Mace Smith Company, Inc. unto Winton Gouge Hatchery, Inc., by deed dated July 22, 1969, and recorded among the aforesaid Land Records in Liber I.T.P. No. 253, folio 36; and being the same premises conveyed by Mountaire of Delmarva, Inc. unto Mortgagors herein, by deed dated and to be recorded evenly herewith.

2. That the said Assignee did sell the above described parcel of land to Mountaire of Delmarva, Inc., they being the only bidders, at and for the sum of Twenty-Two Thousand Fifty Dollars ($22,050.00), said amount being the highest and best bid

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

for said property and said purchaser having complied with the terms of sale as set forth in the advertisement of sale.

AND AS IN DUTY BOUND, ETC.

Respectfully Submitted,

JOHN R. SULLIVAN, Assignee for the purpose of foreclosure and collection

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this 6th day of May, 1985, before me, a Notary Public in and for the State and County aforesaid, personally appeared JOHN R. SULLIVAN, Assignee for the purpose of foreclosure and collection of a mortgage to Mountaire of Delmarva, Inc., named in the above Report Of Sale, and he made oath in due form of law that the matters and facts set forth in the foregoing Report Of Sale are true to the best of his knowledge, information and belief, and that the said sale was fairly made.

AS WITNESS my hand and Notarial Seal.

SANDRA C. WEBB NOTARY PUBLIC WICOMICO CO., MD.

NOTARY PUBLIC

My commission expires: 7/1/86

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

BANKS, NASON & HICKSON, P.A.
216 East Main Street
Salisbury, Maryland 21801

BOOK 050 PAGE 460

ASSIGNEE'S
SALE
OF EXTREMELY
VALUABLE
BUSINESS PROPERTY
215 Hampden Avenue
Princess Anne
MARYLAND 21853

Under and by virtue of the power of sale contained in a Mortgage from Robert L. Poyner and Blanche Jean Poyner to Mountaire of Delmarva, Inc. dated October 29, 1982 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 335, Folio 62, which said Mortgage was duly assigned, pursuant to an Assignment dated November 27, 1984 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 348, Folio 246, by Mountaire of Delmarva, Inc. to the undersigned Assignee for the purpose of foreclosure and collection, default having occurred therein, said Assignee will offer for sale, at public auction, on the site of the said real property hereinafter described, on

Friday
May 3, 1985
at or about the hour of
10:00 a.m.

ALL that tract or parcel of land situate in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, beginning for the outlines of the same at a one inch iron shaft on the Northerly side of Hampden Avenue, said point of beginning being shown and designated on a plat recorded in Plat Book I.T.P. No. 7, folio 99, by the Letter "A"; thence (1) North 7° 06' East, 200 feet to an iron shaft; thence (2) South 82° 54' East, 157.20 feet to a pipe; thence (3) South 15° 46' East, 156.8 feet to the Northerly side of Hampden Avenue; thence (4) South 82° 47' West by and with the Northerly side of Hampden Avenue, 225.08 feet to the point of beginning, and containing 33,210 square feet; and being a part only of all the land conveyed unto E. Mace Smith Company, Inc. by E. Mace Smith, et al., by deed dated September 1, 1954, and recorded among the Land Records of Somerset County in Liber No. 166, folio 187; and being fully shown and designated on said plat; and being all that lot or parcel of land conveyed by E. Mace Smith Company, Inc. unto Winton Gouge Hatchery, Inc., by deed dated July 22, 1969, and recorded among the aforesaid Land Records in Liber I.T.P. No. 253, folio 36; and being the same premises conveyed by Mountaire of Delmarva, Inc. unto Robert L. Poyner and Blanche Jean Poyner, by Deed dated October 29, 1982 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 335, Folio 62.

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 mortgaged.

This property is improved by a warehouse or small manufacturing facility.

The property will be sold subject to all covenants, agreements, conditions, easements, rights-of-way, and restrictions as may appear among the Land Records of Somerset County, Maryland, or elsewhere, affecting the same.

TERMS OF SALE: A deposit of Three Thousand Dollars ($3,000.00) in the form of cash or certified check will be required at the time and place of sale from the successful bidder. The balance in cash or

certified check is to be paid by the purchaser no later than twenty (20) days after final ratification of the within sale by the Circuit Court for Somerset County, Maryland, unless said period is extended by the Assignee, his successors or assigns, for good cause shown, time being of the essence. The said unpaid portion of the purchase money shall bear interest at the rate of twelve percent (12%) per annum from the date of sale to the date of settlement and shall be secured to the satisfaction of the undersigned Assignee. In the event the successful bidder fails to consummate the purchase in accordance with the terms of sale as herein provided, said deposit, at the option of the Assignee, will be forfeited and applied to the costs and expenses of this sale and the balance, if any, shall be retained by the Assignee as compensation for said sale. Said forfeiture shall not limit any right of the Assignee, or of the holder of the Mortgage being herein foreclosed upon, to further avail himself of any additional legal or equitable remedies resulting from said failure to consummate the purchase. All taxes, water and sewer charges to be adjusted to the date of sale. All costs of title examination , documentary stamps, transfer taxes and title papers to be at the expense of the purchaser. This sale may be subject to the Maryland Agricultural Transfer Tax, the payment of which and responsibility therefor shall be borne by the purchaser. The improvements are being sold in an "as is" condition and without any warranty or representation as to their nature, condition or suitability for a particular or general purpose, either expressed or implied, made by the below-named Assignee or by the holder of the said Mortgage. Risk of loss or of damage to the property shall pass to the successful bidder at the time of the ratification of the sale.

Inquiries regarding the subject sale should be directed to the undersigned Assignee.

John R. Sullivan
Banks, Nason & Hickson, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

Publication Dates: April 17, 1985; April 24, 1985 and May 1, 1985

| | | |
|---|---|---|
| JOHN R. SULLIVAN, ASSIGNEE<br>For the purpose of foreclosure<br>and collection of a Mortgage to<br>Mountaire of Delmarva, Inc.<br>216 East Main Street<br>Salisbury, Maryland 21801 | *<br>*<br>*<br>*<br>* | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85 00089 |
| vs. | * | |
| ROBERT L. POYNER<br>BLANCHE JEAN POYNER, his wife<br>215 Hampden Avenue<br>Princess Anne, Maryland 21853 | *<br><br>* | BOOK 050 PAGE 462 |

* * * * * * * * * * * * *

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

John R. Sullivan, Assignee for the purpose of foreclosure and collection of a Mortgage from Robert L. Poyner and Blanche Jean Poyner, to Mountaire of Delmarva, Inc., dated October 29, 1982, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 335, Folio 64, and makes oath and certifies that pursuant to Rule W74 (a) (2) (c) of the Maryland Rules of Procedure, that, on the 24th day of April, 1985, did send by Registered Mail, return receipt requested to Robert L. Poyner, Blanche Jean Poyner and Equitable Bank, N.A., notice of time, place and terms of sale, the same having been sent no earlier than twenty (20) days and no later than five (5) before the date of sale. Attached herewith are

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

receipts showing that the said notices were given as above set forth.

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 6th day of May, 1985, before me, the subscriber, a Notary Public in and for the State and County personally appeared JOHN R. SULLIVAN and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge, information and belief.

AS WITNESS my hand and Notarial Seal

SANDRA C. WEBB NOTARY PUBLIC WICOMICO CO., MD.

NOTARY PUBLIC
My commission expires: /1/86

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

PS Form 3811, July 1982

● SENDER: Complete Items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered ..... ___¢
☐ Show to whom, date, and address of delivery .. ___¢
2. ☐ RESTRICTED DELIVERY ..... ___¢
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $___

3. ARTICLE ADDRESSED TO: Robert Lee Poyner, Sr.
10700 Cordage Walk
Columbia, Md. 21045

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
XX CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
P 561 373 128

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY

POSTMARK (may be on reverse side)

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

★ GPO: 1982-379-503

PS Form 3811, July 1982

● SENDER: Complete Items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered ..... ___¢
☐ Show to whom, date, and address of delivery .. ___¢
2. ☐ RESTRICTED DELIVERY ..... ___¢
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $1.57

3. ARTICLE ADDRESSED TO: Blanche Jean Poyner
10700 Cordage Walk
Columbia, Md. 21045

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
XX CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
P 561 373 126

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY

POSTMARK (may be on reverse side)

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

BOOK 050 PAGE 464

RETURN RECEIPT

★ GPO: 1982-379-503

PS Form 3811, July 1982

● SENDER: Complete Items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered ..... ___¢
☐ Show to whom, date, and address of delivery .. ___¢
2. ☐ RESTRICTED DELIVERY ..... ___¢
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. ARTICLE ADDRESSED TO:
Equitable Bank, N.A.
Main & Baptist St.
Salisbury, Md. 21801

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
P561 373 124

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY

POSTMARK (may be on reverse side)
25 1985
USPO

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

★ GPO: 1982-379-503

PS Form 3811, July 1982

● SENDER: Complete Items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
XX Show to whom and date delivered ..... .75¢
☐ Show to whom, date, and address of delivery .. ___¢
2. ☐ RESTRICTED DELIVERY ..... ___¢
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $1.74

3. ARTICLE ADDRESSED TO: Equitable Bank, N.A.
Main & Baptist Streets
Salisbury, Md. 21801

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
XX CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
P 561 360 114

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY

POSTMARK (may be on reverse side)
25 1985
USPO

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

★ GPO: 1982-379-503

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

LAW OFFICES OF
BANKS, NASON & HICKSON
PROFESSIONAL ASSOCIATION
216 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

EDWARD G. BANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON
JOHN R. SULLIVAN

TELEPHONE
(301) 546-4644

April 23, 1985

YSCA00089

Mrs. Blanche Jean Poyner
7898 Ridgewood Drive
Lantana, Florida 33467

Re: Foreclosure Sale
215 Hampden Avenue
Princess Anne, MD 21853

Dear Mrs. Poyner:

Pursuant to Maryland Rule W74 a 2 (c), we are hereby notifying you that the foreclosure sale of the above-captioned property will take place at public auction to be held at the premises on May 3, 1985, at 10:00 a.m., and will be sold then and there to the highest bidder(s). A deposit of $3,000.00 payable in cash or by certified or cashier's check will be required from the purchaser(s).

Enclosed is a xeroxed copy of an advertisement appearing in Somerset Herald, a newspaper published in and for Somerset County, setting forth the particulars.

A xeroxed copy of this letter is being sent to you by regular mail.

Very truly yours,

John R. Sullivan

JRS/sgh
Enclosure
c.c. Circuit Court Somerset County

Blanche Jean Poyner
10700 Cordage Walk
Columbia, Maryland 21045

LAW OFFICES OF
BANKS, NASON & HICKSON
PROFESSIONAL ASSOCIATION
216 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

EDWARD G. BANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON
JOHN R. SULLIVAN

TELEPHONE
(301) 546-4644

BOOK 050 PAGE 466

April 23, 1985

85CA000089

Mr. Robert Lee Poyner, Sr.
7898 Ridgewood Drive
Lantana, Florida 33467

Re: Foreclosure Sale
215 Hampden Avenue
Princess Anne, MD 21853

Dear Mr. Poyner:

Pursuant to Maryland Rule W74 a 2 (c), we are hereby notifying you that the foreclosure sale of the above-captioned property will take place at public auction to be held at the premises on May 3, 1985, at 10:00 a.m., and will be sold then and there to the highest bidder(s). A deposit of $3,000.00 payable in cash or by certified or cashier's check will be required from the purchaser(s).

Enclosed is a xeroxed copy of an advertisement appearing in Somerset Herald, a newspaper published in and for Somerset County, setting forth the particulars.

A xeroxed copy of this letter is being sent to you by regular mail.

Very truly yours,

John R. Sullivan

JRS/sgh
Enclosure
c.c. Circuit Court Somerset County

Robert Lee Poyner, Sr.
10700 Cordage Walk
Columbia, Maryland 21045

| | | |
|---|---|---|
| JOHN R. SULLIVAN, ASSIGNEE<br>For the purpose of foreclosure<br>and collection of a Mortgage to<br>Mountaire of Delmarva, Inc.<br>216 East Main Street<br>Salisbury, Maryland 21801 | *<br>*<br>*<br>*<br>* | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85 00089 |
| vs. | * | |
| ROBERT L. POYNER<br>BLANCHE JEAN POYNER, his wife<br>215 Hampden Avenue<br>Princess Anne, Maryland 21853 | *<br>*<br>* | |

* * * * * * * * * * * * *

AFFIDAVIT BY PURCHASERS

STATE OF MARYLAND, COUNTY OF Wicomico, TO WIT:

I, William C. Robertson do hereby make oath in due form of law that I/we have purchased as Agent for Mountaire of Delmarva, Inc. the property fully set forth in these proceedings at and for the sum of Twenty-Two Thousand Fifty Dollars ($22,050.00), and that I/we was/were acting solely as the Agent of/for said Mountaire of Delmarva, Inc. in bidding on said property and I/we have not directly or indirectly discouraged anyone from bidding for said property.

William C. Robertson

SUBSCRIBED AND SWORN TO before me this 3rd day of May, 1985.

BOOK 050 PAGE 467

Sandra C. Webb
NOTARY PUBLIC

My commission expires: 7/1/86

SANDRA C. WEBB NOTARY PUBLIC WICOMICO CO. MD.

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

BOOK 050 PAGE 468

| | | |
|---|---|---|
| JOHN R. SULLIVAN, ASSIGNEE<br>For the purpose of foreclosure<br>and collection of a Mortgage to<br>Mountaire of Delmarva, Inc.<br>216 East Main Street<br>Salisbury, Maryland 21801 | * | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85 00089 |
| vs. | * | |
| ROBERT L. POYNER<br>BLANCHE JEAN POYNER, his wife<br>215 Hampden Avenue<br>Princess Anne, Maryland 21853 | * | |

* * * * * * * * * * * * *

NOTICE

ORDERED, by the Circuit Court for Somerset County, this 8th day of May, 1985, that the sale of the property mentioned in these proceedings to Mountaire of Delmarva, Inc. made and reported by John R. Sullivan, Assignee for the purpose of foreclosure and collection, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 7th day of June next;

Provided a copy of this Notice be inserted in some newspaper published in Somerset County once each week for three (3) successive weeks before the 3RD day of June next.

The Report Of Sale states the amount of the sale to be $22,050.00.

Lloyd L. Simpson
JUDGE

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

Somerset Herald

85CA00089

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 316 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 5-22 1985, and ending June 5, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $ 35.75 per insertion

BOOK 050 PAGE 469

John R. Sullivan

N THE CIRCUIT COURT
JR SOMERSET COUNTY
STATE OF MARYLAND

Civil No. 85 00089

JOHN R. SULLIVAN, ASSIGNEE
For the Purpose of Foreclosure
and Collection of a Mortgage to
MOUNTAIRE OF DELMARVA, INC.
216 East Main Street
Salisbury, Maryland 21801

vs.

ROBERT L. POYNER
BLANCHE JEAN POYNER, his wife
215 Hampden Avenue
Princess Anne, Maryland 21853

NOTICE

ORDERED, by the Circuit Court for Somerset County, this 8th day of May, 1985, that the sale of the property mentioned in these proceedings to Mountaire of Delmarva, Inc. made and reported by John R. Sullivan, Assignee for the purpose of foreclosure and collection, be ratified and confirmed unless cause to the contrary be shown on or before the 7th day of June next;

Provided a copy of this Notice be inserted in some newspaper published in Somerset County, once each week for three [3] successive weeks before the 3rd day of June next.

The Report of Sale states the amount of the sale to be $22,050.00.

True Copy, Test:
L Theodore Phoebus
Clerk

Lloyd L. Simpkins
JUDGE

50-5/22-3tSH

85CA00089

Somerset Herald

**MARYLANDER & HERALD** BOOK 050 PAGE 470

P.O. Box ~~328~~ 316 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 4-17, 1985, and ending 4-31, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor - Somerset Herald
Publisher.

Printer's Fee: $118.25 per insertion.

**BANI NASON & HICKSON, P.A.**
**216 East Main Street**
**Salisbury, Maryland 21801**

**ASSIGNESS'S SALE**
**OF EXTREMELY VALUABLE**
**BUSINESS PROPERTY**
**215 Hampden Avenue**
**Princess Anne, Maryland 21853**

**Under and by virtue of the power of sale contained in a Mortgage from Robert L. Poyner and Blanche Jean Poyner to Mountaire of Delmarva, Inc. dated October 28, 1982 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 335, Folio 62, which said Mortgage was duly assigned, pursuant to an Assignment dated November 27, 1984 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 348, Folio 246, by Mountaire of Delmarva, Inc. to the undersigned Assignee for the purpose of foreclosure and collection, default having occurred therein, said Assignee will offer for sale, at public auction, on the site of the said real property hereinafter described, on**

**FRIDAY,**
**MAY 3, 1985**
**at or about the hour of**
**10:00 A.M.**

**ALL that tract or parcel of land situate in the Town of Princes Anne, East Princess Anne Election District, Somerset County, Maryland, beginning for the outlines of the same at a one inch iron shaft on the Northerly side of Hampden Avenue, said point of beginning being shown and designated on a plat recorded in Plat Book I.T.P. No. 7, folio 99, by the Letter "A"; thence [1] North 7° 06' East, 200 feet to an iron shaft; thence [2] South 82° 54' East, 157.20 feet to a pipe; thence [3] South 15° 46' East 156.8 feet to the Northerly side of Hampden Avenue; thence [4] South 82° 47' West by and with the Northerly side of Hampden Avenue, 225.08 feet to the point of beginning, and containing 33,210 square feet; and being a part only of all the land conveyed unto E. Mace Smith Company, Inc., by E. Mace Smith, et al., by deed dated September 1, 1954, and recorded among the Land Records of Somerset County in Liber No. 166, folio 187; and being fully shown and designated on said plat; and being all that lot or parcel of land conveyed by E. Mace Smith Company, Inc. unto Winton Gouge Hatchery, Inc., by deed dated July 22, 1969, and recorded among the aforesaid Land Records in Liber I.T.P. No. 253, folio 36; and being the same premises conveyed by Mountaire of Delmarva, Inc. unto Robert L. Poyner and Blanche Jean Poyner, by deed dated October 29, 1982 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 335, Folio 62.**

85CA00089

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 premisses hereby mortaged.

This propery is improved by a warehouse or small manufacturing facility.

The property will be sold subject to all covenants, agreements, conditions, easements, rights-of-way, and restrictions as may appear among the Land Records of Somerset County, Maryland, or elsewhere, affecting the same.

TERMS OF SALE: A deposit of Three Thousand Dollars [$3,000.00] in the form of cash or certified check will be required at the time and place of sale from the successful bidder. The balance in cash or certified check is to be paid by the purchaser no later than twenty [20] days after final ratification of the within sale by the Circuit Court for Somerset County, Maryland, unless said period is extended by the Assignee, his successors or assigns, for good cause shown, time being of the essence. The said unpaid portion of the purchase money shall bear interest at the rate of twelve percent [12%] per annum from the date of sale to the date of settlement and shall be secured to the satisfaction of the undersigned Assignee. In the event the successful bidder fails to consummante the purchase in accordance with the terms of sale as herein provided, said deposit, at the option of the Assignee, will be forfeited and applied to the costs and expenses of this sale and the balance, if any, shall be retained by the Assignee as compensation for said sale. Said forfeiture shall not limit any right of the Assignee or of the holder of the Mortgage being herein foreclosed upon, to further avail himself of an additional legal or equitable remedies resulting from said failure to consummate the purchase. All taxes, water and sewer charges to be adjusted to the date of sale. All costs of title examination, documentary stamps, transfer taxes and title papers to be at the expense of the purchaser. This sale may be subject to the Maryland Agricutural Transfer Tax, the payment of which and responsibility therefore shall be borne by the purchaser. The improvements are being sold in an "as is" condition and without any warranty or representation as to their nature, condition or suitability for a particular or general purpose, either expressed or implied, made by the below-named Assignee or by the holder of the said Mortgage. Risk of loss of of damage to the property shall pass to the successful bidder at the time of the ratification of the sale.

Inquiries regarding the subject sale should be directed to the undersigned Assignee.

JOHN R. SULLIVAN
Banks, Nason & Hickson
Telephone: (301) 546-4644
P.O. Box 44
216 E[illegible]ain St.
[illegible] Md.

80-4/17-3tSH

| | | |
|---|---|---|
| JOHN R. SULLIVAN, ASSIGNEE<br>For the purpose of foreclosure<br>and collection of a Mortgage to<br>Mountaire of Delmarva, Inc.<br>216 East Main Street<br>Salisbury, Maryland 21801 | *<br>*<br>*<br>*<br>* | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>CIVIL NO. 85 00089 |
| vs. | * | BOOK 050 PAGE 472 |
| ROBERT L. POYNER<br>BLANCHE JEAN POYNER, his wife<br>215 Hampden Avenue<br>Princess Anne, Maryland 21853 | *<br>*<br>* | |

* * * * * * * * * * * * *

FINAL ORDER

ORDERED, by the Circuit Court for Somerset County, this 24th day of JUNE, 1985, that the sale made and reported by John R. Sullivan, Assignee for the purpose of foreclosure and collection herein be and the same is hereby finally ratified and confirmed, no cause to the contrary having been timely shown, although due notice appears to have been given as required by the Order Nisi passed in said cause; and John R. Sullivan, Assignee for the purpose of foreclosure and collection shall be allowed the usual commissions and such proper expenses as he shall produce vouchers for to the Auditor.

Floyd E. Lingenfelter

JUDGE

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

| | | |
|---|---|---|
| JOHN R. SULLIVAN, ASSIGNEE<br>For the purpose of a foreclosure<br>and collection of a Mortgage to<br>Mountaire of Delmarva, Inc. | * | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| ROBERT L. POYNER and<br>BLANCHE JEAN POYNER, his wife | * | CASE NO. 85 00089 |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 22,050.00 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | $ 189.00 | |
| Somerset Herald, Advertising | 359.48 | | |
| Somerset Herald, Order Nisi | 107.25 | 466.73 | |
| Avery W. Hall, Bond | | 88.00 | |
| Appraisal | | 75.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Auctioneer's Fee | | 50.00 | |
| Attorney's Fee per Mortgage | | 75.00 | |
| Banks, Nason & Hickson, costs | | 11.00 | |
| Trustee's Commission | | 1,252.50 | |
| Certified Mail | | 9.93 | |
| Circuit Court costs (photocopies) | | 4.00 | |
| Real Property Taxes 1984-85 | | 487.60 | |
| Total Fees, Costs, Expenses, etc. | | $2,773.76 | |
| Balance to be Distributed | | | $ 19,276.24 |
| Mortgage Debt | | | |
| Principal Balance | | $19,116.84 | |
| Interest from 11/17/84 through 5/3/85 | | 1,144.08 | |
| Total Mortgage Debt | | $20,260.92 | |
| Deficit | | | $ 984.68 |

ALL EXCEPTIONS to said report must be filed within ten days of the date of filing; if no exceptions are filed, the account may be ratified.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

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:

John R. Sullivan, Esquire
Banks, Nason & Hickson
216 East Main Street
P.O. Box 44
Salisbury, MD 21801

Robert Lee Poyner, Sr.
10700 Cordage Walk
Columbia, MD 21045

Blanche Jean Poyner
10700 Cordage Walk
Columbia, MD 21045

Logan C. Widdowson, Auditor

Date of Filing: July 24, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
7/24/85
85 # 183

No. 85CA00089 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 25th day of July, 19 85 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 August, 19 85.

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 14th day of August, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD,<br>Substitute Trustee<br>116 East Main Street<br>Salisbury, Maryland 21801<br><br>Plaintiff<br><br>Vs.<br><br>JACK W. DISE<br>Box 39<br>Ewell, Maryland 21824<br><br>and<br><br>PATRICIA L. DISE<br>Box 39<br>Ewell, Maryland 21824<br><br>Defendants | * | Civil Case No. 85CA00189<br><br>Docket No. _____<br><br>BOOK 050 PAGE 476 |

* * * * * *

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST AND NOTE

MR. CLERK:

Please docket the above-entitled case and file herewith the Deed of Trust, Note, and Affidavit of Indebtedness, said Deed of Trust and Note being dated November 29, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber 325, folio 282. Lloyd O. Whitehead having been appointed Substitute Trustee in accordance with the provisions of said Deed of Trust.

Lloyd O. Whitehead

LLOYD O. WHITEHEAD
SUBSTITUTE TRUSTEE
116 East Main Street
Salisbury, Maryland 21801
Telephone: 301-742-7850.

LLOYD O. WHITEHEAD, P.A.
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301---742-7850

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, STATE OF MARYLAND

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD, Substitute Trustee | * | Civil Case No. 85CA00189 |
| | * | Docket No. |
| Plaintiff | * | |
| Vs. | * | |
| JACK W. DISE | * | |
| and | * | |
| PATRICIA L. DISE | * | |
| Defendants | * | |

* * * * * *

## AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, that on this 15th day of March, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD, Substitute Trustee, who made oath, in due form of law a follows:

1. That he has been appointed Substitute Trustee for Jim Walter Homes, Inc. in accordance with the provisions of a Deed of Trust from Jack W. Dise and Patricia L. Dise, his wife, dated November 29, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber 325, folio 282; and on behalf of the Mortgagee, being authorized so to do, made oath in due form of law that the sum of $29,931.84 is due and owing as of March 1, 1985, with a per diem rate thereafter of $8.14 per day.

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.

LLOYD O. WHITEHEAD, P.A.
110 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301-742-7550

3. That the last known Post Office Address of the Defendants is: Box 39, Ewell, Maryland 21824.

BOOK 050 PAGE 478

LLOYD O. WHITEHEAD
Substitute Trustee - Affiant

AS WITNESS My hand and Notarial Seal.

NOTARY PUBLIC
My Commission expires: 7/1/1986.

LLOYD O. WHITEHEAD, P.A.
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301---742-7830

# Promissory Note - Maryland - Jim Walter Homes, Inc.

480533

Dated this 29 day of November, 1980

FOR VALUE RECEIVED, I, we or either of us promise to pay to the order of JIM WALTER HOMES, Inc., its successors or assigns, at the office of said payee, P.O. Box 22601, Tampa, Florida, or at such other place as the holder hereof may designate in writing, the sum of Seventy thousand three hundred twenty and 00/100 ($ 70,320.00) in 240 monthly instalments of Two hundred ninety three and 00/100 ($ 293.00) each, the first instalment to become due and payable on the 5th day of March 1981, and one instalment to become due and payable on the 5th day of each succeeding month until the whole of said indebtedness is paid, with interest from maturity at the rate of six per cent per annum.

This note is secured by Deed of Trust to J H Kelley and S L Russell (either or both may act) in the County of Somerset, State of Maryland. Trustees, conveying property

It is agreed that time is of the essence of this contract and that in the event of default in payment of any instalment for a period of thirty days or in the event of breach of any covenant in the Deed of Trust by which this note is secured, the holder of this note may, at its option, declare all of the remainder of said debt due and collectible and any failure to exercise said option shall not constitute a waiver of the right to exercise the same at any other time. In the event of default in payment of this note and if the same is placed in the hands of an attorney for collection, I, we, or either of us, agree to pay all costs of such collection, including a reasonable attorney's fee.

I, we and each of us, whether principal, security, guarantor, endorser, or other party hereto agree to be jointly and severally bound, I, or we, each further waive demand, protest, and notice of demand, protest, and non-payment, and waive all claim to any exemption of personal property or homestead under the constitutions or laws of any state on this debt.

Given under the hand and seal of each party.

Jack W. Dove (SEAL)

Patricia L Dove (SEAL)

(SEAL)

(SEAL)

BOOK 050 PAGE 479

I HEREBY CERTIFY, that this is the Note described in and secured by deed of trust of even date herewith and in the same principal amount as herein stated, and secured by real estate situated in the County of Somerset, State of Maryland, to the Trustees named herein. Said note and the deed of trust securing same having been executed in my presence.

Notarized this 29th day of November, 19 80 in County of Stafford State of VIRGINIA

My Commission expires: January 30, 1981

NOTARY PUBLIC

FORM JW 227

TRUSTEE TO SELL

IN THE CIRCUIT COURT OF

d #SFR2610997

STATE OF MARYLAND

Bond Book 11 Page 512

85-CA-00189

Lloyd O. Whitehead
substitute Trustee for Jim Walter Homes, Inc.

versus

Jack W. Dize and Patricia L. Dize

BOOK 050 PAGE 480

BOND OF TRUSTEE TO SELL

KNOW ALL MEN BY THESE PRESENTS: That we, Lloyd O. Whitehead, substitute Trustee, 116 East Main Street, Salisbury, Maryland 21801

as Principal,

and the American Insurance Company, a body corporate, duly incorporated under the laws of the State of N.J. and duly authorized by its charter to transact surety 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 Thirty-two thousand

Dollars ($ 32,000 )

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 8th day of April in the year of our Lord one thousand, nine hundred and eighty-five

WHEREAS THE ABOVE BOUNDEN Lloyd O. Whitehead, substitute trustee

by virtue of a decree of the Honorable the Judge of the Circuit Court Somerset of Maryland

has been appointed trustee to sell

All that lot of land at Ewell Smith Island Election District, Somerset County.

mentioned in the proceedings in the case of

Lloyd O. Whitehead, substitute Trustee for Jim Walter Homes, Inc. versus Jack W. Dize and Patricia L. Dize

now pending in said Court.

NOW THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT, if the above bounden Lloyd O. Whitehead, 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.

Beverly A. Tilghman WITNESS

Lloyd O. Whitehead (SEAL)
Lloyd O. Whitehead

(SEAL)

American Insurance Company

(SEAL)

THE WITHIN BOND APPROVED.

By Charles T. Hoyt

M-BN 7556 7-83

GENERAL
POWER OF
ATTORNEY

# FIREMAN'S FUND INSURANCE COMPANY

**KNOW ALL MEN BY THESE PRESENTS:** That FIREMAN'S FUND INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of California, and having its principal office in the City and County of San Francisco, in said State, has made, constituted and appointed, and does by these presents make, constitute and appoint

ROBBIN W. GRAY, ANGELA D. GRAY, CHARLES T. GRAY and JUDY CALLAWAY
SALISBURY, MD jointly or severally

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof ----------

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VIII, Section 30 and 31 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

"Article VIII, *Appointment and Authority Assistant secretaries, and Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.*

Section 30, *Appointment*. The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 31, *Authority*. The Authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 15th day of July, 1966, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President,

and its corporate seal to be hereunto affixed this 9th day of April, 19 84.

FIREMAN'S FUND INSURANCE COMPANY

By Richard Williams
Vice-President

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this 9th day of April, 19 84, before me personally came Richard Williams to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
SUSIE K. GILBERT
NOTARY PUBLIC - CALIFORNIA
CITY & COUNTY OF SAN FRANCISCO
My Commission Expires Nov. 17, 1984

Susie K. Gilbert
Notary Public

CERTIFICATE

Bond Book 11 Page 513

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

BOOK 050 PAGE 481

I, the undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VIII, Sections 30 and 31 of the By-laws of the Corporation, and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the City and County of San Francisco. Dated the _____ day of _____, 19 ____.

Loretta C. Onetz
Resident Assistant Secretary

360711-FF-5-81

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND.

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD<br>SUBSTITUTE TRUSTEE | * | BOOK 050 PAGE 482 |
| VS. | * | CIVIL CASE NO. 85-CA-00189 |
| JACK W. DISE<br>PATRICIA L. DISE | * | DOCKET NO. |

* * * * * * *

AFFIDAVIT OF COMPLIANCE - RULE W74a2b

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I, LLOYD O. WHITEHEAD, SUBSTITUTE TRUSTEE, make oath that I mailed to the Mortgagors, Jack W. Dise and Patricia L. Dise, addressed to the Mortgagor's last known address at Box 39, Ewell, Maryland 21824, by Certified Mail, Return Receipt Requested, Restricted to Addressee Only, the attached Notice of the time, place and terms of sale. I further certify, that I mailed said notice on March 29, 1985. Also attached is return receipt showing the said Mortgagors duly received the same on April 1, 1985.

LLOYD O. WHITEHEAD - Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 8th day of April, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD, Substitute Trustee, 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 his knowledge, information and belief.

AS WITNESS My hand and Notarial Seal.

BEVERLY A. TILGHMAN NOTARY PUBLIC WICOMICO CO., MD.

MY Commission expires: 7/1/1986

NOTARY PUBLIC.

LLOYD O. WHITEHEAD, P.A.
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301---742-7850

LAW OFFICE
LLOYD O. WHITEHEAD, P.A.
P.O. BOX 230 4095
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
(301) 742-7850

LLOYD O. WHITEHEAD
ALBERT K. BROUGHTON, JR.
KENNETH L. HOOPER

85CA00189

REPLY TO: P.O. BOX 230x4095
SALISBURY, MARYLAND 21801

March 29, 1985

Mr. Jack W. Dise and/or
Mrs. Patricia L. Dise
Box 39
Ewell, Maryland 21824

Dear Mr. and/or Mrs. Dise:

This letter will advise you that the Deed of Trust executed by you to Jim Walter Homes, Inc. dated November 29, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber 325, folio 282, is in default and has been filed for foreclosure in the Circuit Court for Somerset County, Maryland. The advertisement for sale will appear in the Marylander & Herald, beginning March 20, 1985. Your property will be sold at the front door of the Courthouse at Princess Anne, Maryland, on Monday, April 8, 1985, at or about the hour of 11:00 o'clock a.m. The terms of sale will be $3,000.00 cash at the time and place of sale and the balance of the purchase price to be secured to the satisfaction of the Substitute Trustee appointed by Jim Walter Homes, Inc. and will be payable upon final ratification of sale by the Circuit Court for Somerset County, 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 chargeable 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, cashier's check or money order paid at my office at any time 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 /bt

LLOYD O. WHITEHEAD

LOW/bt
File No. 1547

85CA00189

BOOK 050 PAGE 484

APR 4 1985

PS Form 3811, July 1982

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- ☐ Show to whom and date delivered ..... ____¢
- ☐ Show to whom, date, and address of delivery .. ____¢
- 2 ☒ RESTRICTED DELIVERY..... ____¢
  *(The restricted delivery fee is charged in addition to the return receipt fee.)*

TOTAL $____

3. ARTICLE ADDRESSED TO:
Mr Jack W Dise and/or
Mrs. Patricia L. Dise

4. TYPE OF SERVICE:
- ☐ REGISTERED
- ☐ INSURED
- ☒ CERTIFIED
- ☐ COD
- ☐ EXPRESS MAIL

ARTICLE NUMBER
P561
370-122

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY
4-1-85

POSTMARK (may be on reverse side)
EVERETT APR 2 1985

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS
ML

RETURN RECEIPT

★ GPO: 1982-370-603

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND.

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD<br>SUBSTITUTE TRUSTEE | * | |
| VS. | * | CIVIL CASE NO. 85-CA-00189 |
| JACK W. DISE<br>PATRICIA L. DISE | * | DOCKET NO. |

* * * * * * *

## REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Lloyd O. Whitehead, Substitute Trustee, pursuant to the power of sale contained in the Deed of Trust dated November 29, 1980, from Jack W. Dise and Patricia L. Dise and recorded among the Land Records of Somerset County, Maryland, in Liber 325, 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 three (3) successive weeks in the ~~Maryland~~ Somerset Herald, a newspaper published in Somerset County, Maryland, prior to April 8, 1985, and after giving bond with the securities approved by the Clerk of this Court, said Trustee did, on April 8, 1985, at 11:00 o'clock a.m., attend at the front door of the Court House in Princess Anne, Maryland, it being the time and place mentioned in said advertisement, as will more fully appear by reference to the attached copy thereof with certificate of its publication, and said Trustee did then and there offer for said at public auction, subject to all prior liens and encumbrances, all the right, title and interest of the said Jack W. Dise and Patricia L. Dise, said property being more particularly described as follows:

ALL that lot of land at Ewell, Smith Island Election District, Somerset County, Maryland, bounded on the south by the lands now or formerly of D. S. Somers; on the east by the public road and the lands now or formerly of Andrew F. Evans' heirs; on the north and west by the lands of said Evans' heirs. Being the same premises conveyed to Clyde A. Evans, single, by deed dated July 15, 1941, and recorded in the Land Records of Somerset County, Maryland, in Liber 121, page 376. AND BEING all that same property conveyed to Jack Ward Dise, a/k/a Jack W. Dise and Patricia Marsh Dise, a/k/a Patricia L. Dise, husband and wife, by deed dated the 28th day of October, 1980, from the said

LLOYD O. WHITEHEAD, P.A.
110 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301-742-7636

Clyde A. Evans, duly recorded in the aforesaid Land Records in Liber 324, page 386, together with the improvements thereon.

AND your Substitute Trustee sold the aforedescribed property to JIM WALTER HOMES, INC., a body corporate of Florida

at and for the sum of $ 25,000.00 , at that sum, being the highest bidder therefor, and the said purchaser or purchasers have complied with the terms of the sale.

Respectfully submitted,

Lloyd O. Whitehead

LLOYD O. WHITEHEAD - Substitute Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 8th day of April, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared LLOYD O. WHITEHEAD, Substitute Trustee 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 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 first above written.

NOTARY PUBLIC

Beverly A. Tilghman

NOTARY PUBLIC.

My Commission expires: 7/1/1986

LLOYD O. WHITEHEAD, P.A.
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301-742-7059

~~ORDER NISI~~ NOTICE

ORDERED by the Circuit Court of Somerset County, Maryland on this _____ day of _____, 1985, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead, Substitute Trustee, under the power of sale contained in the Deed of Trust from Jack W. Dise and Patricia L. Dise 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 _____ day of _____, 1985, 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 _____ day of _____, 1985.

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

_____
JUDGE

~~CLERK~~

LLOYD O. WHITEHEAD, P.A.
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301-742-7250

BOOK 050 PAGE 483

Somerset Herald
~~MARYLANDER & HERALD~~

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 3-20, 1985, and ending 3/24 & 4/3, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $59.13 per insertion.

LLOYD O. WHITEHEAD, P.A.
ATTORNEY AT LAW
116 East Main Street
Salisbury, Maryland 21801

## TRUSTEE'S SALE
OF
VALUABLE HOME AND LOT
AT OR NEAR EWELL,
MARYLAND

By the virtue of the Power of Sale and authority contained in a Deed of Trust executed by Jack W. Dise and Patricia L. Dise, his wife, to J.H. Kelly and S.L. Russell, Trustees for the Benefit of Jim Walter Homes, Inc., dated November 29, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber 325, folio 282, the undersigned Substitute Trustee will sell, at public auction, to the highest bidder,

AT THE FRONT DOOR
OF THE COURTHOUSE
OF PRINCESS ANNE,
MARYLAND

ON MONDAY, APRIL 8, 1985,
AT 11:00 O'CLOCK A.M.

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

All that lot of land at Ewell, Smith Island Election District, Somerset County, Maryland, bounded on the south by the lands now or formerly of D.S. Somers; on the east by the public road and the lands now or formerly of Andrew F. Evans' heirs; on the north and west by the lands of said Evans' heirs. Being the same premises conveyed to Clyde A. Evans, single, by deed dated July 15, 1941 and recorded in the Land Records of Somerset County, Maryland, in Liber 122, page 376 AND BEING all that same property conveyed to Jack Ward Dise, a/k/a Jack W. Dise and Patricia Marsh Dise, a/k/a Patricia L. Dise, husband and wife by deed dated the 28th day of October, 1980, from the said Clyde A. Evans, duly recorded in the aforesaid Land Records in Liber 324, page 386, together with the improvements thereon.

POSSESSION of said property will be given upon ratification of the sale.

TERMS OF SALE: $3,000.00 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 10% annum and to be secured to the satisfaction of the said Trustee.

TAXES and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, revenue stamps, transfer tax, agricultural transfer tax, and costs of recording at the expense of the purchser or purchasers.

LLOYD O. WHITEHEAD
SUBSTITUTE TRUSTEE
80-3/20-3tSH

116 E. Main St.
Salisbury, Md.
[301] 742-7850

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND.

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD,<br>SUBSTITUTE TRUSTEE | * | |
| | * | CIVIL CASE NO. 85-CA-00189 |
| VS. | * | |
| | * | DOCKET NO. |
| JACK W. DISE<br>PATRICIA L. DISE | * | |

* * * * * *

PURCHASER'S AFFIDAVIT

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, that on this 8th day of April, 1985, 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 Jim Walter Homes, Inc., a body corporate of the State of Florida.

2. That there are no other parties than Jim Walter Homes, Inc. interested in the purchase of the said real estate as purchasers.

3. That he, as agent for Jim Walter Homes, Inc., did not directly or indirectly discourage anyone from bidding for said property.

Lloyd O. Whitehead

LLOYD O. WHITEHEAD
AFFIANT.

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

Beverly A. Tilghman

BEVERLY A. TILGHMAN
NOTARY PUBLIC
My Commission expires: 7/1/1986

LLOYD O. WHITEHEAD, P.A.
110 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301---742-7550

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND.

BOOK 050 PAGE 490

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD<br>SUBSTITUTE TRUSTEE | * | |
| VS. | * | CIVIL CASE NO. 85-CA-00189 |
| JACK W. DISE<br>PATRICIA L. DISE | * | DOCKET NO. |

* * * * * * *

~~ORDER NISI~~

NOTICE

ORDERED by the Circuit Court of Somerset County, Maryland on this 9th day of April, 1985, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead, Substitute Trustee, under the power of sale contained in the Deed of Trust from Jack W. Dise and Patricia L. Dise and more specifically referred to in the Report of Sale filed in these proceedings, be RATIFIED and CONFIRMED, unless cause to the contrary be shown on or before the 9th day of May, 1985, 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 6th day of May, 1985.

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

Lloyd L. Griffin
JUDGE

~~CLERK~~

LLOYD O. WHITEHEAD, P.A.
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301-742-7550

85CA00189

Somerset Herald

**MARYLANDER & HERALD**

O. Box ~~328~~ 310 Princess Anne, MD 21853

## ERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the arylander and Herald, a weekly newspaper publish- at Princess Anne, Maryland, do hereby certify at the enclosed notice has been published for 3 ccessive weeks, commencing 4/17, 1985, d ending 5-1, 1985 lusive, in the said Marylander and Herald rementioned.

test: Lois J. Taylor - Somerset Herald
Publisher.

nter's Fee: $30.25 per insertion.

BOOK 050 PAGE 491

THE CIRCUIT COURT
for
SOMERSET COUNTY, MARYLAND

CIVIL CASE NO. 85-CA-00189

LLOYD O. WHITEHEAD
Substitute Trustee
vs.
JACK W. DISE
PATRICIA L. DISE

## NOTICE

ORDERED by the Circuit Court of Somerset County, Maryland on this 9th day of April, 1985, that the sale of the property mentioned in these proceedings made and reported by Lloyd O. Whitehead, Substitute Trustee, under the power of sale contained in the Deed of Trust from Jack W. Dise and Patricia L. Dise and more specifically referred to in the Report of Sale filed in these proceedings, be RATIFIED and CONFIRMED, unless cause to the contrary be shown on or before the 9th day of May, 1985, 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 6th day of May 1985.

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

True Copy, Test:
I. Theodore Phoebus
Clerk

Lloyd L. Simpkins
JUDGE

80-4/17-3tSH

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD<br>SUBSTITUTE TRUSTEE | * | BOOK 050 PAGE 492 |
| vs. | * | CIVIL CASE NO. 85-CA-00189 |
| JACK W. DISE<br>PATRICIA L. DISE | * | |

* * * * * * * *

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, Maryland, this 28th day of June, 1985, that the sale made and reported by the Substitute Trustee herein be, and the same is hereby, **FINALLY RATIFIED AND CONFIRMED**, no cause to the contrary having been shown, although due Notice appears to have been given as required by the Notice passed in this action; that said Substitute Trustee is allowed a fee of $350.00 in lieu of commissions.

R. D. Horsey

JUDGE.

| | | |
|---|---|---|
| CHNCRY | 8500 | |
| RECORDING | 84 | |
| SUBTOTAL | 84 | |
| CHECK/MO TL | 94 | |
| #1[illegible] CO02 R00 | | 33 |
| | 04 | 85 |

LLOYD O. WHITEHEAD, P.A.
116 EAST MAIN STREET
SALISBURY, MARYLAND 21801
301-742-7850

| | | |
|---|---|---|
| LLOYD O. WHITEHEAD<br>SUBSTITUTE TRUSTEE | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| JACK W. DISE<br>PATRICIA L. DISE | * | STATE OF MARYLAND |
| | * | CIVIL CASE NO. 85-CA-00189 |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 25,000.00 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | $ 164.00 | |
| Marylander & Herald, advertising | 177.39 | | |
| Marylander & Herald, Order Nisi | 90.25 | 267.64 | |
| Bond Premium | | 128.00 | |
| Auctioneer's Fee | | 50.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Record Substitute Trustee Form | | 14.00 | |
| Substitute Trustee Commission, per Order | | 350.00 | |
| Notary Fees | | 5.00 | |
| Certified Mail | | 2.92 | |
| 1983-84 State and County Taxes | | 270.82 | |
| 1984-85 State and County Taxes | | 182.87 | |
| Somerset County Sanitary District | | 418.62 | |
| Total Fees, Costs, Expenses, etc. | | $1,918.87 | |
| Balance to be Distributed | | | $ 23,081.13 |
| Mortgage Debt | | | |
| Principal Balance | | $29,931.84 | |
| Interest to Date of Sale (4/8/85) | | 195.36 | |
| Total Mortgage Debt | | $30,127.20 | |
| Deficit | | | $ 7,046.07 |

ALL EXCEPTIONS to said report must be filed within ten days of the date of filing; if no exceptions are filed, the account may be ratified.

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

BOOK 050 PAGE 494

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:

Lloyd O. Whitehead, Esquire
P.O. Box 4095
116 East Main Street
Salisbury, MD 21801

Jack W. Dise
Box 39
Ewell, MD 21824

Patricia L. Dise
Box 39
Ewell, MD 21824

Logan C. Widdowson, Auditor

Date of Filing: July 22, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3500

LCW/gjb
7/22/85
85 # 182

FILED

No. 85CA00189 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 22ND day of July, 19 85 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 August, 19 85.

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 2ND day of August, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

BOOK 050 PAGE 496

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | 85CA002281 |

Mr. Clerk:

Please docket the above entitled foreclosure case and file among the papers the following instruments marked "Plaintiffs' Exhibit 'A', 'B' and 'C' ", respectively,

1. Original Deed of Trust between Boyd Orlando Polk and Hilda C. Polk, his wife, and Edwin M. Hurd and David C. McElroy, Trustee(s), dated August 15, 1980 and recorded among the Land Records of Somerset County, in Liber ITP 323 , folio 617 ; the Trustees of record having been removed and the Plaintiffs appointed Substitute Trustees by instrument dated April 18, 1985, and duly recorded among the aforesaid Land Records.

2. Original Deed of Trust Note secured by above Deed of Trust, dated August 15, 1980, in the amount of Forty Four Thousand Eight Hundred and 00/100ths Dollars ($44,800.00 ), held by Baltimore Federal Financial, F.S.A., formerly known as Baltimore Federal Savings and Loan Association.

3. Copy of Removal of Trustee(s) and Appointment of Substitute Trustees, dated April 18, 1985 , whereby the Plaintiffs herein were appointed Substitute Trustees; to be replaced with the original document upon release from the Land Records Office of this Court following completion of recording processes.

Robert F. Vavrina

James D. Laudeman, Jr.

Substitute Trustees

CALLAHAN, CALWELL & LAUDEMAN

BY: Robert F. Vavrina, Partner

Attorneys for Plaintiff

210 E. Redwood Street
Baltimore, Maryland 21202
301-539-6841

# 041373-20-9

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | 85CA00221 |

## NON-MILITARY SERVICE AFFIDAVIT

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY that, before me, the subscriber, a Notary Public of said State, personally appeared James A. Kane, Assistant Vice President, of Baltimore Federal Financial, F.S.A., and made oath in due form of law, that to the best of his/her information, knowledge and belief —

(1.) Said Defendant(s) is/are not in the Military Service of the United States of America,

(2.) Said Defendant(s) is/are not in the Military Service of any Nation allied with the United States of America,

(3.) Said Defendant(s) has/have not been ordered to report for induction under the Selective Training and Service Act,

(4.) Said Defendant(s) is/are not a member(s) of the Enlisted Reserve Corps who has/have been ordered to report for Military Service.

BALTIMORE FEDERAL FINANCIAL, F.S.A.

BY: _____
James A. Kane, Assistant Vice President
Affiant

Subscribed and sworn to before me this

3rd day of April, 19 85.

Frances C. Brannock
Frances Brannock Notary Public

FRANCES C. BRANNOCK NOTARY PUBLIC Anne Arundel Co., Md.

My commission expires: 7/1/86

BOOK 050 PAGE 497

BOOK 050 PAGE 498

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | 85CA00221 |

STATEMENT OF DEED OF TRUST DEBT

Statement of claim of Baltimore Federal Financial, F.S.A., holder of the Note secured by Deed of Trust from Boyd Orlando Polk and Hilda C. Polk, his wife, to Edwin M. Hurd and David C. McElroy, Trustee(s), dated August 15, 1980 and recorded among the Land Records of Somerset County, in Liber ITP 323, folio 617.

| | |
|---|---|
| Amount of indebtedness | $ 44,800.00 |
| Less - amount paid on principal | 948.73 |
| | 43,851.27 |
| Plus - interest from 10-31-84 to 4-3-85 | 2,143.23 |
| | 45,994.50 |
| Plus - overdraft in escrow account /OR/ | |
| Less - balance in escrow account | 357.90 |
| | $ 45,636.60 |

Interest per diem $14.01

STATE OF MARYLAND, CITY OF BALTIMORE, TO WIT:

I HEREBY CERTIFY, that on this 3rd day of April , 1985, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared James A. Kane, Assistant Vice President, of Baltimore Federal Financial, F.S.A., holder of the Note in the above entitled cause, and made oath that the foregoing is a just and true statement of the amount of the claim under the Deed of Trust filed in the said cause remaining due and unpaid.

WITNESS my hand and Notarial Seal.

Kay C. Kimball
Notary Public

KAY C. KIMBALL

My commission expires: 7/1/86

KAY C. KIMBALL NOTARY PUBLIC BALTIMORE COUNTY, MD.

MT-204

**MORTGAGEES OR TRUSTEES BOND**

Vavrina vs. Polk
Civil Case #85CA00221
Rt. 1, Box 279-G, Eden Allen Road

Bond Book 11 Page 550

KNOW ALL MEN BY THESE PRESENTS, THAT we, Robert F. Vavrina and James D. Laudeman, Jr., 210 E. Redwood Street, Baltimore, Maryland 21202, as principal, and the FIREMAN'S FUND INSURANCE COMPANY, a body corporate, duly incorporated under the laws of the State of California, as surety, are held and firmly bound unto the STATE OF MARYLAND, in the full and just sum of Forty Nine Thousand and 00/100ths ($49,000.00) Dollars, 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 3rd day of May, in the year of our Lord 1985.

WHEREAS, the above bounden Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, by virtue of the power contained in a ~~mortgage~~ deed of trust from Boyd Orlando Polk, et ux, to Edwin M. Hurd, et al, Trustees, bearing date the 15th day of August, 1980 and recorded among the Land Records of Somerset County, in Liber No. ITP 323, Folio 617 and by Appointment of Substitute Trustees dated April 18, 1985, and recorded among the aforesaid Land Records prior hereto, wherein said Substitute Trustees replaced the Trustees of record,

is about to sell the land and premises described in said ~~mortgage~~ deed of trust, 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 Robert F. Vavrina and James D. Laudeman, Jr., do and shall well and truly and faithfully perform the trust reposed in them under the ~~mortgage~~ deed of trust 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 property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden Robert F. Vavrina and James D. Laudeman, Jr., ~~XXX~~ have hereto set their hands and seals and the said body corporate has caused these presents to be duly signed by its duly authorized agent and attorney-in-fact, the day and year first herein above written.

THE WITHIN BOND APPROVED.

BOOK 050 PAGE 499

Signed, sealed and delivered in the presence of

Janice MacDonald, Witness as to both Principals

Robert F. Vavrina (SEAL)

James D. Laudeman, Jr. (SEAL)

FIREMAN'S FUND INSURANCE COMPANY

by

Dolores T. Jacques
Attorney-in-fact

Dolores T. Jacques

As to Surety

Susan A. Doulong

Susan A. Doulong

1:09

POWER OF ATTORNEY

# FIREMAN'S FUND INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: T FIREMAN'S FUND INSURANCE COMPANY, ( rporation duly organized and existing under the laws of the State of California, and having its, cipal office in the City and County of San Francisco, ... said State, has made, constituted and appointed, and does by these presents make, constitute and appoint

FRANK R. CEILER, ROSE B. FAULHABER, PATRICIA A. MFFFEN,
DOLORES T. JACQUES and SUSAN A. DOULONG

BALTIMORE, MD

Jointly or severally

BOOK 050 PAGE 500

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof ----------

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VIII, Section 30 and 31 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

"Article VIII, *Appointment and Authority Assistant secretaries, and Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.*

Section 30, *Appointment*. The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 31, *Authority*. The Authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 15th day of July, 1966, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed this 19th day of December, 19 83.

FIREMAN'S FUND INSURANCE COMPANY

By Richard Williams
Vice-President

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this 19th day of December, 19 83, before me personally came Richard Williams to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
SUSIE K. GILBERT
NOTARY PUBLIC - CALIFORNIA
CITY & COUNTY OF SAN FRANCISCO
My Commission Expires Nov. 17, 1984

Susie K. Gilbert
Notary Public

## CERTIFICATE

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

I, the undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VIII, Sections 30 and 31 of the By-laws of the Corporation and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the City and County of San Francisco. Dated the 3rd day of May, 1985.

MAY 16 12 18 PM '85

RECORDED IN FOLIO LIBER ... CLK. CT. SEPTY BY

Lucille C. Antley
Resident Assistant Secretary

380711-FF-5-81

BOND BOOK 11 PAGE 551

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | CASE #85CA00221 |

## REPORT OF SALE

Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, under Deed of Trust dated August 15, 1980 and recorded among the Land Records of Somerset County, in Liber ITP 323, folio 617, from the Defendant(s) herein to Edwin M. Hurd and David C. McElroy, Trustee(s), by Appointment dated April 18, 1985 and duly recorded among the aforesaid Land Records, state

That after giving Bond, with security for the faithful discharge of their trust, which was duly filed and approved, and having given notice of the time, place, manner and terms of sale, by advertisement inserted in The Somerset Herald, a newspaper published in Somerset County, for three successive weeks preceeding the day of sale, Robert F. Vavrina, one of said Substitute Trustees, under and by virtue of the power and authority contained in said Deed of Trust, (after default having occurred thereunder) did, pursuant to said notice, on Monday, May 20, 1985, at 10:30 o'clock A.M., attend on the premises, and then and there sold the fee simple property situate, lying and being in Somerset County, Maryland, known as Rt. 1, Box 279-G, Eden Allen Road; more particularly and at length described in the aforementioned Deed of Trust, and in the attached copy of advertisement of sale.

The property was sold to Baltimore Federal Financial, F.S.A., in fee simple, at and for the sum of Forty Two Thousand Six Hundred and 00/100ths Dollars ($42,600.00), said purchaser(s) being then and there the highest bidder.

We solemnly affirm, this 22nd day of May, 1985, under the penalties of perjury that the contents of the foregoing Report of Sale are true to the best of our knowledge, information, and belief, and that the sale hereby reported was fairly made.

Robert F. Vavrina

James D. Laudeman, Jr.

Substitute Trustees

CALLAHAN, CALWELL & LAUDEMAN
Attorneys
210 E. Redwood Street
Baltimore, Maryland 21202

## SUBSTITUTE TRUSTEES' SALE OF VALUABLE, FEE SIMPLE, DWELLING PROPERTY

### Rt. 1, Box 279-G. Eden Allen Road Somerset County, Maryland

Under and by virtue of the power and authority contained in a Deed of Trust from Boyd Orlando Polk and Hilda C. Polk, his wife, to Edwin M. Hurd and David C. McElroy, Trustee[s], dated August 15, 1980, and recorded among the Land Records of Somerset County, in Liber ITP 323, Folio 617, default having occurred thereunder, and at the request of the party secured thereby, the undersigned, Substitute Trustees, will sell at public auction, on the premises, on:

MONDAY, MAY 20, 1985
AT 10:30 O'CLOCK A.M.

all that fee simple property and the improvements thereon, situate in Somerset County, and described as follows:

All those two lots or parcels of land, situate, lying and being in West Princess Anne Election District on Somerset County and State of Maryland and being located along and binding upon the Eden-Allen County Road, and having a frontage thereon of 174.31 feet and extending back therefrom along the Easterly line thereof for a distance of 245 feet; and extending back therefrom along the Westerly line thereof for a distance of 215 feet; and having a width in the rear of 172.04 feet; and being more particularly shown and designated as Lot "H" and Lot "I" on a Plat prepared by W. Ballard Miles on November 28, 1969 and duly recorded among the Land Records of Somerset County and State of Maryland in Liber ITP No. 271, folio 32; the improvements thereon being known as Eden-Allen Road, Eden, Somerset County, Maryland, 21822.

Together with all the buildings thereon, and all the rights, roads, alleys, ways, waters, privileges, appurtenances and advantages thereunto belonging, or in any wise appertaining.

Subject to covenants, conditions, restrictions, easements, etc., and utility agreements of record, if any, affecting the property.

The property is improved by a detached, frame dwelling.

TERMS OF SALE:

A cash, certified or cashier's check deposit of $4,000.00 will be required of the purchaser at the time and place of sale, balance of purchase price upon final ratification of sale by the Circuit Court for Somerset County and to bear interest at the rate of ten percent per annum from the date of sale to date of settlement. The secured party herein, if a bidder, shall not be required to post a deposit. Taxes, public charges and assessments, and water rent to be adjusted to date of sale. All such taxes, 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, if any, shall be borne by the purchaser.

Substitute Trustees: Robert F. Vavrina
James D. Laudeman Jr.

PETER RICHARDSON AUCTION SALES
P.O. Box 51, Willards, MD 21874
Phone: 548-2425 Office: 742-8220 Home

80-5/1-3tSH

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | CASE #85CA00221 |

NOTICE OF SALE AFFIDAVIT

Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, authorized to make sale of property herein, state that they have given notice by certified mail, to the defendant(s), to the present record owner(s), and to those holders of subordinate mortgages or security interests entitled to notice, at their last known address, of the time, place and terms of sale of the property reported herein, in compliance with Rule W74 a 2 (c) of the Maryland Rules of Procedure.

We solemnly affirm, this 22nd day of May, 1985, under the penalties of perjury that the contents of the foregoing Notice of Sale Affidavit are true to the best of our knowledge, information and belief.

Robert F. Vavrina

James D. Laudeman, Jr.

Substitute Trustees

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | CASE #85CA00221 |

PURCHASER'S AFFIDAVIT

James A. Kane, Assistant Vice President, of Baltimore Federal Financial, F.S.A., Purchaser, states that

(1) he is the purchaser at the foreclosure sale in these proceedings,

(2) he is not acting as agent for anyone,

(3) there are no others interested as principals,

(4) he has not directly or indirectly discouraged anyone from bidding for the said property known as Rt. 1, Box 279-G, Eden Allen Road, mentioned in the Report of Sale to be filed in these proceedings.

Use of the singular party herein includes the plural and use of one gender includes all.

I solemnly affirm, this 30th day of May, 1985, under the penalties of perjury that the contents of the foregoing Purchaser's Affidavit are true to the best of my knowledge, information and belief.

BALTIMORE FEDERAL FINANCIAL, F.S.A.

BY: _____
James A. Kane, Assistant Vice President

Purchaser

| | | |
|---|---|---|
| ROBERT F. VAVRINA and | : | IN THE CIRCUIT COURT FOR |
| JAMES D. LAUDEMAN, JR., | : | SOMERSET COUNTY |
| SUBSTITUTE TRUSTEES | | |
| VS. | : | CIVIL ACTION |
| BOYD ORLANDO POLK and | : | CASE NO. 85CA00221 |
| HILDA C. POLK, his wife | : | |
| | : | |

BOOK 050 PAGE 506

## AUCTIONEER'S AFFIDAVIT

I, the undersigned, do hereby certify that the annexed bill or statement of the fees and sums due me, set forth in detail, are all and singular of the fees and sums due me, and that I have not paid or will not pay, directly or indirectly, any sum or consideration to anyone for employing me or aiding me to be employed to make the sale for which the annexed bill or statement was rendered.

Peter E. Richardson, Auctioneer

Subscribed and sworn to before me this 20th day of May, 19 85.

Emory H. Adkins
Notary Public
Wicomico County, Md.
My Commission Expires 7/1/86

EMORY H. ADKINS NOTARY PUBLIC WICOMICO CO., MD.

# PETE RICHARDSON AUCTION SALES

PETE RICHARDSON, AUCTIONEER

OFFICE (301) 546-2425
HOME (301) 742-6220
MOBILE (301) 742-0110
EXT. 0813

P.O. BOX 51
WILLARDS, MARYLAND 21874

May 20, 1985

Robert F. Vavrina, Esquire
Callahan, Calwell & Laudeman
Attorneys at law
210 E. Redwood St.
Baltimore, Md. 21202

To

Peter E. Richardson
P. O. Box 51
Willards, Md. 21874

---

Auctioneer's fee - $ 75.00
Re:-------Sale on May 20, 1985
Polk property, Eden-Allen Rd., Wicomico County

BOOK 050 PAGE 507

COPY

"WE DO THEM ALL, LARGE OR SMALL, AND THE PRICE IS RIGHT"

Somerset Herald:

~~MARYLANDER & HERALD~~

P.O. Box ~~928~~ 310 Princess Anne, MD 21853

BOOK 650 PAGE 508

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 5-1, 1985, and ending 5-15, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $68.75 per insertion
$206.25 total
This is not a Bill 3 Insertions

GALLAGHER, CALWELL & LAUDEMAN
Attorneys
210 E. Redwood Street
Baltimore, Maryland 21202

**SUBSTITUTE TRUSTEES' SALE OF VALUABLE, FEE SIMPLE, DWELLING PROPERTY**

**Rt. 1, Box 279-G. Eden Allen Road**
**Somerset County, Maryland**

Under and by virtue of the power and authority contained in a Deed of Trust from Boyd Orlando Polk and Hilda C. Polk, his wife, to Edwin M. Hurd and David C. McElroy, Trustee[s], dated August 15, 1980, and recorded among the Land Records of Somerset County, in Liber ITP 323, Folio 617, default having occurred thereunder, and at the request of the party secured thereby, the undersigned, Substitute Trustees, will sell at public auction, on the premises, on:

**MONDAY, MAY 20, 1985**
**AT 10:30 O'CLOCK A.M.**

all that fee simple property and the improvements thereon, situate in Somerset County, and described as follows:

All those two lots or parcels of land, situate, lying and being in West Princess Anne Election District of Somerset County and State of Maryland and being located along and binding upon the Eden-Allen County Road, and having a frontage thereon of 174.31 feet and extending back therefrom along the Easterly line thereof for a distance of 245 feet; and extending back therefrom along the Westerly line thereof for a distance of 215 feet; and having a width in the rear of 172.04 feet; and being more particularly shown and designated as Lot "H" and Lot "I" on a Plat prepared by W. Ballard Miles on November 28, 1969 and duly recorded among the Land Records of Somerset County and State of Maryland in Liber ITP No. 271, folio 32; the improvements thereon being known as Eden-Allen Road, Eden, Somerset County, Maryland, 21822.

Together with all the buildings thereon, and all the rights, roads, alleys, ways, waters, privileges, appurtenances and advantages thereunto belonging, or in any wise appertaining.

Subject to covenants, conditions, restrictions, easements, etc., and utility agreements of record, if any, affecting the property.

The property is improved by a detached, frame dwelling.

TERMS OF SALE:

A cash, certified or cashier's check deposit of $4,000.00 will be required of the purchaser at the time and place of sale, balance of purchase price upon final ratification of sale by the Circuit Court for Somerset County and to bear interest at the rate of ten percent per annum from the date of sale to date of settlement. The secured party herein, if a bidder, shall not be required to post a deposit. Taxes, public charges and assessments, and water rent to be adjusted to date of sale. All such taxes, 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, if any, shall be borne by the purchaser.

Substitute Trustees: Robert F. Vavrina
James D. Laudeman Jr.

PETER H. RICHARDSON AUCTION SALES
P.O. Box 51, Willards, MD 21874
Phone: 549-2425 Office: 742-8220 Home
80-5/1-3tSH

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | CASE #85CA00221 |

NOTICE

Notice is hereby issued this 10th day of JUNE, 1985, that the sale of the property mentioned in the above mentioned proceedings, known as Rt. 1, Box 279-G, Eden Allen Road, reported by Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 10th day of July, 1985, provided a copy of this Notice be inserted in some newspaper printed and published in this County, once in each of three successive weeks before the said 8th day of July, 1985.

The report states the amount of sale to be $42,600.00.

Lloyd L. Simpkins
Judge

BOOK 050 PAGE 509

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY BOOK 050 PAGE 510 |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | CASE #85CA00221 |

MOTION TO SUBSTITUTE A PURCHASER

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Motion of Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, respectfully represents:

1. That your Plaintiffs, by Report of Sale filed in these proceedings, sold certain fee simple ~~leasehold~~ property situate in Somerset County, Maryland, known as Rt. 1, Box 279-G, Eden Allen Road, and described in these proceedings, to Baltimore Federal Financial, F.S.A.

2. That the said purchaser requested your Plaintiffs to substitute as purchaser in its place and stead, the Administrator of Veterans Affairs, who has requested to be so substituted.

WHEREFORE, your Plaintiffs pray that this Honorable Court may pass an Order substituting the Administrator of Veterans Affairs as purchaser in the place and stead of Baltimore Federal Financial, F.S.A.

Robert F. Vavrina

James D. Laudeman, Jr.

Substitute Trustees

ASSENT

We hereby assent to the relief prayed in the aforegoing Motion.

BALTIMORE FEDERAL FINANCIAL, F.S.A.
BY: _____ (SEAL)
James A. Kane, Assistant Vice President

NOTARIZED BY: _____ (SEAL)
Frances C. Brannock

Comm. Expires 7-1-86

FRANCES C. BRANNOCK NOTARY PUBLIC Anne Arundel Co., Md.

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | CASE #85CA00221 |

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of June, 1985, a copy of the aforegoing Motion to Substitute a Purchaser, and proposed Order, was mailed to the Defendant(s) at their last known address, as follows: Boyd Orlando Polk and Hilda C. Polk, Rt. 1, Box 279-G, Eden Allen Road, Eden, Maryland 21822.

Robert F. Vavrina

Robert F. Vavrina

Callahan, Calwell & Laudeman
Attorneys for Movant
210 E. Redwood Street
Baltimore, Maryland 21202
301-539-6841

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR BOOK 050 PAGE 512 |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | CASE #85CA00221 |

ORDER

Upon the aforegoing Motion and Assent, it is this 1st day of July, 1985, by the Circuit Court for Somerset County,

ORDERED that the Administrator of Veterans Affairs be and is hereby substituted as purchaser of the property mentioned in these proceedings, situate in Somerset County, Maryland, known as Rt. 1, Box 279-G, Eden Allen Road, in the place and stead of Baltimore Federal Financial, F.S.A.

Lloyd L. Simpkins
Judge

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~320~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 6-19, 1985, and ending 7-3, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor - Somerset Herald
Publisher.

Printer's Fee: $27.50 per insertion.

BOOK 050 PAGE 513

Callahan, Caldwell & Laudeman

**IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND**

**CIVIL ACTION**
**CASE #85CA00221**

**ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES**
**vs.**
**BOYD ORLANDO POLK and HILDA C. POLK, his wife**

**NOTICE**

**Notice is hereby issued this 10th day of June, 1985, that the sale of the property mentioned in the above proceedings, known as Rt. 1, Box 279-G, Eden Allen Road, reported by Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 10th day of July, 1985, provided a copy of this Notice be inserted in some newspaper printed in this County, once in each of three successive weeks before the said 8th day of July, 1985.**

**The report states the amount of the sale to be $42,600.00.**

**True Copy, Test:**
**I. Theodore Phoebus**
**Clerk**

**Lloyd L. Simpkins**
**JUDGE**
**30-6/19-3t&H**

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR |
| VS. | * | SOMERSET COUNTY |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CIVIL ACTION |
| | * | CASE #85CA00221 |

ORDER OF SALE RATIFICATION

ORDERED, By the Circuit Court for Somerset County, this 15th day of July 1985, that the sale made by Robert F. Vavrina and James D. Laudeman, Jr., Substitute Trustees, for the sale of the Real Estate described in the proceedings in the above entitled cause, and reported by said Substitute Trustees to this Court, 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 Notice issued in said cause, and that the said Substitute Trustees be allowed the usual commissions and all proper expenses for which they shall produce vouchers to the Auditor.

Lloyd L. Griffin
Judge

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CASE NO. 85CA00221 |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 42,600.00 |
| Interest from 5/20/85 to 7/16/85 | | | 674.31 |
| | | | $ 43,274.31 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | $ 156.00 | |
| Atlantic Publications | | | |
| Advertising | 206.25 | | |
| Notice | 82.50 | 288.75 | |
| Earl A. Klein Agency, Inc., Bond | | 196.00 | |
| Pete Richardson, Auctioneer | | 75.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| State and County Taxes | | 461.93 | |
| Trustee's Commission | | 426.00 | |
| Certified Mail | | 3.74 | |
| Appointment of Trustees, Recording | | 15.00 | |
| Judgment Reports | | 6.00 | |
| Copies of plat, etc. | | 1.50 | |
| Title Search | | 75.00 | |
| Total Fees, Costs, Expenses, etc. | | $1,769.92 | |
| Balance to be Distributed | | | $ 41,504.39 |
| Statement of Mortgage Debt | | | |
| Principal | | 43,851.27 | |
| Interest from 10/31/84 to 4/3/85 | | 2,143.23 | |
| Interest from 4/4/85 to 9/28/85 (178 days @ $14.01 per day) | | 2,493.78 | |
| Total Mortgage Debt | | | $ 48,488.28 |
| Deficit | | | $ 6,983.89 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-5600

BOOK 050 PAGE 516

ALL EXCEPTIONS to said report must be filed within ten 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:

Robert F. Vavrina, Esquire and
James D. Laudeman, Jr., Esquire
Callahan, Calwell & Laudeman
210 East Redwood Street
Baltimore, MD 21202

Boyd Orlando Polk
Rt. 1, Box 279-G
Eden Allen Road
Eden, MD 21822

Hilda C. Polk
Rt. 1, Box 279-G
Eden Allen Road
Eden, MD 21822

Logan C. Widdowson, Auditor

Date of Filing: September 18, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
9/18/85
85 # 184

FILED
SEP 18 2 31 PM '85
REGISTER OF WILLS

No. 85C A00221 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 18th day of September, 19 85 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 30th day of September, 19 83.

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

_____
CLERK

| | | |
|---|---|---|
| ROBERT F. VAVRINA and JAMES D. LAUDEMAN, JR., SUBSTITUTE TRUSTEES | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| BOYD ORLANDO POLK and HILDA C. POLK, his wife | * | CASE NO. 85CA00221 |
| | * | BOOK 050 PAGE 518 |

AMENDED AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made a re-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 | | | $ 42,600.00 |
| Interest from 5/20/85 to 7/16/85 | | | 674.31 |
| | | | $ 43,274.31 |
| Prepaid State and County Taxes | | | 59.40 |
| | | | 43,333.71 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | $ 156.00 | |
| Atlantic Publications | | | |
| Advertising | 206.25 | 288.75 | |
| Notice | 82.50 | 196.00 | |
| Earl A. Klein Agency, Inc., Bond | | 75.00 | |
| Pete Richardson, Auctioneer | | 65.00 | |
| Logan C. Widdowson, Auditor | | 426.00 | |
| Trustee's Commission | | 3.74 | |
| Certified Mail | | 15.00 | |
| Appointment of Trustees, Recording | | 6.00 | |
| Judgment Reports | | 1.50 | |
| Copies of plat, etc. | | 75.00 | |
| Title Search | | | |
| Total Fees, Costs, Expenses, etc. | | $1,307.99 | |
| | | | $ 42,025.72 |
| Balance to be Distributed | | | |
| Statement of Mortgage Debt | | | |
| Principal | | 43,851.27 | |
| Interest from 10/31/84 to 4/3/85 | | 2,143.23 | |
| Interest from 4/4/85 to 9/28/85 (178 days @ $14.01 per diem) | | 2,493.78 | |
| | | $ 48,488.28 | |
| Less Amount held in Escrow by lender | | 357.90 | |
| | | | $ 48,130.38 |
| Deficit | | | $ 6,104.66 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2900

ALL EXCEPTIONS to said report must be filed within ten days of the date of filing; if no exceptions are filed, that 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:

Robert F. Vavrina, Esquire and
James D. Laudeman, Jr., Esquire
Callahan, Calwell & Laudeman
210 East Redwood Street
Baltimore, MD 21202

Boyd Orlando Polk
Rt. 1, Box 279-G
Eden Allen Road
Eden, MD 21822

Hilda C. Polk
Rt. 1, Box 279-G
Eden Allen Road
Eden, MD 21822

Logan C. Widdowson, Auditor

Date of Filing: September 26, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3500

LCW/gjb
9/26/85
85 # 185

No. 85-CA-0022/Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 26th day of September, 19 85 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 October, 19 85.

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 8th day of October, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 85CA00239<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY,<br><br>STATE OF MARYLAND |

* * * * * * *

ORDER TO FILE DEED OF TRUST FOR FORECLOSURE

Mr. Clerk:

Please docket a suit as above and file for foreclosure a Deed of Trust and Deed of Trust Note from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc., dated February 28, 1984, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No.342, Folio 677. Please file a copy of the Removal of Trustees and Appointment of Substitute Trustees, of even date and record the original of said Removal of Trustees and Appointment of Substitute Trustees among the Land Records of Somerset County, Maryland and after recording of same, please have the original filed in these proceedings.

HOBART B. HUGHES,
Substitute Trustee

RUSSELL C. DASHIELL, Jr.,
Substitute Trustee
Long, Hughes, Bahen, Duvall
& Dashiell
124 East Main Street
P. O. Box 259
Salisbury, Maryland 21801-0259

BOOK 050 PAGE 521

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0259

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 85CA00239<br>BOOK 050 PAGE 522<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY,<br>STATE OF MARYLAND |

* * * * * * *

STATEMENT OF MORTGAGE DEBT AND MILITARY AFFIDAVIT

STATE OF MARYLAND, COUNTY OF ~~MONTGOMERY~~ HOWARD, TO WIT:

I HEREBY CERTIFY, that on this 16th day of April, 1985, before me, the subscriber, a Notary Public of the state and County aforesaid, personally appeared ~~Judith A. Kowalski~~ Daniel M. Cayelli, ~~Asistant Secretary~~ Senior Vice President of Weaver Bros., Inc. and made oath in due form of law that the following account represents the amount due and owing on the Deed of Trust filed for foreclosure in the above entitled cause:

| | |
|---|---|
| Principal amount due | $36,183.00 |
| Interest from 10/01/84 thru 04/30/85 | $ 2,626.68 |
| Less credit balance in expense account | $ 37.39 |
| TOTAL BALANCE DUE | $38,772.29 |

(The above statement is good until April 30, 1985.

Thereafter interest is to be added at $ 12.39 per day.)

AND, at the same time, the said ~~Judith A. Kowalski~~ Daniel M. Cayelli, as aforesaid, did further make oath in due form of law that to best of ~~her~~ his knowledge, information and belief:

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0259

1. The said James E. Collins and Shirlene Collins, his wife are not in the military service of any nation allied with the United States; and

2. The said James E. Collins and Shirlene Collins, his wife have not been ordered to report for induction under the Selective Service Act of 1940, as amended; and

3. The said James E. Collins and Shirlene Collins, his wife are not members of the Enlisted Reserve Corps who has been ordered to report for military service.

IN WITNESS WHEREOF, I hereunto set my hand and affix my seal the day and year first above written.

Daniel M. Cavelli
Senior Vice President

Bonita F. Jordan
Notary Public
BONITA F. JORDAN

My commission Expires:
July 1, 1986

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0289

BOND BOOK NO. 11, FOLIO 570

# Fidelity and Deposit Company

BOOK 050 PAGE 524

HOME OFFICE **OF MARYLAND** BALTIMORE, MD. 21203 No. 44

KNOW ALL MEN BY THESE PRESENTS: No. 85-CA-00239 Civil Action Case

That we, Hobart B. Hughes and Russell C. Dashiell, Jr.

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 Forty Thousand ($40,000.00) 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 28th day of June in the year of our Lord one thousand nine hundred and eighty-five

WHEREAS, the above bounden Hobart B. Hughes and Russell C. Dashiell, Jr. by virtue of a decree of the Honorable the Judge of the Circuit Court of Somerset County has been appointed Trustee to sell real estate

mentioned in the proceedings in the case of Hobart B. Hughes and Russell C. Dashiell, Jr.

*vs:*

James E. Collins and Shirlene Collins, his wife

now pending in said Court:

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, if the above bounden Hobart B. Hughes and Russell C. Dashiell, Jr.

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 virtue in law.

Signed, sealed and delivered in the presence of:

Andrea L. Bounds
As to Both

Hobart B. Hughes (SEAL)

Russell C. Dashiell (SEAL)
Russell C. Dashiell, Jr.

WITNESS:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By Cocheyse Epps
Cocheyse Epps *As to Surety*

By Maria L. Evans
Maria L. Evans, *Attorney-In-Fact*

THE WITHIN BOND APPROVED

PER L. Theodore Shockley, CLERK.

J3116(MD)—500, 12-84 221107
Trustee's Bond

*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 L. C. WAYMAN, JR. , Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or 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 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 judgements, decrees, mortgages and instruments in the nature of mortgages, . . . and to affix the seal of the Company thereto."

does hereby nominate constitute and appoint Charles W. Blank, Clinton A. Killam, Jr., J. Donald Haynes, Douglas C. Benjamin, Brian D. O'Rourke, Pauline A. Beall, Maria L. Evans, Jeffrey D. Gerberich and John C. Muth, 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 Charles W. Blank, etal, dated, December 2, 1982.

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 28th day of July, A.D. 19 83

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

ATTEST: SEAL

L. C. Wayman Jr. — *Assistant Secretary*

By C. M. Pecot — *Vice-President*

STATE OF MARYLAND }
CITY OF BALTIMORE } ss:

On this 28th day of July, A.D. 19 83, 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 by Official Seal, at the City of Baltimore, the day and year first above written.

CAROL J. FABER NOTARY PUBLIC BALTIMORE CITY, MD.

Carol J. Faber

Notary Public Commission Expires July 1, 1986

## 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 ..... day of ....., 19.....

FILED

JUL 1 12 34 PM '85

BOOK 050 PAGE 525

L1428—Cif. 060

RECORDED IN LIBER ... FOLIO 570 ... CT. BY ... DEPUTY

Assistant Secretary

FOR YOUR PROTECTION LOOK FOR THE F&D WATERMARK

BOND BOOK NO. 11, FOLIO 571

BOOK 050 PAGE 526

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 8500239<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY,<br><br>STATE OF MARYLAND |

* * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of Sale of Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, filed herein, from Weaver Bros., Inc., respectfully represents:

That after having given bond with sufficient security for the faithful performance of the trust reposed in them and after having complied with all the other prerequisites as required by law and the aforesaid Removal of Trustees and Appointment of Substitute Trustees and after having given notice of the time, place, manner and terms of sale by advertisements duly inserted in the Somerset Herald, a daily newspaper published in Somerset County, for three (3) successive weeks before the day of sale all as more particularly set forth in Certificate of Publication attached hereto, they did, pursuant to said advertisement attend, at the front door of the Court House, on the 12th day of July, 1985, at the hour of 1:00 o'clock P.M., and

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0250

they did then and there proceed to sell said property in the manner following, that is to say: Your Substitute Trustees offered at public sale to the highest bidder or bidders the property mentioned in the aforesaid advertisement, and being more particularly described as follows:

ALL that lot or parcel of land situate in the City of Crisfield, in Crisfield Election District of Somerset County and State of Maryland and located at the intersection of Locust Street and First Street and being more particularly described on a plat entitled "Plat of Property Surveyed for James and Shirlene Collins", dated February 16, 1984 and recorded among the Land Records of Somerset County and State of Maryland in Liber I.T.P. No. 342, Folio 682.

AND YOUR Substitute Trustees sold the above described property unto Weaver Bros., Inc., at and for the sum of Forty Thousand Dollars ($40,000.00), it being at that sum, the highest bidder therefor.

Respectfully submitted,

Hobart B. Hughes,
Substitute Trustee

Russell C. Dashiell, Jr.,
Substitute Trustee

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0288

BOOK 050 PAGE 523

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 18th day of July, 1985, before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared Hobart B. Hughes, and Russell C. Dashiell, Jr., Substitute Trustees named in the aforegoing Report of Sale and made oath in due form of law that the matters and facts stated herein are true and correct to the best of their knowledge, information and belief, and the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal.

My commission expires:
July 1, 1986

Andrea L. Bounds
Notary Public

ANDREA L. BOUNDS
NOTARY PUBLIC
WICOMICO COUNTY, MD.

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0259

FILED
JUL 13 8 56 AM '85

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 8500239<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY,<br><br>STATE OF MARYLAND |

* * * * * * *

PETITION TO AUTHORIZE CONVEYANCE TO
SUBSTITUTE PURCHASER

Hobart B. Hughes and Russell C. Dashiell, Jr., Substituted Trustees as aforesaid, and Weaver Bros., Inc., the purchaser at foreclosure sale, petition this Honorable Court, pursuant to Rule W74g3, to authorize the conveyance of the foreclosed property herein to be made to a substituted purchaser, Secretary of Housing and Urban Development, their successors and assigns, as assignee of the original purchaser.

TEST:

Andrea L. Bounds
As to both

(SEAL)
Hobart B. Hughes,
Substitute Trustee

(SEAL)
Russell C. Dashiell, Jr.
Substitute Trustee

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0259

JUL 19 8 30 AM '85

BOOK 050 PAGE 530

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, that on this 18th day of July, 1985, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees, and made oath in due form of law that the matters and facts stated herein are true and correct to the best of their knowledge and information.

AS WITNESS my hand and Notarial seal.

My commission expires:
July 1, 1986

Andrea L. Bounds
Notary Public

ANDREA L. BOUNDS
NOTARY PUBLIC
WICOMICO COUNTY, MD.

FILED

JUL 13 9 36 AM '85

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0259

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|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 8500239<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY,<br><br>STATE OF MARYLAND |

* * * * * * *

ORDER AUTHORIZING CONVEYANCE TO SUBSTITUTED PURCHASER

The aforegoing Petition to Authorize Conveyance to Substituted Purchaser having been read and considered, it is this 22nd day of July, 1985, ORDERED that Hobart B. Hughes and Russell C. Dashiell, Jr., Substituted Trustees, are authorized to convey the foreclosed property herein, upon Final Ratification of said sale, to a substituted purchaser, Secretary of Housing and Urban Development, its successors and assigns, the consents of the original purchaser and the persons making the sale having been given.

Lloyd L. Gaskins
Judge

BOOK 050 PAGE 531

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0288

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 8500239<br>BOOK 050 PAGE 532<br>IN THE CIRCUIT COURT-<br>FOR SOMERSET COUNTY,<br>STATE OF MARYLAND |

* * * * * * *

NOTICE

NOTICE is hereby issued this 22nd day of July, 1985, that the sale of the property mentioned in the above mentioned proceedings and reported by Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees, be ratified and confirmed unless cause to the contrary be shown on or before the 12th day of August, 1985, provided a copy of this Notice be inserted in some newspaper published in this County, once in each of three (3) successive weeks before the 2nd day of August, 1985.

The Report of Sale states the amount of the sale to be Forty Thousand Dollars ($40,000.00).

Lloyd L. Griffin
Judge

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0258

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 8500239<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY,<br><br>STATE OF MARYLAND |

* * * * * * *

## AFFIDAVIT OF PURCHASER

STATE OF MARYLAND
COUNTY OF

ON THIS the 23rd day of July, 1985, before me, the undersigned officer, personally appeared Judith D. Kowalski, and made oath in due form of law that Weaver Bros., Inc., is the purchaser at the sale of the property described in this cause, and that

(a) She is not acting as agent for any other person, firm, partnership, or corporation other than Weaver Bros., Inc.

(b) There are no other interested principals;

(c) No one was either directly or indirectly discouraged from bidding at said sale.

BOOK 050 PAGE 533

Judith D. Kowalski
Judith D. Kowalski,
Assistant Secretary

SUBSCRIBED AND SWORN to me before me this 23rd day of July, 1985.

My Commission Expires:
July 1, 1986

Bonita L. Jordan
Notary Public BONITA E. JORDAN

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0299

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 8500239<br>BOOK 050 PAGE 534<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY,<br>STATE OF MARYLAND |

* * * * * * *

AFFIDAVIT OF COMPLIANCE

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 28th day of August, A.D., 1985, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County aforesaid, personally appeared Hobart B. Hughes, one of the Substitute Trustees in the above captioned, and made oath in due form of law, and pursuant to Rule 74a2(c) of the Maryland Rules of Procedure, that he mailed by Registered Mail, Return Receipt Requested, to the Mortgagors, James E. Collins and Shirlene Collins, at their respective last known addresses: 102 Locust Terrace, Crisfield, Maryland 21817, a notice of the time, place and terms of sale; that said notice was mailed on the 28th day of June, 1985, which was not earlier than thirty (30) days and not later than ten (10) days before the date of sale, the Registered Receipts for said mailing being attached hereto.

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

ANDREA L. BOUNDS NOTARY PUBLIC WICOMICO COUNTY, MD.

My commission expires June 1, 1986

Andrea L. Bounds
Notary Public

Hobart B. Hughes,
Substitute Trustee

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0299

Andrea HBH P 561 362 627

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL (ALB)

*(See Reverse)* COLLINS

| | |
|---|---|
| Sent to Mrs. Shirlene Collins | |
| Street and No. 102 Locust Street | |
| P.O., State and ZIP Code Crisfield, Md. 21817 | |
| Postage | $ .22 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | .70 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $1.67 |
| Postmark or Date | |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

SALISBURY, MD MAIN STREET STA. JUN 28 1985 USPO

Andrea HBH P 561 362 604

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)* COLLINS

| | |
|---|---|
| Sent to Mr. James E. Collins | |
| Street and No. 102 Locust Terrace | |
| P.O., State and ZIP Code Crisfield, Md. 21817 | |
| Postage | $ .22 |
| Certified Fee | .75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | .70 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $1.67 |
| Postmark or Date | |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

SALISBURY, MD MAIN STREET STA. JUN 28 1985 USPO

BOOK 050 PAGE 535

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0289

BOOK 050 PAGE 536

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 4 successive weeks, commencing 6-5, 1985, and ending June 26, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor - Somerset Herald
Publisher.

Printer's Fee: $49.50 per insertion.
4 weeks @ 49.50 = $198.00 Total

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0299

**LONG, HUGHES, BAHEN.**
**DUVALL & DASHIELL, ATTORNEYS**

**Hobart B. Hughes and**
**Russell C. Dashiell, Jr.**
**124 East Main Street**
**Salisbury, Maryland 21801**

**SUBSTITUTE TRUSTEES' SALE**
**OF**
**VALUABLE DWELLING HOUSE AND LOT**

**Under and by virtue of a power of sale contained in a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc., dated February 28, 1984, and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 342, Folio 677, default having been made in the terms, covenants and conditions thereof, the undersigned Substitute Trustees for the purposes of foreclosure and collection will offer for sale:**

**At The Front Door Of The**
**Court House, Princess Anne, Maryland**
**On**
**FRIDAY, JULY 12, 1985**
**At Or About 1:00 O'Clock P.M.**

**all the following described property: ALL that lot or parcel of land situate in the City of Crisfield, in Crisfield Election District of Somerset County and State of Maryland and located at the intersection of Locust Street and First Street and being more particularly described on a plat entitled "Plat of Property Surveyed for James and Shirlene Collins", dated February 16, 1984 and recorded among the Land Records of Somerset County and State of Maryland in Liber I.T.P. No. 342, Folio 682.**

**The property is improved by a detached one and one-half story frame dwelling containing wall to wall carpeting and is subject to all restrictions of record and is sold in a "as is" condition and subject to any and all violations of the Housing Code of the City of Crisfield, if any.**

**TERMS OF SALE: Deposit of $5,000.00 by certified check on the date of sale and the balance to be paid upon final ratification of sale, the credit portion to bear interest from date of sale, until paid at the rate of ten percent [10%] per annum and to be secured to the satisfaction of the undersigned, or all cash, at the option of the purchaser. The preparation of all documents for transfer, state stamps, state transfer tax and recording costs are the expense of the purchaser. State, County and City Taxes and City water will be pro-rated at the date of final ratification of said sale.**

**Substitute Trustees:**
**Hobart B. Hughes**
**Russell C. Dashiell Jr.**

**(301)749-2356**
**80-6/5-4tSH**

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-5288

Somerset Herald
~~MARYLANDER & HERALD~~

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 7-24, 1985, and ending 7-31 & August 7 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois J. Taylor - Somerset Herald
Publisher.

Printer's Fee: $30.25 per insertion.
($90.75 - Total cost)

Property - James & Shirlene Collins

BOOK 050 PAGE 537

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
No. 8500239

Hobart B. Hughes and
Russell C. Dashiell, Jr.,
Substitute Trustees named
in Removal of Trustees and
Appointment of Substitute Trustees,
for the purpose of
Foreclosure and Collection
of a Deed of Trust from
James E. Collins and
Shirlene Collins, his wife,
to Weaver Bros., Inc.

NOTICE

NOTICE is hereby issues this 22nd day of July, 1985, that the sale of the property mentioned in the above proceedings and reported by Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees, be ratified and confirmed unless cause to the contrary be shown on or before the 12th day of August, 1985, provided a copy of this Notice be inserted in some newspaper published in this County, once in each of three [3] successive weeks before the 21st day of August, 1985.

The Report of Sale states the amount of the sale to be Forty Thousand Dollars [$40,000.00].

True Copy, Test:
L Theodore Phoebus
Clerk

Lloyd L. Simpkins
JUDGE

80-7/24-3tSH

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | NO. 8500239<br>BOOK 050 PAGE 538<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY,<br>STATE OF MARYLAND |

* * * * * * *

FINAL ORDER OF RATIFICATION

ORDERED by the Circuit Court for Somerset County, State of Maryland, in Equity, this 3rd day of Sept, 1985, 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 Notice passed in said cause and the said Trustees are allowed the usual commission or fees and such proper expenses as they shall produce vouchers therefor.

R. A. Dorsey
Judge

LAW OFFICES
LONG, HUGHES, BAHEN,
DUVALL & DASHIELL
124 EAST MAIN STREET
SALISBURY, MARYLAND
21801-0259

| | | |
|---|---|---|
| Hobart B. Hughes and Russell C. Dashiell, Jr., Substitute Trustees named in Removal of Trustees and Appointment of Substitute Trustees, for the purpose of foreclosure and collection of a Deed of Trust from James E. Collins and Shirlene Collins, his wife, to Weaver Bros., Inc. | * | IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND<br>NO. 8500239 |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $40,000.00 |
| Fees, Costs, Expenses, etc.: | | | |
| I. Theodore Phoebus, court costs | | $ 184.50 | |
| I. Theodore Phoebus, Writ of Possession | | 45.00 | |
| Harris J. Riggin Insurance, Bond Premium | | 160.00 | |
| Somerset Herald | | | |
| Advertising | 198.06 | | |
| Order Nisi | 90.75 | 288.81 | |
| Carroll G. Long, Auctioneer | | 100.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Long, Hughes, Bahen, Duvall and Dashiell, fee in lieu of commissions | | 500.00 | |
| Long, Hughes, Bahen, Duvall and Dashiell, additional attorneys fees Re: Writ of Possession | | 150.00 | |
| Postage | | 3.34 | |
| 1984 Real Estate Taxes - City of Crisfield | | 212.25 | |
| 1984 County Real Estate Taxes | | 290.13 | |
| 1985 Real Estate Taxes | | 25.62 | |
| 1985 City of Crisfield Taxes | | 34.86 | |
| Total Fees, Costs, Expenses, etc. | | $2,059.51 | |
| Balance to be Distributed | | | $37,940.49 |

Statement of Mortgage Debt

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

| | | |
|---|---|---|
| Principal Balance | 38,772.29 | |
| Interest from 10/1/84 to 4/30/85 | 2,626.68 | |
| Interest from 4/30/85 to 7/12/85 | 904.47 | |
| Late Charges | 139.68 | |
| Inspection Fee | 12.50 | |
| Total Mortgage Debt | 42,455.62 | |
| Less Escrow Balance | 43.64 | |
| Total Mortgage Debt | | $42,411.98 |
| Deficit | | 4,471.49 |

ALL EXCEPTIONS to said report must be filed within ten 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:

Mr. James E. Collins
102 Locust Terrace
Crisfield, MD 21817

Mrs. Shirlene Collins
102 Locust Street
Crisfield, MD 21817

Hobart B. Hughes
Russell C. Dashiell, Jr.
124 East Main Street
P.O. Box 259
Salisbury, MD 21801

October 7, 1985

Logan C. Widdowson, Auditor

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3900

LCW/gjb
10/7/85
85 # 186

FILED
OCT 1 3 10 PM '85

No. 85CA00239 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 7th day of October, 19 85 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 17th day of October, 19 85.

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 18th day of October, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J Theodore Phoebus
CLERK

Exd.

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee<br>to the use of Peninsula Bank<br>P. O. Box 186<br>Princess Anne, Maryland 21853 | *<br>*<br>* | Civil Action No. 85C400209<br><br>In the Circuit Court for |
| vs. | * | Somerset County, Maryland |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin<br>Route 3, Stewart Neck Road<br>Princess Anne, Maryland 21853 | *<br><br>* | |

COMPLAINT TO FORECLOSE CERTAIN DEEDS OF TRUST

The Plaintiff, by Jones & Jones, its attorneys, files this action to foreclose certain deeds of trust and states:

1. That on December 10, 1981 the Defendants, Robert L. Chamberlin, Jr. and Patricia H. Chamberlin, his wife, executed and delivered a certain deed of trust to Alexander G. Jones and Hugh W. Mohler as Trustees for Peninsula Bank, beneficiary to secure the indebtedness of the grantor described therein. Said deed of trust was recorded among the Land Records of Somerset County in Liber I.T.P. No. 330, folio 389, et seq. The original of said deed of trust is attached hereto.

2. On March 28, 1985, pursuant to paragraph "Eighth" of said deed of trust Peninsula Bank appointed and designated Alexander G. Jones as Successor, Survivor and Substitute Trustee of the deed of trust described in paragraph 1 above. The appointment of the Substitute Trustee was recorded among the Land Records of Somerset County on March 29, 1985 in Liber I.T.P. No. 350, folio 584. The original of said Appointment of Substitute Trustee is attached hereto.

3. That on January 29, 1982 the Defendant, Robert L. Chamberlin, Jr. executed and delivered a certain deed of trust to Alexander G. Jones and Hugh W. Mohler as Trustees for Peninsula Bank, beneficiary to secure the indebtedness of the grantor described therein. Said deed of trust was recorded among the Land Records of Somerset County in Liber I.T.P. No. 331, folio 181. The original of said deed of trust is attached hereto.

4. On March 28, 1985, pursuant to paragraph "Eighth" of said deed of trust Peninsula Bank appointed and designated Alexander G. Jones as Successor, Survivor and Substitute Trustee of the deed of trust described in paragraph 3 above. The appointment of the Substitute Trustee was recorded among the Land Records of Somerset County on March 29, 1985 in Liber I.T.P. No. 350, folio 586, et seq. The original of said Appointment of Substitute Trustee is attached hereto.

5. The deeds of trust described in paragraph 1 and paragraph 3 above were executed to secure the payment of an indebtedness to Peninsula Bank and interest as therein mentioned, and in said deeds of trust the respective grantors assented, in paragraph "Ninth" "to the passage of a decree for the sale of the property herein described"authorizing "the said Trustee or Successor to sell the same at public auction in the manner authorized and required by law or Rules of Court ...", said assent and authorization to take place at any time after any default in the payment of the indebtedness secured by said deeds of trust or any part thereof as the same shall become due and payable or in the event of the breach of any of the terms, covenants and agreements of the deeds of trust or of notes secured thereby.

6. The Defendants, makers of said notes and grantors of said deeds of trust, respectively have defaulted in the payment of the principal and interest due and payable under said notes and by their failure to pay the

state and county real estate taxes levied and assessed against the properties described in the deed of trust described in paragraph 1 above. The failure to pay the principal, interest and taxes as aforesaid constitutes default pursuant to paragraph "Third" and "Fourth" of said deeds of trust.

7. In addition, the Defendant Robert L. Chamberlin, Jr. filed a Petition in Bankruptcy in the United States Bankruptcy Court for the District of Maryland in Bankruptcy No. 83-B-1569 which constituted a default under paragraph "Ninth" of said deeds of trust. The said Robert L. Chamberlin, Jr., debtor in said proceeding, and Defendant herein gave notice on December 12, 1984 to the creditors and other parties in interest of his intention, as "Debtor-in-Possession" to abandon to Peninsula Bank the land described as located in "Somerset County, Maryland and binding upon Stewart Neck Road." (Being the property described in the deed of trust referred to in paragraph 1 above), and the land described as "located on Somerset Avenue in Somerset County, Maryland" (Being the property described in the deed of trust referred to in paragraph 2 above). A copy of the "Notice of Debtor in Possession's Intent to Abandon Property" is attached hereto together with the original "Clerk's Certification of No Objections to Notice" dated January 28, 1985 issued by the Clerk of the United States Bankruptcy Court in Bankruptcy No. 83-B-1569.

8. Attached to this Complaint is a statement under oath of the debt remaining due and payable executed by Morris A. Bozman, Sr. Vice President of Peninsula Bank as to the indebtedness due Peninsula Bank by the Defendants. Also attached is a statement issued by the Office of the Treasurer of Somerset County, Maryland setting forth the amount of the state and county real estate taxes due and payable by the Defendants and levied against the property

described in the deed of trust described in paragraph 1 above.

9. The indebtedness of the Defendants to Peninsula Bank as evidenced by the statement of debt is in excess of $393,000.00; the indebtedness of the Defendants to the Treasurer of Somerset County for state and county real estate taxes as evidenced by the Treasurer's statement is in excess of $8,000.00 or a total in excess of $401,000.00. The Plaintiff believes and alleges that the value of the properties described in said deeds of trust is substantially below the amount of indebtedness and taxes and that to require him to post a bond equal in amount of said indebtedness and taxes would place an undue and unnecessary burden upon the Plaintiff and the Defendants and any other creditors of the Defendants. Accordingly, the Plaintiff respectfully suggests to the Court that a bond be set in the amount of $200,000.00, subject to increase or decrease by further order of this Court from time to time as circumstances may warrant.

CLAIM FOR RELIEF

Wherefore, Plaintiff requests an Order of this Court authorizing Alexander G. Jones, Substitute Trustee as set forth above to proceed with the sale of the property described in said deeds of trust in accordance with the terms of said deeds of trust and as required by law and in compliance with Rule W70, et seq, of the Maryland Rules of Procedure and requiring the said Alexander G. Jones, Substitute Trustee to file a bond to the State of Maryland pursuant to Rule W74 and Rule H of the Maryland Rules of Procedure in the amount of $200,000.00.

JONES & JONES

By

Alexander G. Jones
P. O. Box 186
Princess Anne, Md. 21853
Telephone: 301-651-2747
Attorney for Alexander G. Jones,
Substitute Trustee

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee to the use of Peninsula Bank | * | No. 85CA00209 Civil Action |
| Plaintiff | * | |
| vs. | * | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | * | Somerset County, Maryland |
| Defendants | * | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 8th day of April, 1985, before me, the undersigned officer, personally appeared Morris A. Bozman, Sr. Vice President of Peninsula Bank, and made oath in due form of law as follows: The principal amount owing on the deeds of trust is $301,671.05 plus interest through March 31, 1985 in the amount of $91,377.20 and a per diem rate of $121.51 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.

Jacquelyn M. Bozman
Notary Public

JACQUELYN W. BOWEN
NOTARY PUBLIC
SOMERSET COUNTY, MD.

My commission expires: 7/1/86

*Office Of Treasurer Of Somerset County*

*PRINCESS ANNE, MARYLAND*

85CA00209

*To* Robert & Patricia Chamberlin *Dr.*

District #1

| | | |
|---|---|---|
| April | Interest | |
| 1981 | Taxes | |
| 1982 | " | 2,076,51 |
| 1983 | " | 2,173.85 |
| 1984 | " | 2,166.83 |
| | | 2,067.95 |
| | | $8,485.14 |
| May | Interest | |
| 1981 | Taxes | |
| 1982 | " | 2,087.80 |
| 1983 | " | 2,186.44 |
| 1984 | " | 2,180.23 |
| | | 2,081.74 |
| | | $ 8,536.21 |

SMH/jr

050 548

85CA00209

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE: :

ROBERT L. CHAMBERLIN, JR. : CASE NO. 83-B-1569

Debtor :

* * * * *

NOTICE OF DEBTOR IN POSSESSION'S INTENT
TO ABANDON PROPERTY

TO THE CREDITORS AND OTHER PARTIES IN INTEREST:

PLEASE TAKE NOTICE that pursuant to §554(a) of the Bankruptcy Code, the Debtor-in-Possession intends to and will abandon the following described property as burdensome and of inconsequential value to the estate, unless, within twenty (20) days from the date of mailing of this Notice, a creditor or other interested party files or serves a written objection and request for hearing with the Clerk of the Bankruptcy Court at 101 West Lombard Street, Baltimore, Maryland 21201, and serves a copy of such request on the attorney for the Debtor-in-Possession herein at the address shown below.

The Debtor-in-Possession intends to abandon the following property to Peninsula Bank, the secured creditor holding a lien valued at $381,940.64 as of December 6, 1984, plus per diem interest thereafter at the rate of $122.72:

1. All that lot or parcel of land located in Somerset County, Maryland, and binding upon Stewart Neck Road improved by 5,000 square foot residence with porch, 2-car carport and inground swimming pool, 24' x 70' brick garage with central heat dehumidifier and lavatory, 30' x 60' brick

LAW OFFICES
Clarke, Hearne, Webster & Sperry, P.A.
P.O. BOX 307
SALISBURY, MARYLAND 21803-0307
(301) 749-0313

garage and 8 1/2 acres of land on Jones Creek. This property was valued by the Debtor on his original Schedule B-1 at $150,000.00. This property was appraised in 1982 for $335,000.00.

2. All that lot and parcel of ground located on Somerset Avenue in Somerset County, Maryland, located next to the Debtor-in-Possession's office, containing 100' fronting on Somerset Avenue and being unimproved. The Debtor valued the lot at $18,000.00 in his original Schedule B-1.

Objections not timely filed and served may be deemed waived.[1]

DATED: December 12, 1984
Clerk USBC

CLARKE, HEARNE, WEBSTER & SPERY, P.A.

By: Stephen M. Hearne

Stephen M. Hearne
300 West Main Street
P.O. Box 307
Salisbury, Maryland 21801
Telephone: (301) 749-0333

Attorneys for
Debtor-in-Possession

[1] A hearing may be held if an objection is filed, or the Court may rule upon objections without a hearing.

LAW OFFICES
Clarke, Hearne, Webster & Spery, P.A.
P. O. BOX 307
SALISBURY, MARYLAND 21801-0307
(301) 749-0333

FILED
APR 8 10 59 AM '85
BOOK 050 PAGE 549
RECORDED IN THE LIBER ... OF THE CIRCUIT COURT
BY ... FOLIO ...
CLERK
DEPUTY

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND

IN RE

ROBERT L. CHAMBERLIN, JR.
Debtor

Bankruptcy No.:
83-B-1569

BOOK 050 PAGE 559

CLERK'S CERTIFICATION OF NO OBJECTIONS TO NOTICE

I, the undersigned, Deputy Clerk of the United States Bankruptcy Court for the District of Maryland, do hereby certify that I have examined the records of the Court relating to the above-captioned matter and that no timely-filed objection to the Notice to Abandon property dated 12-12-84 was received by the Clerk.

Date: January 28, 1985

MICHAEL KOSTISHAK, Clerk
By: [signature]
Deputy Clerk

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee to the use of Peninsula Bank | * | Civil Action No. 85CA00209 |
| Plaintiff | * | |
| vs. | * | In the Circuit Court for |
| Robert L. Chamberlin, Jr. Patricia H. Chamberlin | * | Somerset County, Maryland |
| Defendants | * | |

ORDER OF COURT

The aforegoing Complaint having been read and considered is hereby ORDERED this 8th day of April, 1985 that Alexander G. Jones, Substitute Trustee under the deeds of trust referred to in the Complaint be and he is hereby authorized to proceed with the sale of the property described in said deeds of trust at public auction in accordance with law and in compliance with Rule W70, et seq, of the Maryland Rules of Procedure provided, however, that before making a sale of the properties described in said deeds of trust the said Alexander G. Jones, Substitute Trustee shall file in this Court a bond to the State of Maryland in the amount of $ 200,000.00 approved pursuant to Rule H2, to abide by any Court Order which may be in relation to the sale of the property described in said deeds of trust, or the proceeds thereof. The penalty of said bond may be increased or reduced hereafter pursuant to Rule H4.

Lloyd L. Simpkins
Judge

**Internal Revenue Service**

District
Director

**Department of the Treasury**

BK 050 PAGE 552

Person to Contact: William Diegel

Telephone Number: (301)962-1863

Refer Reply to: C:SPS:WD

Date: May 7, 1985

▷ Alexander G. Jones
P. O. Box 186
Princess Anne, Maryland 21853-0186

Re: Robert and Patricia M. Chamberlin

Dear Mr. Jones:

Thank you for your Notice of Foreclosure, as required by Section 7425 (c) of the Internal Revenue Code, which was received by this office on May 6, 1985, pertaining to the property known as Route 3, Box 474A, Princess Anne, Maryland 21853.

We consent to the sale of the above property free and clear of the liens of the United States listed below:

| Lien No. | Court Filed | Date Filed |
|---|---|---|
| 83-0-1554 | Somerset County | 02-09-83 |
| 84-S-377 | Somerset County | 05-16-84 |

Section 7425(c)(2) permits us to give this consent if the notice is not received twenty-five days prior to the sale. The amount due on the liens is $33,871.41 plus penalty and interest.

It is understood that the sale divests the taxpayer of all rights, title, and interest in the property, and the proceeds are to be held as a fund subject to the United States lien and claims in the same manner and priority as the liens and claims held on the discharged property.

Please furnish this office with an accounting of the sale. If there are surplus proceeds, we will file a Proof of Claim in this proceeding for the balance due on the lien. A self-addressed envelope is enclosed for your convenience.

Sincerely yours,

Ray Weinstein, Acting Chief
Special Procedures Staff

Enclosure

May 14, 1985

To I. Theodore Phoebus, Clerk:

Please file this letter in Civil Action No. 8500209.

Alexander G. Jones

LOUIS L. GOLDSTEIN
COMPTROLLER OF THE TREASURY
STATE TREASURY BUILDING
P. O. BOX 466
ANNAPOLIS, MARYLAND 21404
269-3801

May 13, 1985

Alexander G. Jones, Esquire
Jones & Jones
Attorneys at Law
P. O. Box 186
Princess Anne, Maryland 21853-0186

Re: Robert Chamberlin a/k/a
Robert L. Chamberlin, Jr.
Social Security No. 215-20-2435
Patricia M. Chamberlin, a/k/a
Patricia H. Chamberlin
Social Security No. 213-34-5117
Route 3, Box 474A
Princess Anne, Maryland 21853

Dear Mr. Jones:

This is in response to your correspondence of May 9, 1985, relative to the proposed sale in connection with the above-mentioned Deed of Trust proceedings.

The State of Maryland consents to the sale of the property mentioned in your correspondence of April 8, 1985, free and clear of Maryland Income Tax Lien, Docket I.T.P. No. 1, Folio 13 No. 185 (Lien No. PRI83-36231) in the amount of $2,843.51.

Our consent must, of course, be predicated upon our receiving an accounting of the sale indicating that the taxpayer will receive none of the proceeds of the sale and is given with the understanding that our lien will retain its priority status to any surplus funds over and above the Deed of Trust deficiencies and taxes.

With kindest regards and best wishes, I am,

050 553

Cordially yours,

Louis L. Goldstein

LLG:jlw
May 16, 1985
To I. Theodore Phoebus, Clerk:
Please file this letter in Civil Action No. 8500209.

Alexander G. Jones

My telephone number is (301) - 269-3801

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee | : | No. 8500209 Civil Action |
| vs | : | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | : | 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 17th day of May, in the year nineteen hundred and eighty-five, 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-74a 2 (c) and made oath in due form of law that he was and is the Substitute Trustee for foreclosure and collection of the deeds of trust in the above entitled proceeding filed for foreclosure and collection, that on May 16, 1985 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Robert L. Chamberlin, Jr., Stewart's Neck Road, Princess Anne, Maryland 21853 (Post Office Receipt No. P147 085 235) by certified mail which was returned by the U.S. Post Office signed by Robert L. Chamberlin, Jr. and also mailed a notice of the pending foreclosure proceeding to Patricia H. Chamberlin, Stewart's Neck Road, Princess Anne, Maryland 21853 (Post Office Receipt No. P147 085 236) by certified mail which was returned by the U.S. Post Office signed by R. L. Chamberlin, Jr. on May 17, 1985.

The aforesaid Notices, post office receipts, and a copy of the advertisement are attached hereto to be filed in this proceeding.

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

Patsy E. Oke
Notary Public

Alexander G. Jones

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

PS Form 3811, July 1983 447-845

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

Mrs. Patricia H. Chamberlin
Steart's Neck Road
Princess Anne, Md. 21853

4. Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number
P147 085 236

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X

6. Signature – Agent
X

7. Date of Delivery
5-7-85

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

P 147 085 236

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

★ U.S.G.P.O. 1984-446-014

| | |
|---|---|
| Sent to Mrs. Patricia H. Chamberlin | |
| Street and No. Stewart's NEck Road | |
| P.O., State and ZIP Code Princess Anne, Md. 21853 | |
| Postage | $ 22 |
| Certified Fee | 75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | 70 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 167 |
| Postmark or Date | |

PS Form 3800, Feb. 1982

P 147 085 235

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

★ U.S.G.P.O. 1981-446-014

| | |
|---|---|
| Sent to Mr. Robert L. Chamberlin, Jr. | |
| Street and No. Stewart's Neck Road | |
| P.O., State and ZIP Code Princess Anne, MD. 21853 | |
| Postage | $ 22 |
| Certified Fee | 75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | 70 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 167 |
| Postmark or Date | |

PS Form 3800, Feb. 1982

PS Form 3811, July 1983 447-845

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. Robert L. Chamberlin, Jr.
Stewart's Neck Road
Princess Anne, Maryland 21853

4. Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number
P147 085 235

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X

6. Signature – Agent
X

7. Date of Delivery
5-7-85

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

BOOK 050 PAGE 555

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

AREA CODE 301
TELEPHONE 651-2747

May 16, 1985

BOOK 050 PAGE 556

Mr. Robert L. Chamberlin, Jr.
Stewart's Neck Road
Princess Anne, Maryland 21853

Dear Mr. Chamberlin:

Pursuant to Rule W-74 a 2 (c) of the Maryland Rules of Procedure this is to notify you that proceedings have been filed in Civil Action No. 8500209 in the Circuit Court for Somerset County, Maryland for the foreclosure of the following deeds of trust: (1) Deed of Trust dated December 10, 1981 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 330, folio 389, and (2) Deed of Trust dated January 29, 1982 and recorded among the aforesaid Land Records inLiber I.T.P. No. 331, folio 181.

The Substitute Trustee's advertisement of foreclosure sale is currently being published in the Somerset Herald, a newspaper published weekly in Somerset County, Maryland, and an abbreviated advertisement is also currently being published in The Salisbury Sunday Times, a newspaper published weekly in Wicomico County, Maryland.

The properties described in the deeds of trust will be offered for sale at 11:00 A.M. local time on Tuesday, June 4, 1985 on the Court House steps in Princess Anne, Maryland.

Terms of Sale: As to the residential property described in the deed of trust dated December 10, 1981 the high bidder must deliver to the Trustee a cashier's or certified check payable to Alexander G. Jones, Substitute Trustee, in the amount of $25,000.00; as to the unimproved lot described in the deed of trust dated January 29, 1982 the high bidder must deliver to the Trustee a cashier's or certified check payable to Alexander G. Jones, Substitute Trustee, in the amount of $3,000.00. In each case the balance of the purchase price is due and payable within thirty days from the date of sale with interest at the rate of 14½% per annum on the unpaid balance. The sales will be subject to ratification by the Circuit Court for Somerset County. All public taxes and assessments will be prorated as of the date of ratification. Each purchaser shall be solely responsible for payment of settlement costs, including preparation of the deed, transfer tax, documentary stamps, recording costs and notary fees.

Internal Revenue Service of the United States has consented to the sale free of U.S. tax liens but retain the right to redeem the property pursuant to the IRS Code. The Comptroller of the Treasury of the State of Maryland

has consented to the sale of the property free and clear of Maryland income tax lien provided that the lien will retain its priority status to any surplus funds over and above the deed of trust deficiencies and taxes.

A copy of the advertisement as published in the Somerset Herald on May 15, 1985 is enclosed.

Very truly yours,

Alexander G. Jones
Substitute Trustee

AGJ:pea

Enclosure

Certified Mail - Return Receipt Requested
No. P 147 085 235

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

AREA CODE 301
TELEPHONE 651-2747

May 16, 1985

Mrs. Patricia H. Chamberlin
Stewart's Neck Road
Princess Anne, Maryland 21853

BOOK 050 PAGE 558

Dear Mrs. Chamberlin:

Pursuant to Rule W-74 a 2 (c) of the Maryland Rules of Procedure this is to notify you that proceedings have been filed in Civil Action No. 8500209 in the Circuit Court for Somerset County, Maryland for the foreclosure of the following deeds of trust: (1) Deed of Trust dated December 10, 1981 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 330, folio 389, and (2) Deed of Trust dated January 29, 1982 and recorded among the aforesaid Land Records in Liber I.T.P. No. 331, folio 181.

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Terms of Sale: As to the residential property described in the deed of trust dated December 10, 1981 the high bidder must deliver to the Trustee a cashier's or certified check payable to Alexander G. Jones, Substitute Trustee, in the amount of $25,000.00; as to the unimproved lot described in the deed of trust dated January 29, 1982 the high bidder must deliver to the Trustee a cashier's or certified check payable to Alexander G. Jones, Substitute Trustee, in the amount of $3,000.00. In each case the balance of the purchase price is due and payable within thirty days from the date of sale with interest at the rate of 14½% per annum on the unpaid balance. The sales will be subject to ratification by the Circuit Court for Somerset County. All public taxes and assessments will be prorated as of the date of ratification. Each purchaser shall be solely responsible for payment of settlement costs, including preparation of the deed, transfer tax, documentary stamps, recording costs and notary fees.

Internal Revenue Service of the United States has consented to the sale free of U.S. tax liens but retain the right to redeem the property pursuant to the IRS Code. The Comptroller of the Treasury of the State of Maryland

has consented to the sale of the property free and clear of Maryland income tax lien provided that the lien will retain its priority status to any surplus funds over and above the deed of trust deficiencies and taxes.

A copy of the advertisement as published in the Somerset Herald on May 15, 1985 is enclosed.

Very truly yours,

Alexander G. Jones
Substitute Trustee

AGJ:pea

Enclosure

Certified Mail - Return Receipt Requested
No. P 147 085 236

No. 8500209 Civil Action



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 two hundred thousand dollars ($200,000.00) 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 3rd day of June, in the year nineteen hundred and eighty-five.

Whereas, by deed of trust dated December 10, 1981 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 330, folio 389, et seq., Robert L. Chamberlin, Jr. and Patricia H. Chamberlin, his wife, conveyed to Peninsula Bank certain real estate in Somerset County to secure the payment of the sum therein mentioned; and whereas, by deed of trust dated January 29, 1982 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 331, folio 181 Robert L. Chamberlin, Jr. conveyed to Peninsula Bank certain real estate in Somerset County to secure the payment of the sum therein mentioned; and whereas the said Alexander G. Jones, Substitute Trustee, for the purpose of foreclosure and collection of said deeds of trust, is authorized, upon default, to sell the properties conveyed by said deeds of trust; and whereas, default has occurred in the terms and conditions of said deeds of trust and the said Alexander G. Jones is about to sell the properties by said deeds of trust conveyed.

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 deeds of trust and shall abide

BOND BOOK 11 PAGE 557

Bond Book 11 Page 558

and fulfill any order or decree which shall be made by any Court in relation to the sale of the said properties or the proceeds 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 & DEPOSIT COMPANY OF MARYLAND

Witness: Patsy E. Ake

By
Alexander G. Jones
Attorney-in-Fact

THE WITHIN BOND APPROVED

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee: | | No. 8500209 Civil Action |
| vs | : | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | : | Somerset County, Maryland |

To the Honorable, the Judge of said Court:

BOOK 050 PAGE 562

The report of sales of Alexander G. Jones, Substitute Trustee appointed by this Court by order dated April 8, 1985, of a deed of trust made and executed by Robert L. Chamberlin, Jr. and Patricia H. Chamberlin, his wife, to Alexander G. Jones and Hugh W.Mohler, Trustees, and Peninsula Bank dated December 10, 1981 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 330, folio 389, and a deed of trust made and executed by Robert L. Chamberlin, Jr. to Alexander G. Jones and Hugh W. Mohler, Trustees and Peninsula Bank dated January 29, 1982 and recorded among the aforesaid Land Records in Liber I.T.P. No. 331, folio 181, under and by virtue of the power of sale therein contained, default having been made in the payment of the money secured by said deeds of trust or in the payment of the interest thereon or in some other covenant and condition in said deeds of trust, whereby the said deeds of trust have become due and demandable, respectfully represents to your Honor, that after giving bond with security approved by the Clerk of this Court, or by one of the Judges thereof, for the faithful performance of the trust so as reposed in him as Substitute Trustee of said deeds 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 Somerset 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 4th day of June, 1985, at 11:00 o'clock A.M., and then and there proceed to sell the property described in said deeds of trust, to wit:

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

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 166
PRINCESS ANNE, MD. 21853-0166

FIRST: All those two lots or parcels of land situate in West Princess Anne Election District, Somerset County, Maryland, described as an entirety as follows: Said lots are bounded on the west in part by the county road known as Stewart's Neck Road leading from Revell's Neck to Princess Anne, bounded on the north by the land of Henry J. Bailey and Mildred Bailey, bounded on the east and on the south in part by the Taylor Branch, bounded on the south in part and on the west in part by Jones Creek and more particularly described as follows: Beginning for the same at a concrete post placed on the east side of the aforesaid Stewart's Neck Road at the extreme northwest corner of the property herein described, which said concrete post is indicated by the letter "A" on a plat prepared by W. Ballard Miles, Registered Surveyor, dated February 7, 1964 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 219, folio 598, thence (1) by and with the land of Henry J. Bailey and Mildred Bailey South 65° 0' East 250 feet to a concrete post indicated by the letter "A" on another plat by W. Ballard Miles, dated January 28, 1965 and recorded among the aforesaid Land Records in Liber I.T.P. No. 226, folio 98, thence (2) South 65° 0' East 501.27 feet with said Bailey land to a concrete post, thence (3) South 65° 0' East 220.10 feet with said Bailey land to the run of Taylor Branch, thence by and with said run the three following courses and distances: (4) South 34° 20' West 319.11 feet, thence (5) North 59° 8' West 321.09 feet, thence (6) South 46° 30' West 272.80 feet to a point opposite the confluence of Jones Creek and Taylor Branch, thence (7) with the northeast side of Jones Creek North 44° 0' West 231 feet to a point indicated by the figure "3" on the first mentioned plat and also by the figure "6" on the second mentioned plat, thence by and with the easterly side of Jones Creek and binding thereon at mean high water the four following courses and distances: (8) North 44° 0' West 78 feet, thence (9) North 0° 20'

East 193 feet, thence (10) North 62° 7' West 49.53 feet, thence (11) North 29° 20' West 60 feet to a concrete post on the east side of Stewart's Neck Road, thence by and with the east side of Stewart's Neck Road the two following courses and distances: (12) North 15° 5' East 100 feet to a concrete post, (13) North 21° 50' East 130 feet to the first mentioned concrete post and place of beginning, containing 4.44 acres of arable land and 3.45 acres of marsh land or a total of 7.89 acres of land, more or less, as laid down and described on the aforesaid plats.

SECOND: All that lot or parcel of land, situate as aforesaid, the same being an island in Jones Creek, lying to the south and west of the land described in Item First above and indicated as Parcel No. 2, containing .10 of an acre, more or less, on the aforesaid plat by W. Ballard Miles, dated February 7, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 219, folio 598.

The lands above described being the same and all the land conveyed unto Robert L. Chamberlin, Jr. and Patricia H. Chamberlin, his wife, by Alexander G. Jones, Trustee, by deed dated October 8, 1970 and recorded among the aforesaid Land Records in Liber I.T.P. No. 256, folio 769.

THIRD: All that tract or parcel of land, situate as aforesaid, lying and binding on the east side of the county road known as Stewart's Neck Road leading from U.S. Route 13 near Princess Anne to Stewart's Neck, bounded on the north and on the east by the land of Henry J. Bailey and Mildred Bailey (B.L.B. No. 166, folio 557), and bounded on the south by the residence property of Robert L. Chamberlin, Jr. and Patricia H. Chamberlin (I.T.P. No. 256, folio 769); the land hereby conveyed is more particularly described as follows: Beginning for the same at a concrete post placed on the east side of the aforesaid Stewart's Neck Road at the extreme northwest corner of the

aforesaid residence property of Robert L. Chamberlin, Jr. and Patricia H. Chamberlin, which said concrete post is indicated by the letter A on a plat prepared by W. Ballard Miles, Registered Surveyor, dated February 7, 1964 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 219, folio 598; said place of beginning is also designated by a stake placed at the southwest corner of the land herein described and conveyed as indicated on the plat hereinafter referred to, thence from said place of beginning as follows: (1) South 65° 0' 0" East by and with the north line of the residence property of Robert L. Chamberlin, Jr. and Patricia H. Chamberlin a distance of 594.18 feet to a concrete monument placed at the southeast corner of the land herein described, thence by and with the land of Henry J. Bailey and Mildred Bailey the two following courses and distances: (2) North 24° 9' 0" East a distance of 68.14 feet to a concrete monument placed at the northeast corner of the land herein described and conveyed, thence (3) North 65° 5' 0" West a distance of 597.45 feet to a concrete monument placed on the east side of Stewart's Neck Road at the northwest corner of the land herein described and conveyed, thence (4) South 20° 55' 50" West by and with the east side of Stewart's Neck Road a distance of 59.42 feet to the place of beginning, containing 37,964 square feet, accurately laid down and described on a plat entitled "Plot of survey of land of Henry J. Bailey to be conveyed to Robert L. Chamberlin, Jr." by G. A. Chapman & Associates dated October 17, 1977 and recorded among the aforesaid Land Records in Liber I.T.P. No. 303, folio 607, and being the same and all the land which was convyed unto Robert L. Chamberlin, Jr. and Patricia H. Chamberlin by Henry J. Bailey and Mildred Bailey, his wife, by deed dated October 28, 1977 and recorded among the aforesaid Land Records in Liber I.T.P. No. 303, folio 604.

The lots or parcels of land above described were sold to Peninsula Bank at and for the sum of one hundred eighty-eight thousand dollars ($188,000.00), it being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale to satisfaction of your substitute trustee.

FOURTH: All that tract or parcel of land situate in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, on the east side of and binding upon South Somerset Avenue and fronting 156 feet thereon, bounded on the north by the land of R. Barry Spinak and Sharon K. Spinak (I.T.P. No. 324, folio 181, plat by Brown Parker Associates, dated August 25, 1978 recorded in Liber I.T.P. No. 309, folio 518), bounded on the east by the right of way of the Penn Central Railroad property, bounded on the south by the land of Logan C. Widdowson and Herman J. Bozman, Jr. (I.T.P. No. 308, folio 422; described as lot No. 1 on plat W.J.S. No. 81, folio 589), the lot herin described extends to a depth of 152.62 feet on the north side running North 80° 33' East from a concrete monument on the east side of South Somerset Avenue at the southwest corner of the Spinak land and the northwest corner of the land herein described to an iron pipe on the west side of the Penn Central Railroad right of way at the southeast corner of the Spinak land and at the northeast corner of the land herein described; the land herein described extends to a depth of 119.6 feet on the south side running in a southeasterly direction from the east side of South Somerset Avenue with the north line of the aforesaid land of Logan C. Widdowson and Herman J. Bozman, Jr. to the west line of the Penn Central Railroad right of way; said property is part only of the land originally conveyed unto Robert L. Chamberlin, Jr. by item 3 of a deed from Edgar A. Jones, Trustee dated October 3, 1957 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 182, folio 588 and is also part of the land conveyed unto Robert L. Chamberlin, Jr.

by Somerset Insurance Agency, Inc. by deed dated April 5, 1974 and recorded among the aforesaid Land Records in Liber I.T.P. No. 279, folio 218.

The tract above described as parcel Fourth was sold to Jackson Lee Cook at and for the sum of seventy-eight hundred fifty dollars ($7850.00), he being then and there the highest bidder therefor, and the purchaser has complied with the terms of sale to the satisfaction of your substitute trustee.

Respectfully submitted,

Alexander G. Jones
Substitute Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of June, 1985, before me, the subscriber, a Notary PUblic of the State and 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.

Patsy E. Ake
Notary Public

My commission expires: July 1, 1986

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee: | | No. 8500209 Civil Action |
| vs | : | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | : | Somerset County, Maryland |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of June, 1985, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Victor H. Dryden, Vice President of Peninsula Bank, the purchaser of the real estate described in deed of trust referred to in paragraph 1 of the Complaint to Foreclose and made oath in due form of law:

1. That in making said purchase he was not acting as agent for anyone except Peninsula Bank.

2. That others interested in said purchase, as principals are none.

3. That he did not directly or indirectly discourage anyone from bidding for said property.

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

Patsy E. Abe
Notary Public

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee: | | No. 8500209 Civil ACtion |
| vs | : | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | : | Somerset County, maryladn |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of June, 1985, before me, the subscriber, a Notary PUblic of hte State and County aforesaid, personally appeared Jackson Lee Cook, the purchaser of the real estate described in the deed of trust referred to in paragraph 3 of the Complaint to Foreclose 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 frm bidding for said property.

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

Patsy E. Ake
Notary Public

Jones & Jones
Princess Anne, Md. 21853

BOOK 050 PAGE 570

NOTICE

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee: | | No. 8500209 Civil Action |
| vs | : | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | : | Somerset County, Maryland |

ORDERED by the Circuit Court for Somerset County, this 4th day of June, in the year nineteen hundred and eighty-five, that the sale of the properties 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 5th day of July, 1985, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 1st day of July, 1985.

The report states the amount of sale to be $195,850.00.

Lloyd L. Smith
JUDGE

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee<br>to the use of Peninsula Bank<br>P. O. Box 186<br>Princess Anne, Maryalnd 21853 | * | Civil Action No. 8500209 |
| | * | In the Circuit Court for |
| vs. | * | |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin<br>Route 3, Stewart Neck Road<br>Princess Anne, Maryland 21853 | * | Somerset County, Maryland |
| | * | |

SUBSTITUTE TRUSTEE'S MOTION TO REDUCE BOND

The Substitute Trustee files this Motion to reduce the amount of bond in this proceeding and states:

1. That by Order of this Court dated April 8, 1985 Alexander G. Jones, Substitute Trustee was required to "file in this Court a bond to the State of Maryland in the amount of $200,000.00 approved pursuant to Rule H2, to abide by any Court Order which may be in relation to the sale of the property described in said deeds of trust, or the proceeds thereof. The penalty of said bond may be increased or reduced hereafter pursuant to Rule H4."

2. That on June 3, 1985 pursuant to said Order the Substitute Trustee filed a bond in his name as principal and Fidelity and Deposit Company of Maryland as surety in the amount of $200,000.00.

3. That on June 4,1985 the Substitute Trustee sold at public auction the residential property described in the original Complaint to Peninsula Bank, the beneficiary under the deed of trust dated December 10, 1981 described in the Complaint and also on that date and place the Substitute Trustee sold at public auction the unimproved lot to Jackson Lee Cook.

4. The highest bid for the residential property, submitted by Peninsula Bank was $188,000.00; the highest bid for the unimproved lot, submitted by Jackson Lee Cook was $7850.00, all as set forth in the Substitute Trustee's Report of Sale filed in this proceeding.

5. The Substitute Trustee expects to receive from Jackson Lee Cook the sum of $7850.00 representing his total bid and expects to receive from Peninsula Bank approximately $20,000.00. The Substitute Trustee believes and therefore states that he anticipates disbursing these funds, not exceeding $30,000.00, for delinquent state and county real estate taxes of approximately $9,000.00 and for costs of sale including court costs, auctioneer's fees, advertising costs and commissions not exceeding $20,000.00.

6. That although the original requirement and Order of this Court that the Substitute Trustee post a bond in the amount of $200,000.00 was justified by the circumstances then existing prior to the sale, the subsequent purchase of the principal asset by the beneficiary which is entitled to interest and principal renders the amount of the bond excessive and contributes to unnecessary costs.

7. Accordingly, the Substitute Trustee requests that the Order of this Court dated April 8, 1985 be amended to the end that the bond required in the amount of $200,000.00 be reduced to a bond in the amount of $30,000.00 retroactive to June 3, 1985, all as permitted by the Order of this Court dated April 8, 1985.

JONES & JONES

By _____
Alexander G. Jones
Substitute Trustee

Statement of Points and Authorities:

Rule W 74a1 which requires the posting of the bond;
Rule BR3 which sets forth the conditions of the bond; and
Rule V73d which permits the amount of the bond to be changed by the Court.

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee<br>to the use of Peninsula Bank<br>P.O. BOx 186<br>Princess Anne, Maryland 21853 | * | Civil Action No. 8500209 |
| | * | In the Circuit Court for |
| vs. | * | |
| | * | Somerset County, Maryland |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin<br>Route 3, Stewart Neck Road<br>Princess Anne, Maryland 21853 | * | |
| | * | |

ORDER OF COURT

The aforegoing Motion to Reduce Bond, having been read and considered, together with the Report of Sale previously filed herein, it is hereby ORDERED this 11th day of June, 1985 that the bond in the amount of $200,000.00 required by Order of this Court dated April 8, 1985 be reduced to $30,000.00, retroactive to June 3, 1985 and subject to the same terms and conditions as set forth in the Order of April 8, 1985.

Lloyd L. Sutton
Judge

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 1 successive weeks, commencing 5-8, 1985, and ending 5-29, 1985 inclusive, in the said Marylander and Herald forementioned.

Attest: Lois Taylor Somerset Pub.
Publisher.

Printer's Fee: $236.50 per insertion

Jones & Jones

JONES & JONES
Attorneys At Law
Princess Anne, Maryland

BOOK 050 PAGE 574

# SUBSTITUTE TRUSTEE'S SALE OF

## [1] VALUABLE RESIDENTIAL PROPERTY AND [2] VALUABLE UNIMPROVED LOT

**Under and by virtue of the assent to sale contained in a Deed of Trust dated December 10, 1981 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 330, follo 389 and in another Deed of Trust dated January 29, 1982 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 331, follo 181, default having occurred in said Deeds of Trust, and pursuant to an order of the Circuit Court for Somerset County, Maryland, dated April 8, 1985 and filed in Civil Action No. 85-00209 in said Court, the undersigned as Substitute Trustee for the purpose of foreclosure of said Deeds of Trust, will offer at public sale on the Court House steps in Princess Anne, Maryland, on**

## TUESDAY, JUNE 4, 1985

**at or about the hour of 11:00 A.M., local time, all those lots of parcels of land situate in [1] West Princess Anne Election District and [2] East Princess Anne District, respectively, Somerset County, Maryland, and more particularly described as follows:**

**ITEM 1 - RESIDENTIAL PROPERTY**
**[8.8 Acres, more or less, West Princess Anne Election District]**

**First: All those two lots or parcels of land, situate as aforesaid, described as an entirety as follows: Said lots are bounded on the west in part by the county road known as Stewart's Neck Road leading from Revell's Neck to Princess Anne, bounded on the north by the land Henry J. Bailey and Mildred Bailey, bounded on the east and on the south in part by the Taylor Branch, bounded on the south in part and on the west in part by Jones Creek and more particularly described as follows: Beginning for the same at a concrete post placed on the east side of the aforesaid Stewart's Neck Road at the extreme northwest corner of the property herein described, which said concrete post is indicated by the letter "A", on a plat prepared by W. Ballard Miles, Registered Surveyor, dated February 7, 1964 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 219, follo 598, thence [1] by and with the land of Henry J. Bailey and Mildred Bailey South 65° 0' East 250 feet to a concrete post indicated by the letter "A" on another plat by W. Ballard Miles, dated January 28, 1935 and recorded among the aforesaid Land Records in Liber I.T.P. No. 226, follo 98, thence [2] South 65° 0' East 501.27 feet with said Bailey land to a concrete post, thence [3] South 65° 0' East 220.10 feet with said Bailey land to the run of Taylor Branch, thence by and with said run the three following courses and distances: [4] South 34° 20' West 319.11 feet, thence [5] North 59° 8' West 321.09 feet, thence [6] South 46° 30' West 272.80 feet to a point opposite the confluence of Jones Creek and Taylor Branch, thence [7] with the northeast side of Jones Creek North 44° 0' West 231 feet to a point indicated by the figure "3" on the first mentioned plat and also by the figure "6" on the second mentioned plat, thence by and with the easterly side of Jones Creek and binding thereon at mean high water the four following courses and distances: [8] North 44° 0' West 78 feet, thence [9] North 0° 20' East 193 feet, thence [10] North 62° 7' West 49.53 feet, thence [11] North 29° 20' West 60 feet to a concrete post on the east side of Stewart's Neck Road, thence by and with the east side of Stewart's Neck Road the two following courses and distances: [12] North 15° 5' East 100 feet to a concrete post, [13] North 21° 50' East 130 feet to the first mentioned concrete post and place of beginning, containing 4.44 acres of arable land and 3.45 acres of marsh land or a total of 7.89 acres of land, more or less, as laid down and described on the aforesaid plats.**

**Second: All that lot or parcel of land, situate as aforesaid, the same being an island in Jones Creek, lying to the south and west of the land described in Item First above and indicated as Parcel No. 2, containing .10 of an acre, more or less, on the aforesaid plat by W. Ballard Miles, dated February 7, 1964 and recorded among the aforesaid Land Records in Liber I.T.P. No. 219, follo 598.**

**The lands above described being the same and all the land conveyed unto Robert L. Chamberlin, Jr. and Patricia H. Chamberlin, his wife, by Alexander G. Jones, Trustee, by deed dated October 8, 1970 and recorded among the aforesaid Land Records in Liber I.T.P. No. 256, follo 769.**

**Third: All that tract or parcel of land, situate as aforesaid, lying and binding on the east side of the county road known as Stewart's Neck Road leading from U.S. Route 13 near Princess Anne to Stewart's Neck, bounded on the north and on east by the land of Henry J. Bailey and Mildred Bailey [B.L.B. No. 103, follo 557], and bounded on the south by the residence property of Robert L. Chamberlin, Jr. and Patricia H. Chamberlin [I.T.P. No. 256, follo 769]; the land hereby conveyed is more particularly described as follows: Beginning for the same at a concrete post placed on the east side of the aforesaid Stewart's Neck Road at the extreme northwest corner of the aforesaid residence property of Robert L. Chamberlin, Jr. and Patricia H. Chamberlin, which said concrete post is indicated by the letter A on a plat prepared by W. Ballard Miles, Registered Surveyor, dated February 7, 1964 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 219, follo 598; said place of beginning is also designated by a stake placed at the southwest corner of the land herein described and conveyed as indicated on the plat hereinafter referred to, thence from said place of beginning as follows: [1] South 65° 0' 0" East by and with the north line of the residence property of Robert L. Chamberlin, Jr. and Patricia H. Chamberlin a distance of 594.18 feet to a concrete**

monument placed at the southeast corner of the land herein described, thence by and with the land of Henry J. Bailey and Mildred Bailey the two following courses and distance: [2] North 24° 9' 0" East a distance of 68.14 feet to a concrete monument placed at the northeast corner of the land herein described and conveyed, thence [3] North 65° 5' 0" West a distance of 597.45 feet to a concrete monument placed on the east side of Stewart's Neck Road at the northwest corner of the land herein described and conveyed, thence [4] South 20° 55' 50" West by and with the east side of Stewart's Neck Road a distance of 59.42 feet to the place of beginning, containing 37,964 square feet, accurately laid down and described on a plat entitled "Plot of survey of land of Henry J. Bailey to be conveyed to Robert L. Chamberlin, Jr." By G.A. Chapman & Associates dated October 17, 1977 and recorded among the aforesaid Land Records in Liber I.T.P. No. 303, folio 607, and being the same and all the land which was conveyed unto Robert L. Chamberlin, Jr. and Patricia H. Chamberlin by Henry J. Bailey and Mildred Bailey, his wife, by deed dated October 28, 1977 and recorded among the aforesaid Land Records in Liber I.T.P. No. 303, folio 604.

ITEM 2 - UNIMPROVED LOT

All that tract or parcel of land situate in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, on the east side of and binding upon South Somerset Avenue and fronting 156 feet thereon, bounded on the north by the land of R. Barry Spinak and Sharon K. Spinak [I.T.P. No. 324, folio 181, plat by Brown Parker Associates, dated August 25, 1978 recorded in I.T.P. No. 309, folio 518], bounded on the east by the right of way of the Penn Central Railroad property, bounded on the south by the land of Logan C. Widdowson and Herman J. Bozman, Jr. [I.T.P. No. 308, folio 422; described as Lot No. 1 on plat W.J.S. No. 81, folio 589]; the lot herein described extends to a depth of 152.62 feet on the north side running North 80° 33' East from a concrete monument on the east side of South Somerset Avenue at the southwest corner of the Spinak land and the northwest corner of the land herein described to an iron pipe on the west side of the Penn Central Railroad right of way at the southeast corner of the Spinak land and at the northeast corner of the land herein described; the land herein described extends to a depth of 119.6 feet on the south side running in a southeasterly direction from the east side of South Somerset Avenue with the north line of the aforesaid land of Logan C. Widdowson and Herman J. Bozman, Jr. to the west line of the Penn Central Railroad right of way; said property is part only of the land orginally conveyed unto Robert L. Chamberlin, Jr. by item 3 of a deed from Edgar A. Jones, Trustee dated October 3, 1957 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 182, folio 588 and is also part of the land conveyed unto Robert L. Chamberlin, Jr. by Somerset Insurance Agency, Inc. by deed dated April 5, 1974 and recorded among the aforesaid Land Records in Liber I.T.P. No. 279, folio 218.

TOGETHER with all easements appurtenant to said land granted and conveyed by the aforesaid deeds.

ITEM 1 - Residential Property is improved by one of the finest residences in Somerset County consisting of a modern brick ranch style home containing approximately 4,400 square feet together with an outdoor swimming pool, garage and two large brick garages formerly used for the storage of antique cars and adaptable to many uses [30' x 60' and 24' x 60'], Gazebo.

The property is bounded in part by Taylor Branch and Jones Creek and fronts on a paved public county road. The grounds are beautifully landscaped.

ITEM 2 - Unimproved Lot fronts 156 feet on the East side of Somerset Avenue [Main Street] and lies between the Chamberlin Building on the North and Widdowson's Texaco on the South, bounded on the East by the railroad. It is currently used as a display lot for tombstones.

TERMS OF SALE: The residence property will be offered as an entirety to the highest bidder. Upon acceptance of the bid, the highest bidder must deliver to the Trustee a cashier's or certified check payable to Alexander G. Jones, Substitute Trustee in the amount of $25,000.00 with the balance of the purchase price due and payable within thirty [30] days from date of sale with interest at the rate of 14 1/2% per annum on the unpaid balance.

The unimproved lot will then be sold in the same manner. The successful bidder will be required to deliver a cashier's or certified check payable to Alexander G. Jones, Substitute Trustee in the amount of $3,000.00 and the balance of the purchase price due and payable within [30] days from date of sale with interest at the rate of 14 1/2% per annum on the unpaid balance. The sales will be subject to ratification by the Circuit Court for Somerset County. All public taxes and assessments will be prorated as of the date of ratification. Each purchaser shall be solely responsible for the payment of settlement costs including preparation of the deed, transfer tax, documentary stamps, recording costs and notary fees.

Internal Revenue Service of the United States has consented to the sale free of United States Tax Liens but retains the right to redeem the property pursuant to the Internal Revenue Service Code.

The residence property may be inspected by appointment only arranged through the Auctioneer. [Property located 0.6 miles West of U.S. Rt. 13 on South side of Stewart Neck Rd.]

BOOK 050 PAGE 575

PETE RICHARDSON AUCTION & SALES
P.O. Box 51, Willards, MD 21874
Phones: 546-2425 Office; 742-6220 Home

SUBSTITUTE TRUSTEE:
Alexander G. Jones
P.O. Box 186
Princess Anne, MD 21853
Telephone: 301-651-2747

80-5/8-4tSH

Somerset Herald

BOOK 050 PAGE 576

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 6-12, 1985, and ending 6-19 & 6-26, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor - Somerset Herald
Publisher.

Printer's Fee: $27.50 per insertion.

JONES & JONES
Princess Anne, Maryland 21853

**IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND**

**No. 8500209 Civil Action**

**Alexander G. Jones,**
**Substitute Trustee**
**vs**
**Robert L. Chamberlin, Jr.**
**Patricia H. Chamberlin**

**NOTICE**

**ORDERED, by the Circuit Court for Somerset County, this 4th day of June, in the year nineteen hundred and eighty-five, that the sale of the properties mentioned in these proceedings and 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 5th day of July, 1985, provided a copy of this order be inserted in some newspaper published in Somerset County, once in each of three successive weeks before the 1st day of July, 1985.**

**The report states the amount of the sale to be $195,850.00.**

**True Copy, Test:**
**I. Theodore Phoebus**
**Clerk**

**Lloyd L. Simpkins**
**JUDGE**

80-6/12-3t SH

Jones & Jones
Princess Anne, Md. 21853

ORDER NISI

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee: | | No. 8500209 Civil Action |
| vs | : | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | : | Somerset County, Maryland |

ORDERED by the Circuit Court for Somerset County, this _____ day of June, in the year nineteen hundred and eighty-five, that the sale of the properties 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 _____ day of July, 1985, provided a copy of this order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the ____ day of _____, 1985.

The report states the amount of sale to be $195,850.00.

Clerk of the Circuit Court for
Somerset County, Maryland

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee: | | No. 8500209 Civil Action |
| vs | : | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | : | Somerset County, Maryland |

ORDERED by the Circuit Court for Somerset County, in Equity, this 8th day of July, in the year nineteen hundred and eighty-five, that the sale of the real estate mentionedin 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.

BOOK 050 PAGE 577

Judge

| | | |
|---|---|---|
| Peninsula Bank | : | No. 85-00209 Civil Action |
| vs | : | In the Circuit Court for |
| Robert L. Chamberlin, Jr.<br>Patricia H. Chamberlin | : | Somerset County, Maryland |

| | | |
|---|---|---|
| Sale of item I to Peninsula Bank | | $188,000.00 |
| Sale of item II to Jackson Lee Cook | $7850.00 | |
| Interest on sale to Jackson Cook | 66.42 | 7,916.42 |
| | | $195,916.42 |

| | |
|---|---|
| Court Costs | $ |
| Fidelity & Deposit Co., bond premium | 135.00 |
| Pete Richardson, Auctioneer | 800.00 |
| The Daily Times, advertising | 940.50 |
| Atlantic Publications, advertising | 946.00 |
| Atlantic Publications, order nisi | 82.50 |
| Record Appointment of SubstituteTrustee | 24.00 |
| Certified Mail | 3.34 |
| Notary fees | 6.00 |
| Court Auditor | |
| 1981-84 State & County taxes | 8656.48 |
| Trustee's commissions - $9942.50 (½) | 4971.25 |
| Attorney's fee | 100.00 |

| | |
|---|---|
| Principal amount of debt | 301,671.05 |
| Interest through 3/31/85 | 91,377.20 * |
| Interest 3/31/85 - 6/4/85 | 7,655.13 * |

*No interest should be calculated from date of sale of June 4, 1985 on bid of $188,000.00 by Peninsula Bank. See Weismiller, Trustee, et al v. Bush, 56 Md. App 593 and Real Property Article 7-105.

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee | * | NO. 8500209 CIVIL ACTION |
| vs. | * | IN THE CIRCUIT COURT |
| Robert L. Chamberlin, Jr. Patricia H. Chamberlin | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| | * | |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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:

| | | |
|---|---|---|
| Sale of Item I to Peninsula Bank | | $188,000.00 |
| Sale of Item II to Jackson Lee Cook | $7,850.00 | |
| Interest on Sale to Jackson Lee Cook | 66.42 | 7,916.42 |
| | | $195,916.42 |
| Fees, Costs, Expenses, etc. | | |
| I. Theodore Phoebus, costs | 240.00 | |
| The Daily Times, advertising | 940.50 | |
| Atlantic Pulications, advertising | 946.00 | |
| Atlantic Pulications, Order Nisi | 82.50 | |
| Fidelity & Deposit Company, Bond Premium | 135.00 | |
| Pete Richardson, Auctioneer | 800.00 | |
| Record Appointment of Substitute Trustee | 24.00 | |
| Logan C. Widdowson, Auditor | 65.00 | |
| 1981 through 1984 State and County Taxes | 8,656.48 | |
| Attorney's Fee | 100.00 | |
| Trustee's Commission - one-half | 4,971.25 | |
| Notary Fees | 6.00 | |
| Certified Mail | 3.34 | |
| Total Fees, Costs, Expenses, etc. | $16,970.07 | |
| Balance to be Distributed | | $178,946.35 |
| Mortgage Debt | | |
| Principal | 301,671.05 | |
| Interest through 3/31/85 | 91,377.20 | |
| Interest from 3/31/85 through 6/4/85 | 7,655.13 | |
| Mortgage Debt to date of sale | $400,703.38 | |
| Deficit | | $221,757.03 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

ALL EXCEPTIONS to said report must be filed within ten 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:

Mr. Robert L. Chamberlin, Jr.
Stewart's Neck Road
Princess Anne, MD 21853

Mrs. Patricia H. Chamberlin
Stewart's Neck Road
Princess Anne, MD 21853

Alexander G. Jones, Esquire
Jones & Jones
P.O. Box 186
Princess Anne, MD 21853

Logan C. Widdowson, Auditor

Date of Filing: July 18, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
85 # 180
7/18/85

No. 8500209 ~~Chancery Case~~ Civil Action

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 18th day of July, 19 85 that the within Report of the Auditor be Ratified and Confirmed, unless cause to the contrary be shown by exceptions filed, on or before the 29th day of July, 19 85.

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 August, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

Ex'd

JAN 08 1986

BOOK 050 PAGE 581

BOOK 050 PAGE 582

| | | |
|---|---|---|
| DALE E. WATSON, ESQ.<br>Assignee for the purpose<br>of foreclosure and collection<br>of a mortgage from Rogelio<br>de la Rosa | * | NO. 85 CA 6124 CIVIL ACTION<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY |
| EX PARTE | * | STATE OF MARYLAND |

* * * * * * * * * * * * * * * *

ORDER TO DOCKET

Dear Mr. Clerk:

Please docket the attached purchase money mortgage (Exhibit "A"), said mortgage containing a power of sale and Mortgage Note (Exhibit "B") dated 9/8/78 from the mortgagee for foreclosure.

Please enter the appearance of the undersigned as attorney for the Mortgagee.

Dale E. Watson

Dale E. Watson, Esq.
Assignee for Foreclosure
111 Baptist St., Suite 104
Salisbury, MD 21801
(301) 546-4694

DALE E. WATSON
ATTORNEY AT LAW
111 BAPTIST STREET
SALISBURY, MD. 21801
(301) 546-4694

DALE E. WATSON, ESQ.
Assignee for the purpose
of foreclosure and collection
of a mortgage from Rogelio
de la Rosa

EX PARTE

* NO. 85CA00124 CIVIL ACTION
* IN THE CIRCUIT COURT
* FOR SOMERSET COUNTY
* STATE OF MARYLAND

* * * * * * * * * * * * * * * *

STATEMENT OF MORTGAGE DEBT

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 11th day of January, 1985, before me, the subscriber, a Notary Public in and for the state and County aforesaid, personally appeared THOMAS L. LILLY and CHARLOTTE K. LILLY, his Wife, Mortgagees named in a Mortgage from ROGELIO de la ROSA dated September 8, 1978, and recorded among the Land Records of Somerset County, Maryland, in Liber No. 309, Folio 590, et seq., and made oath in due form of law that the Mortgage and Mortgage Note filed in these proceedings are in default and that there is justly due and owing in principal and interest on the indebtedness secured by the aforesaid mortgage as of December 9, 1984, the sum of $38,218.56 consisting of the following:

| | | | |
|---|---|---|---|
| Principal Balance | | | $37,440.45 |
| Interest due October payment | $296.40 | | |
| Principal due | | $53.07 | |
| Interest due November payment | $295.98 | | |
| Principal due | | $53.49 | |
| Interest due December payment | $295.56 | | |
| Principal due | | $53.91 | |
| Interest due January payment | $295.13 | | |
| Principal due | | $54.34 | |
| Total principal due and owing | $913.07 | | |
| Total Unpaid interest due and owing | | $214.81 | |
| Total principal and interest due and owing | | | $38,568.33 |

plus interest of $9.947 per day for each day after January 9, 1985 until the date of ratification by the Court of the Auditor's Report; in this proceeding;

There is further due from the Mortgagor attorneys fees as provided in the Mortgage Note dated September 8, 1978, at fifteen percent (15%) as follows:

| | |
|---|---|
| Mortgage Debt | $38,568.33 |
| Collection Fee | 5,785.24 |
| Total Amount Due | $44,353.57 |

In addition at the time of the Auditor's Report the costs of this proceeding, the Real Estate Taxes (payment of which is in default under the terms of the mortgage) then due, commissions and other appropriate costs and expenses shall be added to the sums due and said affiants also made oath that to the best of their knowledge, information and belief, the 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 Soldier's and Sailors' Civil Relief Act and Amendments thereto and has not been discharged from such Armed Forces within a period of thirty (30) days prior hereto; and said affiant further made oath that the last known post office address of the Defendant is c/o Roberto de la Rosa, 4193 Harlan Avenue, Baldwin Park, California 91706 or c/o Russell C. Dashiell, Jr., Esq., 124 East Main Street, Salisbury, Maryland 21801.

AS WITNESS my hand and Notarial Seal.

My Commission Expires: July 1, 1986

Linda L. Fishwick
Notary Public

Princess Anne, Maryland

September 8, 19 78

$ 40,000.00

FOR VALUE RECEIVED I HEREBY PROMISE to pay to the order of Thomas L. Lilly and Charlotte K. Lilly, his wife,

the sum of FORTY THOUSAND DOLLARS AND NO CENTS------ Dollars, ($ 40,000.00), with interest thereon at the rate of 9½ per annum; payable in 120 monthly installments, the first 119 installments shall be in the amount of $349.47 each and the final installment shall be in the full amount of principal and interest then owing on the indebtedness; the first installment shall be due and payable one month from the date hereof and the remaining installments on like date of each month thereafter.

to secure the payment of which said sum with interest as aforesaid I have this day executed unto said payees a mortgage of even date herewith on certain real estate situate in of Mt. Vernon Election District Somerset County, Maryland; and in default of any of the terms hereof or of any condition or covenant in said mortgage I hereby agree that the entire indebtedness shall become due and payable and I hereby authorize and empower any attorney of law in the State of Maryland or elsewhere to appear in any court and confess judgment against me for whatever sum may be then due and owing upon this obligation, together with cost of suit and collection charges of fifteen percentum to the attorney making collection hereof, and I hereby waive all statutory exemptions and service of process.

AS WITNESS my hand and seal this 8th day of September, 19 78

ATTEST:

Thomas Lilly

Rogelio de la Rosa (SEAL)

Rogelio de la Rosa

(SEAL)

(SEAL)

(SEAL)

BOOK 050 PAGE 585

ASSIGNMENT

For value received, Charlotte K. Lilly and Thomas L. Lilly, individually, hereby assign their interest in the foregoing Mortgage Note dated September 8, 1978 to Thomas L. Lilly, P.A. for the purpose of foreclosure and collection.

AS WITNESS the execution hereof this 11th day of January, 1985.

ATTEST:

Linda L. Fulbrook

Charlotte K. Lilly
Charlotte K. Lilly
Box 137B
Tyaskin, MD 21865

Linda L. Fulbrook

Thomas L. Lilly
Thomas L. Lilly
111 Baptist St., Suite 102
Salisbury, MD 21801

ASSIGNMENT

For value received, Thomas L. Lilly, P.A. hereby assigns its interest in the foregoing Mortgage Note dated September 8, 1978 to Dale E. Watson, Esq. for the purpose of foreclosure and collection.

AS WITNESS the hand and seal of Thomas L. Lilly, P.A. by Thomas L. Lilly, its President, and attested to by by Thomas L. Lilly, its Secretary, this 11th day of January, 1985.

ATTEST:

Thomas L. Lilly
Thomas L. Lilly, Secretary

Thomas L. Lilly, P.A.

By: Thomas L. Lilly
Thomas L. Lilly, President
Thomas L. Lilly, P.A.

FILED
JAN 11 2 56 PM '85
RECORDED IN
LIBER
FOLIO
THE JOHN WELLS, CLK. CIR. CT.
BY
DEPUTY

Judicial 13—Maryland—Mortgagee's or Attorney's Bond (1-55) O

85CA00124

IN THE CIRCUIT COURT OF SOMERSET COUNTY

STATE OF MARYLAND

DALE E. WATSON, ASSIGNEE FOR FORECLOSURE AND COLLECTION OF A MORTGAGE FROM ROGELIO DELA ROSA TO THOMAS L. & CHARLOTTE LILLY

BOND OF MORTGAGE FORECLOSURE

KNOW ALL MEN BY THESE PRESENTS: That we, DALE E. WATSON, ASSIGNEE

and the 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 Forty-five Thousand Dollars and No Cents ---------- as Principal, Dollars ($ 45,000.00 --), 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 22nd day of January, in the year of our Lord, nineteen hundred and eighty-five.

WHEREAS, the above bounden DALE E. WATSON, ASSIGNEE

by virtue of the power contained in a mortgage from ROGELIO DELA ROSA to Thomas L. & Charlotte Lilly bearing date the 8th day of September, 1978 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 309 Folio 590 and DALE E. WATSON, ASSIGNEE

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 DALE E. WATSON, ASSIGNEE

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

Terrie J. Young

DALE E. WATSON

Dale E. Watson (SEAL)

(SEAL)

BOND APPROVED AS PER: [illegible], CLERK

UNITED STATES FIDELITY AND GUARANTY COMPANY

By Gordon D. Gladden

Gordon D. Gladden, Attorney-in-Fact

BOND BOOK 11 Page 473

BOOK 050 PAGE 587

(CERTIFIED COPY)

# POWER OF ATTORNEY

BOOK 050 PAGE 588

No. 85905

Bond Book 11 Page 474

*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

Gordon D. Gladden

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

Gordon D. Gladden

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 13th day of June, A. D. 1975.

UNITED STATES FIDELITY AND GUARANTY COMPANY

(Signed) By Charles W. Boone
*Vice-President.*

(SEAL)

(Signed) F. J. Willey
*Assistant Secretary.*

STATE OF MARYLAND,
CITY OF BALTIMORE, } ss:

On this 13th day of June A. D. 1975, before me personally came Charles W. Boone Vice-President of UNITED STATES FIDELITY AND GUARANTY COMPANY, and F. J. Willey, 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 Charles W. Boone and F. J. Willey 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. 1978.

(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 his 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 his 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 13th day of June A. D. 1975

(SEAL) (Signed) Robert H. Bouse
*Clerk of the Superior Court of Baltimore City.*

FS 17 9-67

## COPY OF RESOLUTION

*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*, W. J. D. Somerville, Jr. , 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

Gordon D. Gladden

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 22nd day of Jan. A D. 19 85

W J D Somerville jr

*Assistant Secretary.*

Bond Book 11 Page 475

FILED

JAN 28 11 02 AM '85

BOOK 050 PAGE 589

RECORDED IN
LIBER No. ____ FOLIO ____
THEODORE FRIEDS CLK. CI. CT.
BY _____ DEPUTY

| | | |
|---|---|---|
| DALE E. WATSON, ESQ., Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa | * | NO. 85CA00124 CIVIL ACTION |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |

* * * * * * * * * * * * * * * *

AFFIDAVIT UNDER MARYLAND RULE W74a 2(c)

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of _____, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared DALE E. WATSON, ESQ., Assignee for the purpose of foreclosure and collection of the mortgage filed in this proceeding and empowered to sell the mortgaged property in the proceedings in this case, who made oath in due form of law that as of said date the record owner and mortgagor of the property being sold in this proceeding was ROGELIO de la ROSA and that on said date he caused to be mailed by Certified Mail to the mortgagor and said owner at his last known address; to Rogelio de la Rosa, c/o Roberto de la Rosa, 4193 Harlan Avenue, Baldwin Park, California 91706; Rogelio de la Rosa, c/o Russell Dashiell, Esq., Resident Agent, 124 East Main Street, Salisbury, Maryland 21801; Rogelio de la Rosa, c/o Ramon de la Rosa, 235 Middle Blvd., Salisbury, Maryland 21801 by letters dated January 18, 1985 and to Rogelio de la Rosa, No. 1 M.A. Reyes Street, Little Bagiuo, San Juan Metro, Manila Philippines; Rogelio de la Rosa, c/o Roberto de la Rosa, 4193 Harlan Avenue, Baldwin Park, California 91706 by letters dated January 24, 1985, a notice of the time, place and terms of sale of the mortgaged property by letters dated January 18, 1985 and January 24, 1985, copies of which are attached hereto. There are no subordinate interests as defined in Maryland Rule W74(a) 2(c).

Dale E. Watson
DALE E. WATSON, ESQ.
Assignee for Foreclosure
and Collection

SUBSCRIBED AND SWORN before me, this 6th day of February, 1985.

Linda L. Fordrush
Notary Public

My Commission Expires: July 1, 1986

PS Form 3811, July 1982

● SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☐ Show to whom and date delivered ..... ____¢
   - ☒ Show to whom, date, and address of delivery .. .70¢
2. ☐ RESTRICTED DELIVERY..... ____¢
   *(The restricted delivery fee is charged in addition to the return receipt fee.)*

TOTAL $____

3. ARTICLE ADDRESSED TO:
Rogelio de la Rosa c/o Roberto de la Rosa
4193 Harlan Avenue
Salisbury, Maryland 21801

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
for Roberto de la Rosa
by Duane Pelletier

5. DATE OF DELIVERY

POSTMARK
(may be on reverse side)

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

BALTIMORE MARYLAND 21203

RETURN RECEIPT

★ GPO: 1982-379-603

DALE E. WATSON
ATTORNEY AT LAW
111 BAPTIST STREET
SALISBURY, MARYLAND 21801
546-4694

January 18, 1985

BOOK 050 PAGE 592

Rogelio de la Rosa
c/o Roberto de la Rosa
4193 Harlan Avenue
Baldwin Park, California 91706

Re: Foreclosure of purchase money mortgage dated 9/8/78 recorded among the Land Records of Somerset County at Liber 309, Folio 590. Deed recorded at Liber 309, Folio 587 Land Records of Wicomico County, Maryland.

Dear Mr. de la Rosa:

Pursuant to Maryland Rule W74a 2(c) you are hereby notified that the foreclosure sale of the above property will take place at public auction to be held on the front steps of the Somerset County Court House, Princess Anne, Maryland on Friday, February 1, 1985 at 2:00 P.M. and the property will be sold then and there to the highest bidder.

The property is being sold pursuant to a default in the terms of a mortgage and Mortgage Note from you to Thomas L. Lilly and Charlotte K. Lilly dated September 8, 1978 and recorded among the Land Records of Somerset County, Maryland at Liber 309, Folio 590, said mortgage having been assigned to the undersigned for the purpose of foreclosure and collection.

Except in the event the mortgagee is the highest bidder, ten percent of the purchase price must be paid in cash or acceptable check on the date of sale. The balance of the sale terms are set forth in the enclosed copy of an advertisement which will be published in the Marylander & Herald, a newspaper published in Somerset County, Maryland, the contents of which advertisement are incorporated herein by reference.

Sincerely,

Dale E. Watson

Dale E. Watson, Esq.

llf
Certified Mail
Return Receipt Requested
enc: Notice of Public Sale

DALE E. WATSON
ATTORNEY AT LAW
111 BAPTIST STREET
SALISBURY, MARYLAND 21801
546-4694

January 18, 1985

Rogelio de la Rosa
c/o Russell Dashiell, Esq.,
Resident Agent
124 East Main Street
Salisbury, MD 21801

Re: Foreclosure of purchase money mortgage dated 9/8/78 recorded among the Land Records of Somerset County at Liber 309, Folio 590. Deed recorded at Liber 309, Folio 587 Land Records of Wicomico County, Maryland.

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Sincerely,

Dale E. Watson

Dale E. Watson, Esq.

llf
Certified Mail
Return Receipt Requested
enc: Notice of Public Sale

DALE E. WATSON
ATTORNEY AT LAW
111 BAPTIST STREET
SALISBURY, MARYLAND 21801
546-4694

January 18, 1985

BOOK 050 PAGE 594

Rogelio de la Rosa
c/o Ramon de la Rosa
235 Middle Blvd.
Salisbury, MD 21801

Re: Foreclosure of purchase money mortgage dated 9/8/78 recorded among the Land Records of Somerset County at Liber 309, Folio 590. Deed recorded at Liber 309, Folio 587 Land Records of Wicomico County, Maryland.

Dear Mr. de la Rosa:

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Sincerely,

Dale E. Watson

Dale E. Watson, Esq.

llf
Certified Mail
Return Receipt Requested
enc: Notice of Public Sale

DALE E. WATSON
ATTORNEY AT LAW
111 BAPTIST STREET
SALISBURY, MARYLAND 21801
840-4694

January 24, 1985

Rogelio de la Rosa
No. 1 M.A. Reyes Street
Little Bagiuo
San Juan Metro
Manila Philippines

Re: Foreclosure of purchase money mortgage dated 9/8/78 recorded among the Land Records of Somerset County at Liber 309, Folio 590. Deed recorded at Liber 309, Folio 587 Land Records of Wicomico County, Maryland

Dear Mr. de la Rosa:

Pursuant to Maryland Rule W74a 2(c) you are hereby notified that the foreclosure sale of the above property will take place at public auction to be held on the front steps of the Somerset County Court House, Princess Anne, Maryland on Friday, February 1, 1985 at 2:00 P.M. and the property will be sold then and there to the highest bidder.

The property is being sold pursuant to a default in the terms of a mortgage and Mortgage Note from you to Thomas L. Lilly and Charlotte K. Lilly dated September 8, 1978 and recorded among the Land Records of Somerset County, Maryland at Liber 309, Folio 590, said mortgage having been assigned to the undersigned for the purpose of foreclosure and collection.

Except in the event the mortgagee is the highest bidder, ten percent of the purchase price must be paid in cash or acceptable check on the date of sale. The balance of the sale terms are set forth in the enclosed copy of an advertisement which will be published in the Marylander & Herald a newspaper published in Somerset County, Maryland, the contents of which advertisement are incorporated herein by reference.

Yours truly,

Dale E. Watson

DEW/tjy
Certified Mail
Return Receipt Requested
enc.

DALE E. WATSON
ATTORNEY AT LAW
111 BAPTIST STREET
SALISBURY, MARYLAND 21801
546-4694

January 24, 1985

BOOK 050 PAGE 596

Rogelio de la Rosa
c/o Roberto de la Rosa
4193 Harlan Avenue
Baldwin Park, California 91706

Re: Foreclosure of purchase money mortgage dated 9/8/78 recorded among the Land Records of Somerset County at Liber 309, Folio 590. Deed recorded at Liber 309, Folio 587 Land Records of Wicomico County, Maryland

Dear Mr. de la Rosa:

Pursuant to Maryland Rule W74a 2(c) you are hereby notified that the foreclosure sale of the above property will take place at public auction to be held on the front steps of the Somerset County Court House, Princess Anne, Maryland on Friday, February 1, 1985 at 2:00 P.M. and the property will be sold then and there to the highest bidder.

The property is being sold pursuant to a default in the terms of a mortgage and Mortgage Note from you to Thomas L. Lilly and Charlotte K. Lilly dated September 8, 1978 and recorded among the Land Records of Somerset County, Maryland at Liber 309, Folio 590, said mortgage having been assigned to the undersigned for the purpose of foreclosure and collection.

Except in the event the mortgagee is the highest bidder, ten percent of the purchase price must be paid in cash or acceptable check on the date of sale. The balance of the sale terms are set forth in the enclosed copy of an advertisement which will be published in the Marylander & Herald, a newspaper published in Somerset County, Maryland, the contents of which advertisement are incorporated herein by reference.

Yours truly,

Dale E. Watson

DEW/tjy
Certified Mail
Return Receipt Requested
enc.

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 1-16, 1985, and ending 1-30, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor S.H.
Publisher.

Printer's Fee: $53.63 per insertion

BOOK 050 PAGE 597

Dale E. Watson, Esq.
111 Baptist Street
Suite 104
Salisbury, MD 21801

**ASSIGNEE'S SALE OF VALUABLE REAL ESTATE**

**60+ Acres of Land on the South Side of the Wicomico River**

Under and by virtue of the power of sale contained in a certain mortgage from Rogelio de la Rosa, dated September 8, 1976 and recorded among the Land Records of Somerset County, Maryland in Liber I.T.P. No. 309, Folio 590, default having occurred in the covenants thereof, the undersigned Assignee will offer at public auction, to the highest bidder, at the front door of the Court House in Princess Anne, Maryland on

FIRDAY, FEBRUARY 1, 1985
AT 2:00 O'CLOCK, P.M.

All of the following lots and parcels of ground; situate in Mt. Vernon Election District, Somerset County, Maryland, on the easterly side of Whitehaven Ferry Road and the southerly side of the Wicomico River designated as Lots 1, 2, 3, 4, 5, 6 and 7 containing approximately 61 acres of land, more or less, as shown on a plat entitled " 'Five Farms' Subdivision Section One," dated June 5, 1978 and recorded among the Land Records of Somerset County, Maryland, in Plat Book I.T.P. No. 11, Folio 93, EXCLUDING therefrom that 40 x 150 foot rectangular piece of land situate and binding upon the northeasterly corner of Lot No. 1 as aforesaid; and being the same land conveyed unto the Mortgagor by deed dated September 8, 1978 and recorded among the Land Records of Somerset County, Maryland at Liber 309, Folio 587. The property is encumbered by those charges, covenants, conditions and restrictions as set forth in the aforementioned deed.

TERMS OF SALE: The successful bidder shall pay 10% of the purchase price, in cash or check acceptable to the undersigned, at the time of sale, the balance to be payable in cash within ten [10] days of Final Ratification of the sale by the Circuit Court. The cost of preparation of and transfer of the deed, recording, transfer taxes, stamps, agricultural transfer, if any, and any other cost of transfer shall be born by the purchaser.

NOTICE: Prospective purchasers should examine the recorded plat and deed restrictions for further informations; the Mortgagees and Assignee for foreclosure give no warranties of the suitability of the property for sale in individual residential lots.

Dale E. Watson, Esq.
Assignee for purposes
of foreclosure
80-1/16-3tSH

111 Baptist St.
Suite 104
Salisbury, MD 21801
[301] 546-4694

DALE E. WATSON, ESQ., Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa

* NO. 8500124 CIVIL ACTION

* IN THE CIRCUIT COURT

* FOR SOMERSET COUNTY

* STATE OF MARYLAND

* * * * * * * * * * * * * * *

BOOK 050 PAGE 598

PUBLIC SALE
PURCHASER'S AFFIDAVIT

1. I, Thomas L. Lilly, was the purchaser at the de la Rosa foreclosure sale at Princess Anne, Maryland, February 1, 1985.

2. I further state I was not acting as an agent in purchasing the property.

3. I have no knowledge that other persons are interested as principals.

4. That I have not directly or indirectly discouraged anyone from bidding.

I do solemnly declare and affirm under the penalties of perjury that the matters and facts set forth above are true and correct to the best of my knowledge, information and belief.

Thomas L. Lilly (SEAL)
Thomas L. Lilly

Dated this 6th day of February, 1985, in Salisbury, Maryland.

| | | |
|---|---|---|
| DALE E. WATSON, ESQ., Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa | * | NO. 8500124 CIVIL ACTION |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |

* * * * * * * * * * * * * * * *

PROOF OF SERVICE

I HEREBY CERTIFY that on this 6th day of February, 1985, a copy of the Report of Sale by Dale E. Watson, Esq., Affidavit under Maryland Rule W74a 2(c), Purchaser's Affidavit, Certificate of Publication and proposed Order Nisi was mailed by U.S. Mail, postage prepaid, to: Rogelio de la Rosa, c/o Roberto de la Rosa, 4193 Harlan Avenue, Baldwin Park, California 91706; Rogelio de la Rosa, c/o Russell Dashiell, Esq., Resident Agent, 124 East Main Street, Salisbury, Maryland 21801; Rogelio de la Rosa, c/o Ramon de la Rosa, 235 Middle Blvd., Salisbury, Maryland 21801; Rogelio de la Rosa, No. 1 M.A. Reyes Street, Little Bagiuo, San Juan Metro, Manila Philippines and Rogelio de la Rosa, c/o Roberto de la Rosa, 4193 Harlan Avenue, Baldwin Park, California 91706.

Dale E. Watson

DALE E. WATSON, ESQ.
Assignee for Foreclosure
and Collection

| | | |
|---|---|---|
| DALE E. WATSON, ESQ., Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa | * | NO. 8500124 CIVIL ACTION |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |

* * * * * * * * * * * * * * * *

TO THE HONORABLE, THE JUDGES OF SAID COURT:

THE REPORT OF SALE OF DALE E. WATSON, ESQ., Assignee for the purpose of foreclosure and collection of mortgage, under and by virtue of the power of sale contained in a mortgage made and executed by Rogelio de la Rosa dated September 8, 1978, and recorded among the Land Records of Somerset County, State of Maryland, in Liber No. 309, Folio 590, default having been made in the payment of principal and interest thereon, and in other covenants and conditions of said mortgage, whereby the entire mortgage debt has become due and demandable, respectfully shows:

That after having given bond with security for the faithful performance of this 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 daily newspaper published in said Somerset County as will appear by reference to the attached Certificate of Publication of said notice of sale, he did, pursuant to said notice, attend at the front entrance of the Court House in Princess Anne, Maryland, on Friday, February 1, 1985 at 2:00 P.M., and then and there proceeded to sell the said real estate mentioned in said mortgage in the manner following, that is to say:

Your Assignee offered at public auction to the highest bidder the real estate mentioned in said mortgage, same being described as follows:

All those lots, tracts or parcels of land situate in Mt. Vernon Election District, Somerset County, Maryland, on the easterly side of Whitehaven Ferry Road designated as Lots, 1, 2, 3, 4, 5, 6 and 7 on a plat entitled "'Five Farms' Subdivision Section One," dated June 5, 1978 and recorded among the Land Records of Somerset County, Maryland, in Plat Book I.T.P. 11, Folio 93, EXCLUDING therefrom that 40 x 150 foot rectangular piece of land situate and binding upon the northeasterly corner of Lot No. 1 as aforesaid; and being that land conveyed unto the within Mortgagor by the Mortgagees by deed dated September 8, 1978 and recorded among the Land Records aforesaid in Liber I.T.P. 309, Folio 587.

AND the said Assignee, under and by virtue of said power sold the lands described unto Thomas L. Lilly, one of the Mortgagees, at and for the following sums; Lot 1 - $5,000.00; Lot 2 - $3,600.00; Lot 3 - $5,000.00; Lot 4 - $5,000.00; Lot 5 - $5,000.00; Lot 6 - $2,000.00; Lot 7 - $3,200.00, being the highest bidder thereon, the aggregate sum of sales being Twenty Eight Thousand Eight Hundred Dollars ($28,800.00).

WHEREFORE, the Assignee, under the mortgage aforesaid, further reports and prays that this Court pass an Order Nisi consistent herewith.

Respectfully submitted,

Dale E. Watson

Dale E. Watson, Esq., Assignee
111 Baptist St., Suite 104
Salisbury, MD 21801
(301) 546-4694

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY that on this 6th day of February, 1985, before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared DALE E. WATSON, ESQ., Assignee, 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 his knowledge, information and belief and that the sale therein reported was fairly made.

AS WITNESS my hand and Notarial Seal.

Linda L. Furbush
Notary Public

My Commission Expires: July 1, 1986

| | | |
|---|---|---|
| DALE E. WATSON, ESQ., Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa | * | NO.8500124 CIVIL ACTION |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |

* * * * * * * * * * * * * * * * *

NOTICE

ORDERED by the Circuit Court for Somerset County and State of Maryland, this 7th day of February, 1985, that the sale of the property mentioned in these proceedings, made and reported by Dale E. Watson, Esq., be ratified and confirmed, unless cause to the contrary be shown on or before the 11th day of March, 1985, provided a copy of this Notice be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 4th day of March, 1985.

The report states the aggregate amount of sale to be Twenty Eight Thousand Eight Hundred Dollars ($28,800.00).

Lloyd L. Simpkins
Judge

TO BE PUBLISHED:

_____, 1985

_____, 1985

_____, 1985

| | | |
|---|---|---|
| DALE E. WATSON, ESQ., Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa | : | IN THE CIRCUIT COURT FOR |
| | : | Somerset COUNTY |
| VS. | : | |
| | : | ~~EQUITY~~ CASE NO. 8500124 CIVIL |
| | : | |
| | : | |

:::::::::::::

AUCTIONEER'S AFFIDAVIT

I, the undersigned, do hereby certify that the annexed bill or statement of the fees and sums due me, set forth in detail, are all and singular of the fees and sums due me, and that I have not paid or will not pay, directly or indirectly, any sum or consideration to anyone for employing me or aiding me to be employed to make the sale for which the annexed bill or statement was rendered.

Peter E. Richardson, Auctioneer

Subscribed and sworn to before me this 8th day of February, 19 85.

EMORY H. ADKINS NOTARY PUBLIC WICOMICO CO., MD

Emory H. Adkins
Notary Public
Wicomico County, Md.
My Commission Expires 7/1/86

# PETE RICHARDSON AUCTION SALES

PETE RICHARDSON, AUCTIONEER

OFFICE (301) 546-2425
HOME (301) 742-6220
MOBILE (301) 742-0110
EXT. 0813

P.O. BOX 51
WILLARDS, MARYLAND 21874

February 1, 1985

BOOK 050 PAGE 604

Dale Watson, Esquire
Attorney at law
111 Baptist St.
Salisbury, Md. 21801

To

Peter E. Richardson
P. O. Box 51
Willards, Md. 21874

---

Auctioneer's fee - Tom Lilly foreclosure $ 125.00

"WE DO THEM ALL, LARGE OR SMALL, AND THE PRICE IS RIGHT"

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 2-13, 1985, and ending 2/20 & 2/27, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $24.76 per insertion.

IN THE CIRCUIT COURT
FOR SOMERSET COUNTY
STATE OF MARYLAND
NO. 8500124 CIVIL ACTION

DALE E. WATSON, ESQ., Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa

**NOTICE**

ORDERED by the Circuit Court for Somerset County and State of Maryland, this 7th day of February, 1985, that the sale of the property mentioned in these proceedings, made and reported by Dale E. Watson, Esq., be ratified and confirmed, unless cause to the contrary be shown on or before the 11th day of March, 1985, provided a copy of this Notice be inserted in some weekly newspaper published in said Somerset County once in each of three successive weeks before the 4th day of March, 1985.

The report states the aggregate amount of sale to be Twenty Eight Thousand Eight Hundred Dollars [$28,800.00].

True Copy, Test:
I. Theodore Phoebus
Clerk

Lloyd L. Simpkins
Judge

80-2/13-3tSH

| | | |
|---|---|---|
| DALE E. WATSON, Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| | * | NO. 8500124 CIVIL ACTION |

BOOK 050 PAGE 606

* * * * * * * * * * * * * * * *

PETITION FOR FINAL ORDER OF RATIFICATION

AND FOR REFERRAL TO AUDITOR

Dale E. Watson, Esq., Assignee, Petitions this Court for a Final Order of Ratification and Referral of this matter to an Auditor as follows:

1. The passage of time provided in the Order NISI has expired and there are no exceptions filed to the sale.

WHEREFORE, your Petitioner prays that this Court pass an Order of Final Ratification of the Report of Sale and refer this matter to an Auditor pursuant to Rule BR6 of the Maryland Rules of Procedure, the Auditor to determine the distribution of proceeds and any deficiency herein pursuant to Rule W75 of the Maryland Rules of Procedure.

Dale E. Watson

Dale E. Watson, Esq.
Assignee for the purposes of
Foreclosure and Collection
111 Baptist Street
Salisbury, MD 21801
(301) 546-4694

PROOF OF SERVICE

I HEREBY CERTIFY that on this 14Th day of March, 1985, a copy of the foregoing Petition for Final Order of Ratification and For Referral to Auditor and Order were mailed postage prepaid by U.S. Mail to Rogelio de la Rosa, c/o Roberto de la Rosa, 4193 Harlan Avenue, Baldwin Park, California 91706; Rogelio de la Rosa, c/o Russell Dashiell, Esq., Resident Agent, 124 East Main Street, Salisbury, MD 21801; Rogelio de la Rosa, c/o Ramon de la Rosa, 235 Middle Blvd., Salisbury, MD 21801 and Rogelio de la Rosa, No. 1, M.A. Reyes Street, Little Bagiuo, San Juan Metro, Manila Philippines.

Dale E. Watson

Dale E. Watson, Esq.

| | | |
|---|---|---|
| DALE E. WATSON, Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| | * | NO. 8500124 CIVIL ACTION |

* * * * * * * * * * * * * * * *

ORDER

Upon due consideration of the Assignee's Petition for Final Order of Ratification and Referral to an Auditor the relief prayed is

GRANTED, this 28th day of March, 1985, as follows:

1. The sale reported in these proceedings is finally ratified by this Court, and,

2. This matter shall be referred to Logan C. Widdowson, esq. the Court Auditor whose address is Princess Anne, Md. 21853, said Auditor shall state an account, determine the amount of any deficiency and shall file a report with this Court on or before the 22nd day of April, 1985 as provided in the Maryland Rules of Procedure.

Lloyd L. Simpkins
JUDGE

| | | |
|---|---|---|
| DALE E. WATSON, Assignee for the purpose of Foreclosure and Collection of a mortgage from Rogelio de la Rosa | * | IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND NO. 8500124 CIVIL ACTION |

BOOK 050 PAGE 608

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | $ 28,800.00 |
| Fees, Costs, Expenses, etc. | | |
| I. Theodore Phoebus, Clerk | 200.00 | |
| Somerset Herald | 238.39 | |
| Pete Richardson, Auctioneer | 125.00 | |
| Avery W. Hall, Bond | 180.00 | |
| Dale Watson, Attorney's fee in lieu of Trustee's Commission | 500.00 | |
| Logan C. Widdowson, Auditor | 65.00 | |
| Philip R. Mahan, Treasurer | 678.02 | |
| Total Fees, Costs, Expenses, etc. | | $ 1,986.41 |
| Balance to be Distributed | | $ 26,813.59 |
| Statement of Mortgage Debt: | | |
| Principal Balance | $ 37,440.45 | |
| Interest from 9/9/84 to 6/21/85 | 2,785.64 | |
| Total Mortgage Debt | | $ 40,226.09 |
| Deficit | | $ 13,412.50 |

ALL EXCEPTIONS to said report must be filed within ten 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 ha been complied with by mailing on the date of the filing of the Audit noti of this report to the following parties by regular U.S. Mail:

Dale E. Watson, Esquire
111 Baptist Street
Salisbury, MD 21801

Rogelio de la Rosa
c/o Robert de la Rosa
4193 Harlan Avenue
Baldwin Park, CA 91706

Thomas Lilly, /
231 W. Main St
Salisbury, MD

Logan C. Widdowson, Auditor

Filing Date: June 11, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

LCW/gjb
6/11/85
85 # 179

No. 85CA00124 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clark of the Circuit Court for Somerset County, in Equity, this 11th day of June, 19 85 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 June, 19 85.

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 5th day of August, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

Eld.
JAN 08 1987

BOOK 050 PAGE 609

The Somerset County Sanitary Commission, : No. 85CA60205 Civil Action
Acting for and on Behalf of
Somerset County Sanitary District, Inc., : In the Circuit Court for
a body corporate of the State of Maryland
: Somerset County, Maryland

vs

Leroy E. Ward
Rt. 2, Box 10
Crisfield, Maryland 21817

And the Real Estate and Improvements Hereinafter Described

COMPLAINT TO ENFORCE STATUTORY LIEN(S)

The Somerset County Sanitary Commission, by Robert C. Street, Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body politic and corporate of the State of Maryland, hereinafter called "Plaintiff", by Tony Bruce, Attorney for Plaintiff, files this Complaint:

1. The Plaintiff, under the provisions of the Health-Environmental Article of the Code of Public General Laws of Maryland, 1982 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 are to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds or issued by the Plaintiff.

2. That the Plaintiff has extended its facilities and services to serve the property or properties of the defendant(s) named herein and has duly and lawfully established such charges and assessments.

3. 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 Lawsons Election District, Somerset County, Maryland, more particularly described as: 13 acres, more or less, lying and binding on the southerly side of Hospital Road (enumerated as Trout Avenue on the plat hereinafter referred to) and on the west side of the right of way of Drum Avenue, which leads northerly to Hospital Road and which is interconnected with the right of way ofShad Avenue which leads easterly to Jacksonville Road, said tract or parcel being laid down and described as Lot 49 on a plat of "Woodlawn SubdivisonC" by Morgan T. Gum dated October 4, 1930 recorded in Liber J.M.T. No. 101, folio 191 and is depicted on Somerset County Tax Map 64-21-294 and being the same land conveyed unto Leroy E. Ward by Aldon M. Ward by item second of a deed dated June 11, 1949 and recorded among the Land Records of Somerset County in Liber B.L.B. No. 148, folio 38.

4. That the charges and assessments against such property or properties as of April, 1985 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 - Ready to Serve Charge.....

F - Front Foot Assessment(s) including interest at the rate of two-thirds per cent per month from March 1, 1985 (Date) ..... 2,856.00

TOTAL $ 2,856.00

5. That according to the applicable provisions of the Health-Environmental Article 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 Plaintiff to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Plaintiff seeks a judgment of this Court:

(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 Plaintiff'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 Plaintiff have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

JONES & JONES

By Tony Brown
Attorneys for Plaintiff
P. O. Box 186
Princess Anne, Maryland 21853
Telephone: 301-651-2747

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

The Plaintiff moves for summary judgment on the ground that there is no genuine dispute between the parties as to any material fact, and that the Plaintiff is entitled to judgment as a matter of law.

Tony Brown
Attorneys for Plaintiff

AFFIDAVIT IN SUPPORT OF
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 10th day of April, in the year nineteen hundred and eighty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert C. Street, Chairman of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Plaintiff from the Defendant(s) named in the attached Complaint to Enforce

Lien(s) the sum of $ 2,856.00 , being charges or assessments for facilities and services provided by the Plaintiff to the Defendant(s) and to the property or properties described in said Complaint, that said property is owned by the Defendant(s) 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 Complaint, that this affidavit is made upon the personal knowledge of the affiant, that the affiant is competent to testify to the matters stated in this affidavit, and that he is duly authorized to make this affidavit.

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

Patsy E. Ake
Notary Public

The Somerset County Sanitary Commission, : No. [illegible] Civil Action
Acting for and on Behalf of
Somerset County Sanitary District, Inc., : In the Circuit Court for
a body corporate of the State of Maryland
: Somerset County, Maryland

vs

Leroy E. Ward

BOOK 050 PAGE 614

And the Real Estate and Improvements
Hereinbefore Described

MOTION TO PROCEED AGAINST
DEFENDANT(S) AS NONRESIDENT(S) OR IN REM

The motion of The Somerset County Sanitary Commission, by Robert C. Street Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body corporate of the State of Maryland, hereinafter called "Plaintiff", by Tony Bruce, Attorney for Plaintiff, respectfully represents:

1. That rights relating to land are involved under Rule 2-122 (a)(3).

Wherefore, the Plaintiff prays an order of this Court that the Defendant(s) named herein be proceeded against 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 posting.

Tony Bruce
Attorneys for Plaintiff

ORDER

Upon the aforegoing motion, it is this _____ day of _____, 19__, ORDERED by the Circuit Court for Somerset County that the Defendant(s) Leroy E. Ward be proceeded against as nonresident(s) by giving notice by posting on the premises, before the _____ day of _____, 19__, stating the substance and object of the original Complaint and warning the said Defendant(s) to file an initial pleading to said Complaint on or before the _____ day of _____, 19__.

_____
Judge

SHERIFF'S RETURN

I hereby certify that I posted a copy of the Complaint, Motion and Order on the premises on the ____ day of _____, 198_.

Date:_____

_____
Sheriff

B C.

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

Case No. 85-CA-00215
Civil Action

WRIT OF SUMMONS

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:
Name: Leroy E. Ward

Address: Rt. 2, Box 10, Crisfield, Maryland 21817

County: Somerset. Bud Pelage

You are hereby summoned to file a written response by pleading or motion in this Court to the attached Complaint filed by Somerset County Sanitary Commission
(Name and Address)

Acting for and on Behalf of

Somerset County Sanitary District, Inc.
a body Corporate of the State of Maryland

within 30 days after service of this summons upon you.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued: April 11, 1985

S. Theodore Phillips
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.

2. FAILURE TO FILE A RESPONSE WITHIN THE TIME ALLOWED MAY RESULT IN A JUDGMENT BY DEFAULT OR THE GRANTING OF THE RELIEF SOUGHT AGAINST YOU.

SHERIFF'S RETURN

BOOK 050 PAGE 615

Served ON Leroy E. Ward
MAY-2-1985

FEE: $

SHERIFF Charles Bozman Deputy

NOTE:
1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126(a).

| | |
|---|---|
| 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. 8500215 Civil Action In the Circuit Court for Somerset County, Maryland |
| vs : | |
| Leroy E. Ward | |

It is ORDERED by the Circuit Court for Somerset County, Maryland, this 4th day of June, 1985, that judgment be entered in favor of the Plaintiff and against the Defendant, Leroy E. Ward, and against the real estate and improvements described in the aforegoing Complaint, for the sum of $2856.00 with interest from date and costs of suit.

Lloyd R. Snyder
Judge

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

Somerset County Sanitary Commission

VS.

Leroy E. Ward

Case Number 85-CA-00215 Civil Action

NOTICE OF DEFAULT ORDER

TO:

Name Leroy E. Ward
Rt. 2, Box 10
Address Crisfield, Maryland 21817

County Somerset

You are hereby notified that an Order of Default has been entered against you in the above entitled case on June 4, 1985.

You may move to vacate the Order of Default within thirty (30) days of the date of entry. The motion shall state the reasons for the failure to plead and the legal and factual basis for the defense to the claim.

Date Issued June 4, 1985

CLERK

Copy XXXXXX/delivered to Attorney:
Tony Bruce, esq.
P.O. Box 186
Princess Anne, Maryland 21853
651-2747

BOOK 050 PAGE 617

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

Leroy E. Ward

And the Real Estate and Improvements
Hereinbefore Described

No. 85CA00215 Civil Action

In the Circuit Court for

Somerset County, Maryland

BOOK 050 PAGE 618

JUDGMENT

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

It is thereupon, this 22nd day of July, in the year nineteen hundred and Eighty five, by the Circuit Court for Somerset County, Maryland, ORDERED that judgment is granted Plaintiff and that the property in the proceedings mentioned be sold, and that Tony Bruce be and he is hereby appointed Trustee to make sale in accordance with Rule BR of the Maryland Rules of Procedure and that the Trustee 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 $ 3000.00, pursuant to Rule BR 3a.1.

Lloyd L. Griffin
Judge

No. 8500215

Area Code (302) 674-4750

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Ruth Anne Root of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of July 31 & Aug. 7 1985.

Ruth Anne Root
Independent Newspapers, Inc.

Sworn to and subscribed before me this ninth day of August, A.D. 1985.

Wendelyn R. Roberts
Notary Public

BOOK 050 PAGE 619

Tony Bruce
Attorney At Law

**Trustee's Sale Of Valuable Unimproved Lot**

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 Leroy E. Ward is the Defendant, the same being No. 85-CA-00215 Civil Action in said Court.

The undersigned Trustee named in said decree will sell at public auction in front of the Courthouse door, in Princess Anne, Maryland, on

Tuesday
August 20, 1985

at or about the hour of 2:00 o'clock P.M., all that tract or parcel of land in Lawsons Election District, Somerset County, Maryland, more particularly described as: 13 acres, more or less, lying and binding on the southerly side of Hospital Road (enumerated as Trout Avenue on the plat hereinafter referred to) and on the west side of the right of way of Drum Avenue, which leads northerly to Hospital Road and which is interconnected with the right of way of Shad Avenue which leads easterly to Jacksonville Road, said tract or parcel being laid down and described as Lot 49 on a plat of "Woodlawn Subdivision C" by Morgan T. Bum dated October 4, 1930 recorded in Liber J.M.T.No. 101, folio 191 and is depicted on Somerset County Tax Map 64-21-294 and being the same land conveyed unto Leroy E. Ward by Aldon M. Ward by item second of a deed dated June 11, 1949 and recorded among the Land REcords of Somerste County in LIber B.L.B. No. 148, folio 38.

TERMS OF SALE: Cash, certified or cashier's check payable to Tony Bruce, 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, agricultural transfer tax, if any, at expense of purchaser. State and County taxes will be proprated and adjusted as of the date of ratification of sale.

Tony Bruce
Trustee
Princess Anne, Md. 21853
Telephone: 651-2747
Wallace Dashiell
Auctioneer
651-2094
7/30/3x

0067

Area Code (302) 674-4750

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Wanda Youmans of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of August 14, 1985.

Wanda Youmans
Independent Newspapers, Inc.

Sworn to and subscribed before me this sixteenth day of August, A.D. 1985.

Wendelyn A. Roberts
Notary Public

BOOK 050 PAGE 621

Tony Bruce
Attorney At Law

**Trustee's Sale Of Valuable Unimproved Lot**

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 Leroy E. Ward is the Defendant, the same being No. 85-CA-00215 Civil Action in said Court.

The undersigned Trustee named in said decree will sell at public auction in front of the Courthouse door, in Princess Anne, Maryland, on

**Tuesday**
**August 20, 1985**

at or about the hour of 2:00 o'clock P.M., all that tract or parcel of land in Lawsons Election District, Somerset County, Maryland, more particularly described as: 13 acres, more or less, lying and binding on the southerly side of Hospital Road (enumerated as Trout Avenue on the plat hereinafter referred to) and on the west side of the right of way of Drum Avenue, which leads northerly to Hospital Road and which is interconnected with the right of way of Shad Avenue which leads easterly to Jacksonville Road, said tract or parcel being laid down and described as Lot 49 on a plat of "Woodlawn Subdivision C" by Morgan T. Bum dated October 4, 1930 recorded in Liber J.M.T.No. 101, folio 191 and is depicted on Somerset County Tax Map 64-21-294 and being the same land conveyed unto Leroy E. Ward by Aldon M. Ward by item second of a deed dated June 11, 1949 and recorded among the Land REcords of Somerste County in Liber B.L.B. No. 148, folio 38.

TERMS OF SALE: Cash, certified or cashier's check payable to Tony Bruce, 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, agricultural transfer tax, if any, at expense of purchaser. State and County taxes will be proprated and adjusted as of the date of ratification of sale.

**Tony Bruce**
**Trustee**
**Princess Anne, Md. 21853**
**Telephone: 651-2747**
**Wallace Dashiell**
**Auctioneer**
**651-2094**
**7/30/3x**

KNOW ALL MEN BY THESE PRESENTS, that we, Tony Bruce, 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 Maryalnd, in the full and just sum of three thousand dollars ($3,000.00) 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 12th day of August, in the year nineteen hundred and eighty-five.

Whereas, the above bounden, Tony Bruce, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in these 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. Leroy E. Ward, No. 94CA00215 Civil Action, now pending said Court.

Now the condition of the above obligation is such that if the above bounden, Tony Bruce, 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.

BOND APPROVED AND FILED.

Tony Bruce (SEAL)
Tony Bruce

THE FIDELITY & DEPOSIT COMPANY OF MARYLAND

Witness: Patsy E. Abe

By
Attorney in Fact

Bon Book 11 Page 577

BOOK 050 PAGE 623

BOOK 050 PAGE 624

| | | |
|---|---|---|
| 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. 85CA00215 Civil Action In the Circuit Court for Somerset County, Maryland |
| vs | : | |
| Leroy E. Ward | : | |

To the Honorable, the Judge of said Court:

The report of Tony Bruce, 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 eighty-five, 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 Crisfield Times, a weekly newspaper published in Somerset County, for three 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 door, in Princess Anne,Maryland, on the 20th day of August, 1985, at the hour of 2:00 o'clock P.M., and then and there proceeded to sell said property, to wit:

All that tract or parcel of land in Lawsons Election District, Somerset County, Maryland, more particularly described as: 13 acres, more or less, lying and binding on the southerly side of Hospital Road (enumerated as Trout Avenue on the plat hereinafter referred to) and on the west side of hte right of way of Drum Avenue, which leads northerly to Hospital Road and which is interconnected with the right of way of Shad Avenue which leads easterly to

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853

Jacksonville Road, said tract or parcel being laid down and described as Lot 49 on a plat of "Woodlawn Subdivision C" by Morgan T. Gum dated October 4, 1930 recorded in Liber J.M.T. No. 101, folio 191 and is depicted on Somerset County Tax Map 64-21-294 and being the same land conveyed unto Leroy E. Ward by Aldon M. Ward by item second of a deed dated June 11, 1949 and recorded among the Land Records of Somerset County in Liber B.1.B. No. 148, folio 38 and sold same to Somerset County Sanitary District, Inc. at and for the sum of thirty-eight hundred dollars ($3800.00), 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,

Tony Bruce, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of August, 1985, before me, the subscriber, a Notary Public of the State and county aforesnid, personally appeared Tony Bruce, Trustee named in the above report of sale, and made oath in due form of law that hte 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.

Patty E. Ake
Notary Public

My commission expires July 1, 1986

AUG 26 3 59 PM '85

BOOK 050 PAGE 625

| | | |
|---|---|---|
| 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. 85CA00215 Civil Action In the Circuit Court for Somerset County, Maryland |
| vs | | |
| Leroy E. Ward | | |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of August, in the year nineteen hundred and eighty-five, before me, the subscriber, a Notary PUblic of the State and County aforesaid, personally appeared Robert C. Street, Chairman of the Somerset County Sanitary District, Inc., 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 discourge anyone from bidding for said property.

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

Patsy E. Ake
Notary Public

My commission expires July 1, 1986

Jones & Jones
Attorneys at Law
Princess Anne, Md. 21853

NOTICE

| | | |
|---|---|---|
| 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. 85CA00215 Civil Action |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Leroy E. Ward | : | |

Ordered this 21 day of August, 1985, by the Circuit Court for Somerset County, Maryland, that the sale of the property mentioned in these proceedings, made and reported by Tony Bruce, 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 27th day of Sept, 1985, provided a copy of this notice be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 23rd day of September, 1985.

The report states the amount of sale to be $3800.00.

BOOK 050 PAGE 627

Judge

BOOK 0[illegible] PAGE 628

**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. 85CA00215 Civil Action

vs : In the Circuit Court for

Leroy E. Ward : Somerset County, Maryland

Ordered this 27 day of August, 1985, by the Circuit Court for Somerset County, Maryland, that the sale of the property mentioned in these proceedings, made and reported by Tony Bruce, 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 27th day of Sept., 1985, provided a copy of this notice be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 23rd day of September, 1985.

The report states the amount of sale to be $3800.00

R.D. Horsey
Judge

CRISFIELD, MD. 9-30- 19 85

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 3 weeks beginning with the issue of September 4, 19 85 and ending September 18, 19 85

O. D. Bailey
Publisher, THE CRISFIELD TIMES

| | | |
|---|---|---|
| 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. 85CA00215 CIVIL ACTION |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| Leroy E. Ward | * | |
| | * | |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 $3,800.00

Fees, Costs, Expenses, etc.

| | | |
|---|---|---|
| I. Theodore Phoebus, Court Costs | | $ 169.00 |
| The Crisfield Times | | |
| Advertising | 86.29 | |
| Order Nisi | 30.00 | 116.29 |
| Fidelity & Deposit Company, Bond premium | | 30.00 |
| Wallace Dashiell, Auctioneer | | 75.00 |
| Logan C. Widdowson, Auditor | | 65.00 |
| Notary Fees | | 4.50 |
| 1984 State and County Taxes | | 21.64 |
| 1985 State and County Taxes | | 5.47 |
| 1982-85 Front Foot assessments | | 2,956.80 |
| Trustee's Commission | | 340.00 |
| Total Fees, Costs, Expenses, etc. | | $3,783.69 |

Surplus $ 16.31

ALL EXCEPTIONS to said report must be filed within ten 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:

Leroy E. Ward
Rt. 2, Box 10
Crisfield, MD 21817

Tony Bruce, Esquire
Jones & Jones
P.O. Box 186
Princess Anne, Maryland 21853

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
10/22/85
85 # 187

Logan C. Widdowson, Auditor

Filing Date: October 22, 1985

BOOK 050 PAGE 639

No. 8CH0025 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 23rd day of October, 19 85 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 4th day of November, 19 85.

L. Sheridan 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 5th day of November, 19 85 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Sheridan Phoebus
CLERK

Eld.

JAN 08 1987

| | | |
|---|---|---|
| RONALD G. RAYNE<br>and<br>DONALD C. DAVIS<br><br>TRUSTEES<br><br>Plaintiffs<br><br>vs.<br>Albert R. Taylor<br>and<br>Virginia Lee Taylor<br><br>Defendants | * | NO. 85CA00251 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |

* * * * *

ORDER TO DOCKET SUIT FORECLOSING DEED OF TRUST

MR. CLERK:

PLEASE docket the above entitled case and file herewith the Deed of Trust dated October 13, 1977 , in the original principal amount of TWENTY EIGHT THOUSAND FIVE HUNDRED DOLLARS ($ 28,500.00 ), from ALBERT R. and VIRGINIA LEE TAYLOR , said Deed of Trust recorded among the Land Records for Somerset County, Maryland in Liber I.T.P. No. 303, Folio 428, et seq., Ronald G. Rayne and Donald C. Davis having been named Trustees herein.

RONALD G. RAYNE
Trustee

DONALD C. DAVIS
Trustee

Ronald G. Rayne, Esq., Attorney
for Plaintiff
212 E. Main Street
Salisbury, Maryland 21801
749-2211

BOOK 050 PAGE 631

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

BOOK 050 PAGE 632

| | | |
|---|---|---|
| RONALD G. RAYNE, and DONALD C. DAVIS, Trustees | * | NO. 85CA00251 CHANCERY |
| | * | IN THE CIRCUIT COURT |
| Plaintiff | * | FOR SOMERSET COUNTY |
| vs. | * | STATE OF MARYLAND |
| Albert R. and Virginia Lee Taylor | * | |
| | * | |
| | * | |
| Defendants | * | |
| | * | |

* * * * *

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, Wicomico COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 7th day of May, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared WILLIAM F. BROOKS, JR., Executive Vice President of Second National Building & Loan, Inc., a body corporate of Maryland, who made oath in due form of law as follows:

1. That Second National Building & Loan, Inc., a stock corporation of the State of Maryland, is the beneficiary of a Deed of Trust dated October 13, 1977 from Albert R. and Virginia Lee Taylor to Second National Building & Loan, Inc. which Deed of Trust is recorded among the Land Records of _____ County, Maryland, in Liber I.T.P. No. 303, Folio 428, 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 $ 25,176.98 is now due and owing thereunder plus $ 5.98 interest per day for each day hereafter.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office address of the Defendant is: 168082 Box 14 P H P R U Quantico, Maryland 21856.

AS WITNESS my hand and Notarial Seal.

Isabel Gracianni Lyons
Notary Public

My Commission Expires: July 1, 1986

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

MORTGAGEES OR TRUSTEES BOND

B 1 #2632102

KNOW ALL MEN BY THESE PRESENTS, THAT we, Ronald G. Rayne and Donald C. Davis, Trustees for the Purpose of Foreclosure,

as principal, and the THE AMERICAN INSURANCE COMPANY a body corporate, duly incorporated under the laws of the State of California, as surety, are held and firmly bound unto the STATE OF MARYLAND, in the full and just sum of TWENTY-EIGHT THOUSAND DOLLARS AND 00/100---------- ($ 28,000.00 ) Dollars, 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 12th day of June, in the year of our Lord Nineteen Hundred Eighty-Five

WHEREAS, the above bounden Ronald G. Rayne and Donald C. Davis, Trustees for the Purpose of Foreclosure

by virtue of the power contained in a mortgage - deed of trust from Albert R. & Virginia Lee Taylor to Second National Building & Loan, Inc. bearing date the 13th day of October, 1977 and recorded among the Land Records of Somerset County, Maryland in Liber No. ITP 303, Folio 428 and located in Chance, Maryland

is about to sell the land and premises described in said mortgage - deed of trust, 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 Ronald G. Rayne and Donald C. Davis, Trustees for the Purpose of Foreclosure,

do and shall well and truly and faithfully perform the trust reposed in Ronald G. Rayne and Donald C. Davis, Trustees for the Purpose of Foreclosure, under the mortgage - deed of trust 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 property, or the proceeds thereof, then the above obligation to be void; otherwise to be and remain in full force and virtue in law.

IN TESTIMONY WHEREOF, the above bounden Ronald G. Rayne and Donald C. Davis, Trustees for the Purpose of Foreclosure,

has - have hereto set hand and seal and the said body corporate has caused these presents to be duly signed by its duly authorized agent and attorney-in-fact, the day and year first herein above written.

Signed, sealed and delivered in the presence of

Sharon L. Jenkins

BOOK 050 PAGE 633

RONALD G. RAYNE, Trustee (SEAL)

DONALD C. DAVIS, Trustee (SEAL)

THE AMERICAN INSURANCE COMPANY

As to Surety

Lori L. Vickers

by

Judy Calloway

Attorney-in-fact, Judy Calloway

Bond Book 11 Page 561

GENERAL
POWER OF
ATTORNEY

# FIREMAN'S FUND INSURANCE COMPANY

**KNOW ALL MEN BY THESE PRESENTS:** That FIREMAN'S FUND INSURANCE COMPANY, a Corporation duly organized and existing under the laws of the State of California, and having its principal office in the City and County of San Francisco, in said State, has made, constituted and appointed, and does by these presents make, constitute and appoint

ROBBIN W. GRAY, ANGELA D. GRAY, CHARLES T. GRAY and JUDY CALLOWAY
jointly or severally

SALISBURY, MD

BOOK 050 PAGE 634

its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver any and all bonds, undertakings, recognizances or other written obligations in the nature thereof ----------

Bond Book 11 Page 562

and to bind the Corporation thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Corporation and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises.

This power of attorney is granted pursuant to Article VIII, Section 30 and 31 of By-laws of FIREMAN'S FUND INSURANCE COMPANY now in full force and effect.

"Article VIII, *Appointment and Authority Assistant secretaries, and Attorney-in-Fact and Agents to accept Legal Process and Make Appearances.*

Section 30, *Appointment*. The Chairman of the Board of Directors, the President, any Vice-President or any other person authorized by the Board of Directors, the Chairman of the Board of Directors, the President or any Vice-President, may, from time to time, appoint Resident Assistant Secretaries and Attorneys-in-Fact to represent and act for and on behalf of the Corporation and Agents to accept legal process and make appearances for and on behalf of the Corporation.

Section 31, *Authority*. The Authority of such Resident Assistant Secretaries, Attorneys-in-Fact, and Agents shall be as prescribed in the instrument evidencing their appointment, and any such appointment and all authority granted thereby may be revoked at any time by the Board of Directors or by any person empowered to make such appointment."

This power of attorney is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of FIREMAN'S FUND INSURANCE COMPANY at a meeting duly called and held on the 15th day of July, 1966, and said Resolution has not been amended or repealed:

"RESOLVED, that the signature of any Vice-President, Assistant Secretary, and Resident Assistant Secretary of this Corporation, and the seal of this Corporation may be affixed or printed on any power of attorney, on any revocation of any power of attorney, or on any certificate relating thereto, by facsimile, and any power of attorney, any revocation of any power of attorney, or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Corporation."

IN WITNESS WHEREOF, FIREMAN'S FUND INSURANCE COMPANY has caused these presents to be signed by its Vice-President, and its corporate seal to be hereunto affixed this 30th day of April, 19 84.

FIREMAN'S FUND INSURANCE COMPANY

By Richard Williams
Vice-President

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

On this 30th day of April, 19 84, before me personally came Richard Williams to me known, who, being by me duly sworn, did depose and say: that he is Vice-President of FIREMAN'S FUND INSURANCE COMPANY, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Corporation and that he signed his name thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year herein first above written.

OFFICIAL SEAL
SUSIE K. GILBERT
NOTARY PUBLIC - CALIFORNIA
CITY & COUNTY OF SAN FRANCISCO
My Commission Expires Nov. 17, 1984

Susie K Gilbert
Notary Public

## CERTIFICATE

STATE OF CALIFORNIA,
CITY AND COUNTY OF SAN FRANCISCO } ss.

THE WITHIN BOND APPROVED.

I, the undersigned, Resident Assistant Secretary of FIREMAN'S FUND INSURANCE COMPANY, a CALIFORNIA Corporation, DO HEREBY CERTIFY that the foregoing and attached POWER OF ATTORNEY remains in full force and has not been revoked; and furthermore that Article VIII, Sections 30 and 31 of the By-laws of the Corporation, and the Resolution of the Board of Directors, set forth in the Power of Attorney, are now in force.

Signed and sealed at the City and County of San Francisco. Dated the JAN 13 9 18 AM '85 day of _____, 19 ____.

Lucille C Onetty
Resident Assistant Secretary

360711-FF-5-81

| | | |
|---|---|---|
| RONALD G. RAYNE<br>and<br>DONALD C. DAVIS , Trustees<br><br>vs.<br><br>ALBERT R. TAYLOR<br>and<br>VIRGINIA LEE TAYLOR | *<br>*<br>*<br>*<br>*<br>*<br>* | NO. 85CA00251<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |

* * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Report of RONALD G. RAYNE and DONALD C. DAVIS Trustees, pursuant to the power of sale contained in the Deed of Trust dated October 13, 1977 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 303, Folio 428, et seq., 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 Somerset Herald a newspaper published in Somerset County, Maryland, prior to June 21, 1985 , and after giving Bond with the security approved by the Clerk of this Court, said Trustees did, on Friday, June 21 at 1:00 p.m. attend on the premises at State Highway, Chance, 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 all of the following described property:

ALL that lot or parcel of land situate, lying and being in Tangier Election District of Somerset County, Maryland, and more particularly described as follows: All that lot or parcel of land situate as aforesaid, being in the neighborhood of Rock Creek and on the northwest side of and binding upon the State Road leading through said District to the Throughfare Bridge and beginning for the same at a point on the northwest side of said road at the easternmost point of the William R. White land; thence by and with said White land North 45 degrees West, 29.1 rods to the Lee Jones land; thence by and with said Jones land North 46 degrees East, 5.5 rods; thence South 45 degrees East in a line parallel with the first call, 29.1 rods to the said State Road; thence by and with said road, South 46 degrees West, 5.5 rods, and containing one (1) acres of land, more or less; and

BEING in all respects the same land conveyed unto Albert R. Taylor, et ux, by Casimir Joseph Wdzieczkowski, et ux, by deed dated October 29, 1976, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 296, Folio 764, et seq.

And your Trustees sold the aforedescribed property unto Charles P. Abbott at and for the sum of Twenty Eight Thousand ($28,000) Dollars, at that sum, being the highest bidder therefore, and the said purchaser has complied with the terms of the sale.

RESPECTFULLY SUBMITTED,

RONALD G. RAYNE, Trustee

DONALD C. DAVIS, Trustee

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 21st day of June, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Ronald G. Rayne and Donald C. Davis, 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 herein reported was fairly made.

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

Sharon L. Jenkins
NOTARY PUBLIC

My Commission Expires: 7/1/86

PERDUE, RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
212 East Main Street
Salisbury, Maryland 21801

BOOK 050 PAGE 638

* * * * * * * *

TRUSTEES' SALE
OF
VALUABLE RESIDENTIAL PROPERTY
KNOWN AS

STATE HIGHWAY
CHANCE, MD 21816

By virtue of the Power of Sale and authority contained in Deed of Trust executed by ALBERT R. TAYLOR and VIRGINIA LEE TAYLOR, his wife, dated October 13, 1977, and recorded among the Land Records for Somerset County, State of Maryland, in Liber I.T.P. No. 303, Folio 428, et seq., default having occurred thereunder, the undersigned Trustees will sell at Public Auction on the premises at State Highway, Chance, Maryland, 21816, on FRIDAY, JUNE 21, 1985 at 1:00 o'clock p.m. all the following described property:

ALL of the following described property located in Somerset County, State of Maryland, and more particularly described as follows:

ALL that lot or parcel of land situate, lying and being in Tangier Election District of Somerset County, Maryland, and more particularly described as follows: All that lot or parcel of land situate as aforesaid, being in the neighborhood of Rock Creek and on the northwest side of and binding upon the State Road leading through said District to the Throughfare Bridge and beginning for the same at a point on the northwest side of said road at the easternmost point of the William R. White land; thence by and with said White land North 45 degrees West, 29.1 rods to the Lee Jones land; thence by and with said Jones land North 46 degrees East, 5.5 rods; thence South 45 degrees East in a line parallel with the first call, 29.1 rods to the said State Road; thence by and with said road, South 46 degrees West, 5.5 rods, and containing one (1) acres of land, more or less; and

BEING in all respects the same land conveyed unto Albert R. Taylor, et ux, by Casimir Joseph Wdzieczkowski, et ux, by deed dated October 29, 1976, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 296, Folio 764, et seq.

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

This property is improved by a three-bedroom rancher with a living room, dining room, kitchen, family room and two baths containing 1512 square feet of living space.

POSSESSION of said property to be given upon ratification of sale.

TERMS OF SALE to be $2,500.00 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 13% 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, transfer tax, revenue stamps and costs of recording at the expense of the purchaser or purchasers.

DIRECTIONS to the property are as follows: Coming from Salisbury, the property is located on the West side of Route 363, approximately 400 feet before the Deal Island Bridge.

INSPECTION of the property may be made the day of sale.

FINANCING is available to qualified purchasers, for information contact Ms. Gail Buckle at 301/543-2600.

For further information, contact Ronald G. Rayne, Esq., at Perdue, Rayne & Davis, P.A., 212 East Main Street, Salisbury, Maryland, 301/749-2211.

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

BOOK 050 PAGE 639

Publication Dates:

May 29, June 5, June 12, June 19

BOOK 050 PAGE 640

AFFIDAVIT

STATE OF MARYLAND, Wicomico COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 21ST day of June, 19__, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared CHARLES P. Abbott

the purchaser(s) named in this Report of Sale, and made oath in due form of law as follows:

(1) That I, Charles P. Abbott, attended the sale of the property described in the Deed of Trust filed in these proceedings held in Somerset County, Maryland, on June 21st, 1985, and purchased the same for for Twenty eight Thousand and 00/00.

(2) That no other persons, firms or corporations are financially interested or involved, as principal or otherwise.

(3) That I did not directly or indirectly discourage anyone from bidding on said property.

Charles P. Abbott
AFFIANT

SUBSCRIBED AND SWORN TO, Before me, this 21st day of June, 19 .

RONALD G. RAYNE NOTARY PUBLIC WICOMICO CO., MD.

NOTARY PUBLIC

My Commission Expires:

| | | |
|---|---|---|
| RONALD G. RAYNE and DONALD C. DAVIS , Trustees<br>Plaintiff<br>vs.<br>ALBERT R. TAYLOR and VIRGINIA LEE TAYLOR<br>Defendants | * | NO. 85CA00251<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |

* * * * *

AFFIDAVIT OF COMPLIANCE - RULE W74 a 2. (b)

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

WE, RONALD G. RAYNE and DONALD C. DAVIS Trustees, make oath that we mailed to the Mortgagors, ALBERT R. and VIRGINIA LEE TAYLOR at the Mortgagors' last known address at State Highway, Chance, MD 21816 by Certified Mail, Return Receipt Requested, the attached notice of the time, place and terms of sale on Friday, June 21, 1985 , and that such mailing was sent on June 3, 1985.

RONALD G. RAYNE Trustee

DONALD C. DAVIS Trustee

STATE OF MARYLAND, Wicomico COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 21 day of June, 198 , before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared RONALD G. RAYNE and DONALD C. DAVIS , 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.

BOOK 050 PAGE 642

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

Sharon L. Jenkins
NOTARY PUBLIC

My Commission Expires: 7-1-86

LAW OFFICES
PERDUE, RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
P. O. BOX 949
SALISBURY, MARYLAND 21801

PM
3 JUN
1985

RETURN TO SENDER
NO FORWARDING ADDRESS

RETURN TO SENDER

Albert R. Taylor
168082 Box 14 PHPRU
Quantico, MD 21856

BOOK 050 PAGE 643

LAW OFFICES
PERDUE, RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
P. O. BOX 949
SALISBURY, MARYLAND 21801
(301) 749-2211

HERMAN E. PERDUE
RONALD G. RAYNE
DONALD C. DAVIS
J. MORGAN WHITE

OCEAN CITY OFFICE
3906 OCEAN HIGHWAY
OCEAN CITY, MD. 21842
(301) 289-8408
(301) 289-8409



June 3, 1985

Albert R. Taylor
168082 Box 14 PHPRU
Quantico, MD 21856

RE: Second National Building & Loan, Inc.
Albert R. and Virginia Lee Taylor -
property located on State Highway,
Chance, Maryland

Dear Mr. Taylor:

Pursuant to the provisions of Rule W74 of the Maryland Rules of Procedure, notice is hereby given that a foreclosure sale of the hereinafter described property located in Somerset County, Maryland will be held on FRIDAY, JUNE 21, 1985 at 1:00 o'clock p.m. on the premises on State Highway, Chance, Maryland.

The property to be sold is described as follows: ALL that lot or parcel of land situate, lying and being in Tangier Election District of Somerset County, Maryland, and more particularly described as follows: All that lot or parcel of land situate as aforesaid, being in the neighborhood of Rock Creek and on the northwest side of and binding upon the State Road leading through said District to the Throughfare Bridge and beginning for the same at a point on the northwest side of said road at the easternmost point of the William R. White land; thence by and with said White land North 45 degrees West, 29.1 rods to the Lee Jones land; thence by and with said Jones land North 46 degrees East, 5.5 rods; thence South 45 degrees East in a line parallel with the first call, 29.1 rods to the said State Road; thence by and with said road, South 46 degrees West, 5.5 rods, and containing one (1) acres of land, more or less; and BEING in all respects the same land conveyed unto Albert R. Taylor, et ux, by Casimir Joseph Wdzieczkowski, et ux, by deed dated October 29, 1976, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 296, Folio 764, et seq.

The terms of sale are $2,500.00 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 13% per annum and to be secured to the satisfaction of said Trustee.

Taxes and other public charges to be paid and adjusted to date of sale. Title examination, if desired, title papers, transfer tax, revenue stamps and costs of recording at the expense of the purchaser or purchasers..

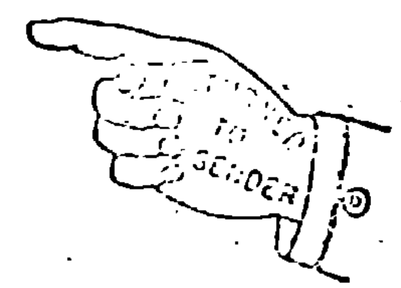
For your information, I am enclosing a copy of the advertisement of sale which is appearing in the Somerset Herald which is incorporated herein by reference.

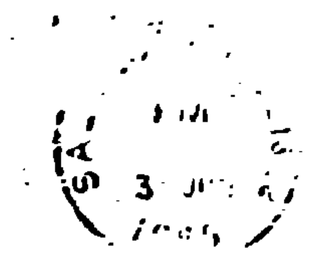
Yours truly,

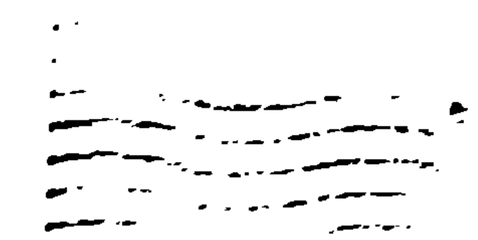
RONALD G. RAYNE

RGR/slj
enclosure

LAW OFFICES
PERDUE, RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
P. O. BOX 949
SALISBURY, MARYLAND 21801





RETURN TO SENDER
NO FORWARDING ADDRESS

Mr. Albert R. Taylor
168082 Box 14 PHPRU
Quantico, Maryland 21856

BOOK 650 PAGE 646

LAW OFFICES
PERDUE, RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
212 EAST MAIN STREET
P. O. BOX 949
SALISBURY, MARYLAND 21801
(301) 749-2211

HERMAN E. PERDUE
RONALD G. RAYNE
DONALD C. DAVIS
J. MORGAN WHITE

OCEAN CITY OFFICE
3906 OCEAN HIGHWAY
OCEAN CITY, MD. 21842
(301) 289-8408
(301) 289-8409

June 3, 1985

Albert R. Taylor
168082 Box 14 PHPRU
Quantico, Maryland 21856

RE: Second National Building & Loan, Inc.
Albert R. and Virginia Lee Taylor -
property located on State Highway,
Chance, Maryland

Dear Mr. Taylor:

I enclose a copy of the letter sent by Certified Mail for your information. It is self-explanatory. If you wish to reinstate the loan prior to foreclosure sale, you must immediately contact my office to determine the amount that will be needed to be paid to reinstate same. In addition to outstanding amounts of principal, interest, and late charges, you will be responsible for attorney's fees, court costs, bond premiums, one-half Trustee's commissions, and newspaper advertising costs. You should contact me immediately if any attempt is to be made to reinstate the loan.

Yours truly,

RONALD G. RAYNE

RGR/gd
Enclosure
File No. 30700

LAW OFFICES
E. RAYNE & DAVIS
PROFESSIONAL ASSOCIATION
8 EAST MAIN STREET
P. O. BOX 649
BURY, MARYLAND 21801

CERTIFIED
P 561 360 277
MAIL

BOX 649 BURY MD 21801

RETURNED TO SENDER

Moved, left no address
( ) No such number
( ) Moved, not forwardable
( ) Addressee unknown

Albert R. Taylor
State Highway
Chance, MD 21816

PS Form 3811, July 1983

DOMESTIC RETURN RECEIPT

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:
Virginia Lee Taylor
State Highway
Chance, MD 21816

4. Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number
P561360278

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X Virginia L Taylor

6. Signature – Agent
X

7. Date of Delivery
6/4/85

8. Addressee's Address (ONLY if requested and fee paid)
Chance Md 21816

RECEIVED JUN - 5 1985

| | | |
|---|---|---|
| RONALD G. RAYNE and DONALD C. DAVIS, Trustees Plaintiff | * | NO. 85CH 0021 CIVIL ACTION |
| | * | IN THE CIRCUIT COURT |
| | * | FOR WICOMICO COUNTY, |
| vs. | * | STATE OF MARYLAND |
| ALBERT R. TAYLOR and VIRGINIA LEE TAYLOR | * | |
| | * | |
| Defendants | | |

* * * * *

NOTICE

NOTICE is hereby issued this 25th day of JUNE, 198__, that the sale of the property mentioned in the above mentioned proceedings and reported by Ronald G. Rayne and Donald C. Davis, Trustees, be ratified and confirmed unless cause to the contrary be shown on or before the 25th day of July, 1985, provided a copy of this Notice be inserted in some newspaper published in this County, once in each of three (3) successive weeks before the 22 day of July, 1985.

The Report of Sale states the amount of sale to be Twenty-Eight Thousand Dollars ($28,000.00).

Floyd E. Crockett
JUDGE

Somerset Herald

**MARYLANDER & HERALD**

BOOK 050 PAGE 650

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 7-3, 1985, and ending July 17, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Laylin - Somerset Herald
Publisher.

Printer's Fee: $27.50 each insertion.

IN THE CIRCUIT COURT FOR
WICOMICO COUNTY, MARYLAND
STATE OF MARYLAND

CIVIL ACTION
NO. CASE 85CA00251

RONALD G. RAYNE and
DONALD C. DAVIS, Trustees
Plaintiff
vs.
ALBERT R. TAYLOR and
VIRGINIA LEE TAYLOR
Defendants

**NOTICE**

Notice is hereby issued this 25th day of June, 1985, that the sale of the property mentioned in the above mentioned proceedings and reported by Ronald G. Rayne and Donald C. Davis, Trustees, be ratified and confirmed unless cause to the contrary be shown on or before the 25th day of July, 1985, provided a copy of this Notice be inserted in some newspaper published in this County, once in each of three [3] successive weeks before the 22nd day of July, 1985.

The Report of Sale states the amount of sale to be Twenty-Eight Thousand Dollars [$28,000.00].

True Copy, Test:
I. Theodore Phoebus
Clerk

Lloyd L. Simpkins
JUDGE
80-7/3-3tSH

FINAL ORDER OF RATIFICATION

ORDERED, by the Circuit Court for Somerset County State of Maryland, this 1st day of August, 1985, that the sale made and reported by the Trustees aforesaid, be and the same is hereby finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given as required by the Notice passed in this cause.

Lloyd L. Sitkin
Judge

BOOK 050 PAGE 652

| | | |
|---|---|---|
| RONALD G. RAYNE, and DONALD C. DAVIS, Trustees | * | NO. 85CA00251 CHANCERY |
| Plaintiff | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| Albert R. and Virginia Lee Taylor | * | STATE OF MARYLAND |
| | * | |
| | * | |
| Defendants | * | |
| | * | |

* * * * *

AMENDED

AFFIDAVIT OF INDEBTEDNESS

STATE OF MARYLAND, Wicomico COUNTY, TO WIT:

I HEREBY CERTIFY, that on this 18th day of October, 1985, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared WILLIAM F. BROOKS, JR., Executive Vice President of Second National Building & Loan, Inc., a body corporate of Maryland, who made oath in due form of law as follows:

1. That Second National Building & Loan, Inc., a stock corporation of the State of Maryland, is the beneficiary of a Deed of Trust dated October 13, 1977 from Albert R. and Virginia Lee Taylor to Second National Building & Loan, Inc. which Deed of Trust is recorded among the Land Records of Somerset County, Maryland, in Liber F.T.P. No. 303, Folio 428, 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 $25,251.98 is now due and owing thereunder plus $5.98 interest per day for each day hereafter.

2. That the said Defendants are not members of the Armed Forces of the United States of America or any of its allies or entitled to the benefits therein in accordance with the Soldiers' and Sailors' Relief Act and amendments thereon and have not been discharged therefrom within a period of thirty (30) days.

3. That the last known Post Office address of the Defendant is: 168082 Box 14 P H P R U Quantico, Maryland 21856.

AS WITNESS my hand and Notarial Seal.

Notary Public

My Commission Expires: July 1, 1986

LAW OFFICES, PERDUE, RAYNE & DAVIS, PROFESSIONAL ASSOCIATION

| | | |
|---|---|---|
| RONALD G. RAYNE and DONALD C. DAVIS, TRUSTEES | * | NO. 85CA00251 CHANCERY |
| Plaintiff | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| ALBERT R. and VIRGINIA LEE TAYLOR | * | STATE OF MARYLAND |
| Defendant | * | |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $28,000.00 |
| Interest from Date of Sale (6/21/85) to 10/11/85 | | | 1,026.29 |
| Tax Adjustment | | | 332.48 |
| | | | $29,358.77 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | $ 180.00 | |
| Somerset Herald | | | |
| Advertising | $297.00 | | |
| Order Nisi | 82.50 | 379.50 | |
| The American Insurance Company, Bond Premium | | 112.00 | |
| O. J. Brittingham, Auctioneer (see attached letter of 12/10/85) | | 400.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Attorney's fee per Deed of Trust | | 285.00 | |
| Trustee's Commission | | 1,550.00 | |
| Somerset County Taxes - 1985-86 | | 323.60 | |
| Postage | | 3.36 | |
| Total Fees, Costs, Expenses, etc. | | $3,298.46 | |
| Balance to be Distributed | | | $26,060.31 |
| Principal Debt as of 10/18/85 - | $25,251.98 | | |
| Interest from 10/19/85 to 12/29/85 (72 days @ $6.05 per diem - $25,251.98 x .0875 ÷ 365 = $6.05) | | 435.60 | |
| Total Debt | | | -25,687.58 |
| Surplus | | | $ 372.73 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2000

ALL EXCEPTIONS to said report must be filed within ten 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:

Ronald G. Rayne, Esquire
212 East Main Street
P.O. Box 949
Salisbury, MD 21801

Donald C. Davis, Esquire
212 East Main Street
P.O. Box 949
Salisbury, MD 21801

Virginia L. Taylor
State Highway
Chance, MD 21816

Albert R. Taylor
168082 Box 14 PHPRU
Quantico, MD 21856

Logan C. Widdowson, Auditor

Date of Filing: December 19, 1985

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3000

LCW/gjb
12/19/85
85 # 188

30 MAR 86 CLOSED

No. 85CA00251 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 19th day of December, 19 85 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 30th day of December, 19 85.

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 2nd day of January, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

JAN 08 1987
Exd.

BOOK 050 PAGE 655

BOOK 050 PAGE 656

| | | |
|---|---|---|
| FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION<br>416 N. Charles Street<br>Baltimore, Maryland 21201,<br><br>Plaintiff<br><br>-vs-<br><br>ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, NORMAN T. WHITTINGTON, JR., LOU B. WHITTINGTON, and ROBERT L. CHAMBERLIN, JR. and NORMAN T. WHITTINGTON, JR., Co-Partners T/A THE SHORES COMPANY,<br><br>Defendants | * | CIVIL ACTION NO. 85 CA-05026<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY<br><br>STATE OF MARYLAND |

**********

MR. CLERK:

Please docket case as above and file for foreclosure certified copy of Mortgage from ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, NORMAN T. WHITTINGTON, JR., LOU B. WHITTINGTON, and ROBERT L. CHAMBERLIN, JR. and NORMAN T. WHITTINGTON, JR., Co-Partners T/A THE SHORES COMPANY, dated July 16, 1982, and recorded among the Land Records of Somerset County, in Liber I.T.P. 334, Folio 108.

Please enter the appearance of the undersigned as attorneys for First Progressive Savings and Loan Association.

DATED: August 9th, 1984

FOX & HOULIHAN
Attorneys for Plaintiff

By: Hamilton P. Fox
HAMILTON P. FOX, ESQ.
106 W. Main Street
P. O. Box 212
Salisbury, Maryland 21801
Telephone: (301) 749-9040

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 212
SALISBURY, MD 21801

| | | |
|---|---|---|
| FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION<br>416 N. Charles Street<br>Baltimore, Maryland 21201,<br><br>Plaintiff<br><br>-vs-<br><br>ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, NORMAN T. WHITTINGTON, JR., LOU B. WHITTINGTON, and ROBERT L. CHAMBERLIN, JR. and NORMAN T. WHITTINGTON, JR., Co-Partners T/A THE SHORES COMPANY,<br><br>Defendants | * | CIVIL ACTION NO. 85CA0026<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY<br><br>STATE OF MARYLAND |

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STATEMENT OF MORTGAGE DEBT

FROM: FIRST PROGRESSIVE SAVINGS AND LOAN

DATED: August 1, 1984

| | |
|---|---|
| ORIGINAL AMOUNT: $85,000.00 | |
| UNPAID BALANCE: | $ 86,250.00 |
| INTEREST TO DATE: of 8/31/84 | 35,237.89 |
| LATE CHARGES: | 3,442.56 |
| TOTAL AMOUNT DUE: on or before 8/31/84<br>Per Diem 47.81 | $124,930.45 |

STATE OF MARYLAND )
CITY OF BALTIMORE ) ss:

I HEREBY CERTIFY that on this 3d day of August, 1984, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Paul R. Freeman, the Vice-President of FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION, and he acknowledged that he executed same on behalf of said bank in the capacity therein stated.

FOX & HOULIHAN
ATTORNEYS-AT-LAW
109 WEST MAIN STREET
P. O. BOX 818
SALISBURY, MD 21801

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

Alma V. Jenkins
Notary Public
Alma V. Jenkins

My commission expires:
7/1/86

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 818
SALISBURY, MD 21801

FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION
416 N. Charles Street
Baltimore, Maryland 21201,

Plaintiff

-vs-

ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, NORMAN T. WHITTINGTON, JR., LOU B. WHITTINGTON, and ROBERT L. CHAMBERLIN, JR. and NORMAN T. WHITTINGTON, JR., Co-Partners T/A THE SHORES COMPANY,

Defendants

CIVIL ACTION NO. 85CA000.26

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

**********

MITLITARY AFFIDAVIT

STATE OF MARYLAND )
CITY OF BALTIMORE ) ss:

I HEREBY CERTIFY, that on this 3d day of August, 1984, before me, the subscriber, a Notary Public in and for the State and City aforesaid, personally appeared Paul R. Freeman of the said First Progressive Savings and Loan Association, Plaintiff in the above entitled case, and made oath in due form of law that Robert L. Chamberlin, Jr., Patricia H. Chamberlin, Norman T. Whittington, Jr., Lou B. Whittington, and Robert L. Chamberlin, Jr. and Norman T. Whittington, Jr., Co-Partners T/A The Shores Company are not in the military service as hereinafter set forth, and that they 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:

FOX & HOULIHAN
ATTORNEYS-AT-LAW
108 WEST MAIN STREET
P. O. BOX 218
SALISBURY, MD 21801

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.

DATED: August 3d, 1984

Alma V. Jenkins
Notary Public
Alma V. Jenkins

My commission expires:
7/1/86

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 212
SALISBURY, MD 21001

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF MARYLAND

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| | | |
|---|---|---|
| IN RE: | * | |
| ROBERT L. CHAMBERLIN, JR., | * | |
| Debtor | * | BANKRUPTCY NO. 83-B-1569 |
| FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION, INC., | * | |
| | * | MOTION NO. ~~M-84-013B~~ M 84-0132B |
| Plaintiff | * | |
| -vs- | * | |
| ROBERT L. CHAMBERLIN, JR., | * | |
| Defendant | * | |

*****************

ORDER TO LIFT STAY

Upon consideration of the Motion to Lift Stay filed in this cause by First Progressive Savings and Loan Association, Inc. the Answer filed by the Debtor, and the Consent of the Debtor's attorney, Stephen M. Hearne, Esq., to this order, as is shown hereon, it is this 18th day of May, 1984, by the United States Bankruptcy Court for the District of Maryland;

ORDERED, that Plaintiff, First Progressive Savings and Loan Association, Inc., be granted relief from the automatic stay provided by 11 USC Section 362 and that Plaintiff may proceed in the Circuit Court for Somerset County, Maryland to foreclose its mortgage from the debtor and others dated July 16, 1982, and recorded among the Land Records of Somerset County in Liber 334,

Folio 108 according to its terms and pursuant to the Maryland Rules of Procedure.

BOOK 050 PAGE 662

CONSENTED:

STEPHEN M. HEARNE, ESQ.
Attorney for Debtor
107 Baptist Street
Salisbury, Maryland 21801
Telephone: (301) 546-9991

James F. Schneider
JAMES F. SCHNEIDER, Judge

cc: Samuel J. Aaron, Esq.
Stephen Hearne, Esq.

FILED
AUG 13 3 35 PM '84

# Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE, MD. 21203

KNOW ALL MEN BY THESE PRESENTS:

That we, Hamilton P. Fox and John P. Houlihan

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 ONE HUNDRED TWENTY-SEVEN THOUSAND AND 00/100 ($127,000.00) Dollars, 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 ..... day of ..... in the year of our Lord ONE THOUSAND NINE HUNDRED EIGHTY-FOUR

Whereas, the above bounden~~s~~ Hamilton P. Fox and John P. Houlihan

by virtue of the power contained in a mortgage from Robert L. Chamberlin, Jr., Patricia H. Chamberlin, Norman T. Whittington, Jr., Lou B. Whittington and Robert L. Chamberlin, Jr. and Norman T. Whittington, Jr. Co-Partners T/A The Shores Company to First Progressive Savings and Loan Association bearing date the 16th day of July, 1982 and recorded among the mortgage records of Somerset County, Maryland in Liber I.T.P. No. 334 Folio 108 and said mortgage being duly assigned unto Hamilton P. Fox and John P. Houlihan for foreclosure, said Assignees

~~is~~ are 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~~s~~ Hamilton P. Fox and John P. Houlihan

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.

In Testimony Whereof, the above bounden~~s~~ Hamilton P. Fox and John P. Houlihan

has hereto set their hand~~s~~ and seal~~s~~ and the said body corporate has caused these presents to be duly signed by its Attorney-in-Fact, the day and year first herein above written.

BOOK 050 PAGE 663

*Signed, sealed and delivered in the presence of:*

Hamilton P. Fox (SEAL)

Approved and Filed
TEST: Sheldon Fletcher, CLERK

John P. Houlihan (SEAL)

Witness: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Shirley C. Wright By: Charles E. Hearne, Jr.
*As to Surety* *Attorney-in-Fact*

Bond Book 11 Page 397

MDJ228a—1M. 9-68 180755
Mortgagee's or Attorney's Bond

L-F-D/d—100, 6-82 215474 -060 Bond Book 11 Page 398

No. 983 10 19

POWER OF ATTORNEY

# Fidelity and Deposit Company of Maryland

HOME OFFICE: BALTIMORE, MD.

BOOK 050 PAGE 664

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by R. W. BUDDENBOHN, Vice-President, and C. E. DUVALL, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which reads as follows:

"The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or 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, 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 to affix the seal of the Company thereto."

does hereby nominate, constitute and appoint Charles E. Hearne, Jr.

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 Hamilton P. Fox and John P. Houlihan, trustees

in the penalty of One hundred twenty-seven thousand and 00/100 Dollars ($ 127,000.), in favor of State of Maryland

and conditioned to execute a foreclosure bond in the Circuit Court for Somerset County, Case No. 85-CA-00026, in the case of First Progressive Savings and Loan Association vs. Robert L. Chamberlin, Jr, etal, in the amount of $127,000.00

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 20th day of August 19 84

This Power not valid unless countersigned by Charles W. Blank, Clinton A. Killam, Jr. or J. Donald Haynes of Baltimore, Maryland

Attest: FIDELITY AND DEPOSIT COMPANY OF MARYLAND

C. E. Duvall, Assistant Secretary — By R. W. Buddenbohn, Vice-President

STATE OF MARYLAND
CITY OF BALTIMORE } ss:

On this 20th day of August 19 84, 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

FILED

My Commission expires July 1, 1986 — CAROL J. FADER, Notary Public

SEP 18 8 44 AM '84

Countersigned by Charles W. Blank August 20th, 19 84

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

FOR YOUR PROTECTION LOOK FOR THE F&D WATERMARK

FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION, *

Plaintiff * CIVIL ACTION NO. 85 CA-00026

-vs- * IN THE CIRCUIT COURT

* FOR SOMERSET COUNTY

ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, et al., * STATE OF MARYLAND

Defendants*

**********

REPORT OF SALE

This Report of Sale of Hamilton P. Fox and John P. Houlihan, Attorneys and Assignees, appointed by the decree in the above entitled cause, to make sale of valuable real estate known as Mallard Manor, located in Lawsons Election District, Somerset County, Maryland, in the proceedings in said cause mentioned, respectfully show, that after giving bond with security for the faithful discharge of their 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 Crisfield Times and The Daily Times, daily newspapers published in Crisfield and Salisbury, Maryland, respectively, for more than three successive weeks preceding the day of sale, said Attorneys and Assignees, Hamilton P. Fox and John P. Houlihan, did pursuant to said notice on Thursday, the 18th day of October, 1984, at 2:00 O'clock P.M. attend on the premises and then and there sold the premises described in the aforementioned advertisement.

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 212
SALISBURY, MD 21801

DATED: October 24th, 1984

Hamilton P. Fox
HAMILTON P. FOX, Assignee

John P. Houlihan
JOHN P. HOULIHAN, Assignee

BOOK 050 PAGE 666

STATE OF MARYLAND )
COUNTY OF WICOMICO ) ss:

I HEREBY CERTIFY that on this 24th day of October, 1984, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared HAMILTON P. FOX and JOHN P. HOULIHAN, Attorneys and Assignees, 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.

Notary Public

My commission expires:

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 212
SALISBURY, MD 21801

FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION,

Plaintiff

-vs-

ROBERT L. CHAMBERLIN, JR., PATRICIAL H. CHAMBERLIN, et al.,

Defendants

* CIVIL ACTION NO. 85 CA-00026
* IN THE CIRCUIT COURT
* FOR SOMERSET COUNTY
* STATE OF MARYLAND

***************

AFFIDAVIT BY PURCHASER

RE: Property known as Mallard Manor, Lawsons Election District, Somerset County, Maryland

STATE OF MARYLAND )
COUNTY OF WICOMICO ) ss:

I HEREBY CERTIFY, that on this 18th day of October, 1984, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County of Wicomico, aforesaid, personally appeared SAMUEL J. AARON, and made oath in due form of law that he is the agent for FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION, purchaser of said property at the foreclosure sale in this case for THIRTY-SEVEN THOUSAND AND 00/100 DOLLARS ($37,000.00), and that he has not directly or indirectly discouraged anyone from bidding for the said property mentioned in the report of sale.

DATED: October 24th, 1984

SAMUEL J. AARON, for FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION

Notary Public

My commission expires: 1/1/86

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 212
SALISBURY, MD 21801

BOOK 050 PAGE 667

BOOK 050 PAGE 653

TO WHOM IT MAY CONCERN:

RE: Mallard Manor, Lawsons Election District, Somerset County, Maryland

THIS IS TO CERTIFY that I have not paid, and will not pay, directly or indirectly, anything to anyone for employing, or for aiding to employ me to make this sale, and that no payments have been made, or will be made by me, in connection with this sale, except those set forth in detail in my bill and statement, attached hereto.

PETE RICHARDSON, Auctioneer

Subscribed and sworn to before me this 23rd day of October, 1984.

EMORY H. ADKINS NOTARY PUBLIC WICOMICO CO., MD.

Notary Public

My commission expires: 7/1/86

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 512
SALISBURY, MD 21801

# PETE RICHARDSON AUCTION SALES

PETE RICHARDSON, AUCTIONEER

OFFICE (301) 546-2425
HOME (301) 742-6220
MOBILE (301) 742-0110
EXT. 0813

P.O. BOX 51
WILLARDS, MARYLAND 21874

October 23, 1984

Fox & Houlihan
Attorneys at law
P. O. Box 212
Salisbury, Md. 21801

To

Peter E. Richardson
P. O. Box 51
Willards, Md. 21874

---

Auctioneer's fee - $150.00

re: First Progressive S & L Assn. vs.
Chamerlain and Whittington

BOOK 050 PAGE 669

"WE DO THEM ALL, LARGE OR SMALL, AND THE PRICE IS RIGHT"

Publishers of The Daily Times

CERTIFICATE OF PUBLICATION

Salisbury, Md. . . . . October 18, 1984

We hereby certify that the annex.ed . . . . . .

Assignee Sale - Robert Chamberlain . . . . . .was published in

THE DAILY TIMES on . . . Sept. 27, Oct. 4, 11, 17, 1984 . . . . . .

. . . . . .

Thomson Newspapers, Inc.
Publishers of The Daily Times

BOOK 050 PAGE 670

## ATTORNEYS AND ASSIGNEES SALE

### OF VALUABLE REAL ESTATE
### KNOWN AS MALLARD MANOR
### LAWSONS ELECTION DISTRICT
### SOMERSET COUNTY, MARYLAND

Under and by virtue of the power of sale contained in a Mortgage from Robert L. Chamberlin, Jr., Patricia H. Chamberlin, wife, and Norman L. Whittington, Jr. and Lou B. Whittington, wife, and Robert L. Chamberlin, Jr. and Norman T. Whittington, Jr., Co- Partners T/A The Shores Company, as Mortgagors, to First Progressive Savings and Loan Association, as Mortgagee, default having occurred thereon, pursuant to proper authority, the said Attorneys and Assignees, namely, Hamilton P. Fox and John P. Houlihan, will offer for sale at public auction, to the highest bidder, at the premises on;

**THURSDAY, OCT. 18, 1984**

**AT 2:00 O'CLOCK P.M.**

ALL that tract or parcel of land situate in Lawsons Election District, Somerset County, Maryland, on the southeast side of but not adjacent to Maryland 413 and the right of way of the Penn Central Railroad, and lying and binding on the east side of a right of way, twenty feet in width, leading from Mariners Road to another right of way fifty feet in width adjacent to the Penn Central Railroad property, bounded on the North by the land of the Delmarva Power and Light Company (I.T.P. No. 237, folio 567; plat I.T.P. No. 7, folio 26), bounded on the east by the land owned or formerly owned by George Terry Bozman and Georgeanne Bozman, and being more particularly described as follows: Beginning for the same at a concrete post found on the east side of said twenty-foot right of way at the extreme southwest corner of the aforesaid land of Delmarva Power and Light Company and the extreme northwest corner of the tract herein described, thence by and with the center of a ditch and the lands of Delmarva Power and Light Company the three following courses and distances: (1) South 66 degrees 48 feet East 406.58 feet to a point, thence (2) South 73 degrees 05 feet East 498.73 feet to a concrete post, thence (3) South 73 degrees 05 feet East 7 feet to a concrete post placed at the extreme northeast corner of the tract therein described in the center of a ditch, thence (4) South 29 degrees 49 feet 50 inches West part way with the center of a ditch 614.93 feet to an iron pipe placed at the extreme southeast corner of the tract herein described at the intersection of two ditches, thence (5) North 70 degrees 5 feet 20 inches West 749 57 feet to a concrete post placed at a corner of the tract herein described, thence by and with the land owned or formerly owned by George Terry Bozman and Georgeanne Bozman the two following courses and distances: (6) North 34 degrees 47 feet 30 inches East 193.50 feet to a concrete post, thence (7) North 65 degrees 1 foot 30 inches West 124.30 feet to a concrete post placed at the extreme northwest corner of the aforesaid Bozman lot on the east side of said right of way as follows: (8) by and with a curve to the west, the radius of which is 93.45 feet and the length of which is 37.89 feet to an iron pipe, thence (9) North 13 degrees 6 feet 20 inches East 320.95 feet to an iron pipe, thence (10) North 14 degrees 45 feet East 56 feet to the first mentioned concrete post and place of beginning, consisting of 36 lots and containing 11.25 acres, described as "Parcel 1" on a plat entitled "Plat of Property Surveyed for Richard Swift," prepared by G. Oliver Morrell, Registered Surveyor, (File L-477) dated June, 1982 and recorded among the Land Records of Somerset County in Plat Book L.T.P. No. 8, Folio 100;

TOGETHER WITH and easement for the purposes of ingress to and egress from the above described tract of land over and across the aforesaid right of way twenty feet in width, and continuing in a southwesterly direction to intersect the north side of Mariners Road, and continuing in a northerly direction to intersect a fifty foot right of way paralleling the southeast side of the Penn Central Railroad property, and leading thence to intersect Maryland Route 413 and providing several rights of way described or referred to herein, and BEING THE SAME and al the land and right of way conveyed unto Norman T. Whittington, Jr., and Robert L. Chamberlain, Jr., partners trading as The Farm Company by deed dated December 27, 1979 and recorded among the Land Records of Somerset County in Liber 318, folio 429.

TERMS OF SALE: Ten percent (10%) cash o n day of sale, balance to be secured to the satisfaction of the sellers on or before thirty (30) days from the date of this 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 and other public charges adjusted as of the date of sale. Assignees reserve the right to reject any and/or all bids.

DIRECTIONS TO PROPERTY: Rt. 13 to Rt. 413 in Westover, Maryland, South on 413 approximately 11.5 miles to lane near Eastern Shore Public Service on left side of Rt. 13; next to Tidewater Express. Property will be posted prior to sale.

Hamilton P. Fox, Esq.
John P. Houlihan, Esq.
108 W. Main Street
P.O. Box 212
Salisbury, Maryland 21801
Telephone (301) 749-9040

9/27, 10/4, 11, 17

Area Code (302) 674-4750

Chamberlin Sale

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of 9/26, 10/3, 10, 17 1984

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this eighteenth day of October, A.D. 1984.

Wordelyn C. Ribeto
Notary Public

BOOK 050 PAGE 671

# FOX & HOULIHAN, ATTORNEYS

## ATTORNEYS AND ASSIGNEES SALE
## Of Valuable Real Estate
## Known as Mallard Manor
## Lawsons Election District
## Somerset County, Maryland

Under and by virtue of the power of sale contained in a Mortgage from Robert L. Chamberlin, Jr., Patricia H. Chamberlin, wife, and Norman L. Whittington, Jr. and Lou B. Whittington, wife, and Robert L. Chamberlin, Jr. and Normal T. Whittington, Jr., Co-Partners T/A The Shores Company, as Mortgagors, to First Progressive Savings and Loan Association, as Mortgagee, default having occurred thereon, pursuant to proper authority, the said Attorneys and Assignees, namely, Hamilton P. Fox and John P. Houlihan, will offer for sale at public auction, to the highest bidder, at the premises on

**Tuesday, October 16, 1984**
**At 2:00 O'clock P.M.**

ALL that tract or parcel of land situate in Lawsons Election District, Somerset County, Maryland, on the southeast side of but not adjacent to Maryland 413 and the right of way of the Penn Central Railroad, and lying and binding on the east side of a right of way, twenty feet in width, leading from Mariners Road to another right of way fifty feet in width adjacent to the Penn Central Railroad property, bounded on the north by the land of the Delmarva Power and Light Company (I.T.P. No. 237, folio 567; plat I.T.P. No. 7, folio 26), bounded on the east by the land owned or formerly owned by George Terry Bozman and Georgeanna Bozman, and being more particularly described as follows: Beginning for the same at a concrete post found on the east side of said twenty-foot right of way at the extreme southwest corner of the aforesaid land of Delmarva Power and Light Company and the extreme southwest corner of the tract herein described, thence by and with the center of a ditch and the lands of Delmarva Power and Light Company and three following courses and distances: (1) South 66 degrees 48 feet East 406.58 feet to a point, thence (2) South 73 degrees 05 feet East 498.73 feet to a concrete post, thence (3) South 73 degrees 05 feet East 7 feet to a concrete post placed at the extreme northeast corner of the tract therein described in the center of ditch, thence (4) South 29 degrees 49 feet 50 inches West part way with the center of a ditch 614.93 feet to an iron pipe placed at the extreme southeast corner of the tract herein described at the intersection of two ditches, thence (5) North 70 degrees 5 feet 20 inches West 749.57 feet to a concrete post placed at a corner of the tract herein described, thence by and with the land owned or formerly owned by George Terry Bozman and Georgeanna Bozman the two following courses and distances: (6) North 34 degrees 47 feet 30 inches East 193.50 feet to a concrete post, thence (7) North 65 degrees 1 foot 30 inches West 124.30 feet to a concrete post placed at the extreme northwest corner of the aforesaid Bozman lot on the east side of said right of way as follows: (8) by and with a curve to the west, the radius of which is 93.45 feet and the length of which is 37.89 feet to an iron pipe, thence (9) North 13 degrees 8 feet 20 inches East 320.95 feet to an iron pipe, thence (10) North 14 degrees 45 feet East 56 feet to the first mentioned concrete post and place of beginning, consisting of 36 lots and containing 11.25 acres, described as "Parcel 1" on a plat entitled "Plat of Property Surveyed for Richard Swift", prepared by G. Oliver Morrell, Registered Surveyor, (File L-477) dated June, 1982 and recorded among the Lands Records of Somerset County in Plat Book L.T.P. No. 8, Folio 100;

TOGETHER WITH an easement for the purposes of ingress to and egress from the above described tract of land over and across the aforesaid right of way twenty feet in width, and continuing in a southwesterly direction to intersect the north side of Mariners Road, and continuing in a northerly direction to intersect a fifty foot right of way paralleling the southeast side of the Penn Central Railroad property, and leading thence to intersect Maryland Route 413 and providing several rights of way described or referred to herein; and

BEING THE SAME and all the land and right of way conveyed unto Norman T. Whittington, Jr., and Robert L. Chamberlin, Jr., partners trading as The Farm Company by deed dated December 27, 1979 and recorded among the Land Records of Somerset County in Liber 318, folio 429.

TERMS OF SALE: Ten percent (10%) cash on day of sale, balance to be secured to the satisfaction of the sellers on or before thirty (30) days from the date of this 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 and other public charges adjusted as of the date of sale. Assignees reserve the right to reject any and/or all bids.

DIRECTIONS TO PROPERTY: Rt. 13 to Rt. 413 in Westover, Maryland, South on 413 approximately 11.5 miles to lane near Eastern Shore Realty Service on left side of Rt. 13; next to Tidewater Express. Property will be posted prior to sale.

HAMILTON P. FOX, Esq.
JOHN P. HOULIHAN, Esq.
106 W. Main Street
P.O. Box 212
Salisbury, Maryland 21801
Telephone: (301) 749-9040

9/26

| | | |
|---|---|---|
| FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION, | * | CIVIL ACTION NO. 85 CA-00026 |
| Plaintiff | * | IN THE CIRCUIT COURT |
| -vs- | * | FOR SOMERSET COUNTY |
| ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, et al., | * | STATE OF MARYLAND |
| Defendants | * | |

**********

REQUEST FOR REDUCTION OF BOND

COME NOW, HAMILTON P. FOX, ESQ. and JOHN P. HOULIHAN, ESQ., Attorneys and Assignees herein, and respectfully represent to this Honorable Court as follows:

1. That the Mortgage dated July 16, 1982 from defendants, as Mortgagors, to Plaintiff, as Mortgagee, was assigned to Fox & Houlihan, Attorneys, as Assignee for the purpose of foreclosure and collection.

2. That a Bond from the Fidelity and Deposit Company of Maryland was issued in the sum of ONE HUNDRED TWENTY-SEVEN THOUSAND AND 00/100 DOLLARS ($127,000.00) on August 20, 1984.

3. That the sale of the real estate mentioned therein was held on Thursday, October 18, 1984, at 2:00 P.M. at the premises.

4. That said property was then and there sold for the sum of THIRTY-SEVEN THOUSAND DOLLARS ($37,000.00), and the Plaintiff herein was the purchaser of said property, it being the highest bidder.

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 818
SALISBURY, MD 21801

WHEREFORE, it is respectfully requested that an Order be issued ordering that the bond issued in this matter in the sum of ONE HUNDRED TWENTY-SEVEN THOUSAND DOLLARS ($127,000.00) be reduced to THIRTY-SEVEN THOUSAND DOLLARS ($37,000.00).

DATED: October 24th, 1984

HAMILTON P. FOX, Assignee

JOHN P. HOULIHAN, Assignee

O R D E R

The aforegoing Motion having been read and considered, it is this 5th day of Nov., 1984, by the Circuit Court for Wicomico County,

ORDERED, that the bond in this matter be reduced from ONE HUNDRED TWENTY-SEVEN THOUSAND DOLLARS ($127,000.00) to THIRTY-SEVEN THOUSAND DOLLARS ($37,000.00).

, Judge

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 212
SALISBURY, MD 21801

| | | |
|---|---|---|
| FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION, | * | CIVIL ACTION NO. 85 CA-00026 |
| | * | IN THE CIRCUIT COURT |
| Plaintiff | * | FOR SOMERSET COUNTY |
| -vs- | * | STATE OF MARYLAND |
| ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, et al., | * | |
| Defendants | * | |

**********

NOTICE

NOTICE is hereby issued this 5th day of Nov, 1984, that the sale of the property mentioned in these proceedings and reported by Hamilton P. Fox and John P. Houlihan, Attorneys and Assignees, for the purpose of sale, be ratified and confirmed unless cause to the contrary be shown on or before the 5th day of December, 1984, provided, a copy of this order be inserted in some daily newspaper published in Somerset County and Wicomico County, once a week for three successive weeks, before the 3RD day of December, 1984.

The Report of Sale states the amount of the sale to be THIRTY-SEVEN THOUSAND AND 00/100 DOLLARS ($37,000.00).

Lloyd L. Simpson
JUDGE

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 818
SALISBURY, MD 21801

Area Code (302) 674-4750

BOOK 050 PAGE 676

INDEPENDENT NEWSPAPERS INCORPORATED • P.O. BOX 7001, DOVER, DEL. 19901

County of Kent :
: s.s.
State of Delaware:

Before me, a Notary Public for the County and State aforesaid, personally appeared Jennilee Grandfield of Independent Newspapers, Inc., who deposes and swears that the notice, a copy of which is hereto attached, was published in The Crisfield Times, Crisfield, Maryland, in its issue of November 14,21 & 28, 1984.

Jennilee Grandfield
Independent Newspapers, Inc.

Sworn to and subscribed before me this eleventh day of December, A.D. 1984.

Wendelyn A. Roberts
Notary Public

First Progressive Savings And Loan Association, Plaintiff
vs
Robert L. Chamberlin, Jr., Patricia H. Chamberlin, et al., Defendants
Civil Action No. 85 CA-00026
In The Circuit Court For Somerset County State Of Maryland

NOTICE

NOTICE is hereby issued this 5th day of November, 1984, that the sale of the property mentioned in these proceedings and reported by Hamilton P. Fox and John P. Houlihan, Attorneys and Assignees, for the purpose of sale, be ratified and confirmed unless cause to the contrary be shown on or before the 5th day of December, 1984, provided, a copy of this order be inserted in some daily newspaper published in Somerset County and Wicomico County, once a week for three successive weeks, before the 3rd day of December, 1984.

The Report of Sale states the amount of the sale to be Thirty-seven Thousand and 00/100 Dollars ($37,000.00).

Lloyd L. Simpkins
Judge
True Copy, Test:
I.T. Phoebus,
Clerk
11/14/3x

| | | |
|---|---|---|
| FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION, | * | CIVIL ACTION NO. 85 CA-00026 |
| Plaintiff | * | IN THE CIRCUIT COURT |
| -vs- | * | FOR SOMERSET COUNTY |
| ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, et al., | * | STATE OF MARYLAND |
| Defendants | * | |

**********

FINAL ORDER OF RATIFICATION ON ASSIGNEES' REPORT OF SALE

ORDERED BY THE COURT, this 19th day of Dec., 1984, that the sale made and reported by the Attorneys and Assignees, hamilton P. Fox, Esq. and John P. Houlihan, Esq., 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 Notice issued in said cause; and the Attorneys and Assignees allowed the usual commissions and such proper expenses as they shall produce vouchers for to the Auditor.

Lloyd L. Simpkins, Judge

FOX & HOULIHAN
ATTORNEYS-AT-LAW
106 WEST MAIN STREET
P. O. BOX 812
SALISBURY, MD 21801

| | | |
|---|---|---|
| FIRST PROGRESSIVE SAVINGS AND LOAN ASSOCIATION | * | CIVIL ACTION NO. 85 CA-00026 |
| Plaintiff | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| ROBERT L. CHAMBERLIN, JR., PATRICIA H. CHAMBERLIN, et al | * | STATE OF MARYLAND |
| Defendants | * | BOOK 050 PAGE 673 |
| | * | |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | $ 37,000.00 |
| Fees, Costs, Expenses, etc.: | | |
| I. Theodore Phoebus, Court costs | 190.00 | |
| Crisfield Times | 301.20 | |
| Daily Times | 629.96 | |
| Hearne & Bailey, Trustee's Bond | 508.00 | |
| Pete Richardson, Auctioneer | 150.00 | |
| Somerset County Taxes | | |
| 1983 - $48.71 | | |
| 1984 - 52.32 | | |
| 1985 - 48.48 | 149.51 | |
| Trustee's Fee | 2,000.00 | |
| Auditor's Fee | 65.00 | |
| Certified Mail | 10.20 | |
| Attorney's fee per mortgage | 75.00 | |
| Total Fees, Costs, Expenses, etc. | | $ 4,078.87 |
| Balance to be Distributed | | $ 32,921.13 |

Mortgage Debt

| | |
|---|---|
| Principal | $ 85,000.00 |
| Interest from 7/16/82 (date of mortgage) to 10/18/84 (date of sale) 825 days @ $47.16 per diem | 38,907.00 |
| Late charges | 3,442.56 |
| | $ 127,349.56 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

| | | |
|---|---|---|
| | $ 127,349.56 | |
| Proceeds of sale less costs | -32,921.13 | |
| | $ 94,428.43 | |
| 90 days interest | 4,244.40 | |
| Total Mortgage Deficit | | $ 98,672.83 |

ALL EXCEPTIONS to said report must be filed within ten days of the date of the filing of this report. 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:

John P. Houlihan, Esquire
Fox & Houlihan
106 West Main Street
P. O. Box 212
Salisbury, MD 21801

Robert L. Chamberlin, Jr.
Rt. 3
Princess Anne, MD 21853

Patricia H. Chamberlin
Rt. 3
Princess Anne, MD 21853

Logan C. Widdowson, Auditor

Date of Filing: February 20, 1985

Norman T. Whittington, Jr.
Rt. 1
Marion Station, MD 21838

Lou B. Whittington
Rt. 1
Marion Station, MD 21838

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 SOUTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

LCW/gjb
85 # 172
2/19/85

BOOK 050 PAGE 639

No. YSCP00026 Civil Action ~~Chancery Case~~

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 20th day of February, 19 85 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 4th day of March, 19 85.

J. Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 24th day of January, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

JAN 08 1987
Eld.

In the Matter of the Foreclosure of a Mortgage from Murray Silverman and Blossom Silverman, his wife

: CIVIL NO: 85C100369

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : :

COMPLAINT FOR FORECLOSURE OF MORTGAGE

MR. CLERK:

Please docket suit as above, file the mortgage attached for foreclosure, default having occurred therein and file the affidavit of debt.

The mortgage is recorded in the Land Records of Somerset County, Maryland, in Liber 322, folio 113.

Thomas S. Simpkins

BOOK 050 PAGE 631

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N SOMERSET AVE
P.O. BOX 307
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of Mortgage from Murray Silverman and Blossom Silverman, his wife

: CIVIL NO. 85CA00369

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : : :

AFFIDAVIT OF DEBT

STATE OF MARYLAND, COUNTY OF SOMERSET:

I hereby certify that on this 4th day of November, 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Robert Murphey, who first being duly sworn according to law, deposes and says: that he is the owner of the hereinafter referenced mortgage; that there is justly due and owing on the mortgage from the mortgagors dated May 8, 1980, and recorded among the Land Records of Somerset County, Maryland, in Liber 322, folio 113, the principal sum of Four Hundred Twenty-five Thousand Fifty-seven Dollars and one cent ($425,057.01) with per diem interest in the amount of $111.57 from October 22, 1985, through the date hereof.

As Witness my hand and Notarial Seal.

Susan C. Nelson
Notary Public

My commission expires July 1, 1986.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a mortgage from Murray Silverman and Blossom Silverman, his wife

: CIVIL NO: 85CA003369

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : :

CERTIFICATION OF SERVICE TO MORTGAGORS

I hereby certify that on this 4th day of November 1985, I did forward a copy of the aforegoing Affidavit of Debt and Complaint for Foreclosure of Mortgage unto Murray Silverman and Blossom Silverman, by regular U.S. Mail, postage prepaid, to P.O. Box 566, Laurel, Maryland 20707.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. SOMERSET AVE.
P.O. BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 050 PAGE 684

In the Matter of the Foreclosure of Mortgage from Murray Silverman and Blossom Silverman, his wife

: CIVIL NO. 85CA00369

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : : : : : :

MOTION TO SET BOND

The assignee, Thomas S. Simpkins, moves this Honorable Court to set the assignee's bond in the above matter at $50,000.00, and for cause says:

1. That although the balance due on the mortgage is $425,057.01, the mortgage was written to secure two parcels other than the one foreclosed upon.

2. That the mortgage was purchased on October 24, 1985, by Robert Murphey for the consideration of $35,000.

3. That a bond of $50,000.00 should be adequate to protect costs and the creditors in this matter.

WHEREFORE, the assignee moves this Honorable Court to set the bond of the assignee at $50,000.00.

Thomas S. Simpkins, Assignee

MOTION GRANTED this 7th day of November 1985.

Judge

THOMAS S. SIMPKINS
ATTORNEY AT LAW
81 N. SOMERSET AVE
P.O. BOX 207
PRINCESS ANNE, MD 21853
TELEPHONE 651 1400

In the Matter of the Foreclosure of Mortgage from Murray Silverman and Blossom Silverman, his wife

: CIVIL NO. 85CA00369

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET:

I do hereby certify that on this 22nd day of November 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depose and say:

That on November 21, 1985, he did mail an exact copy of the advertisement of sale in the above matter to Murray Silverman, at P. O. Box 566, Laurel, Maryland 20707, by certified mail as required by Rule W74(b).

As Witness my hand and Notarial Seal.

Susan A. Nelson
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

BOOK 050 PAGE 686

In the Matter of the Foreclosure of Mortgage from Murray Silverman and Blossom Silverman, his wife

CIVIL NO. 85CA00369

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

: : : : : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET:

I do hereby certify that on this 22nd day of November 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Thomas S. Simpkins and he did depost and say:

That on November 21, 1985, he did mail an exact copy of the advertisement of sale in the above matter to Blossom Silverman, at P. O. Box 566, Laurel, Maryland 20707, by certified mail as required by Rule W74(b).

As Witness my hand and Notarial Seal.

Susan C. Nelson
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 11/13, 1985, and ending ~~Ea~~ 3 Nov. 27 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lisa Taylor - Somerset Herald, Jr.
Publisher.

Printer's Fee: $57.95 per insertion

PAGE 050 LINE 687

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD 21853

**MORTGAGE FORECLOSURE SALE**
**OF**
**VALUABLE COMMERCIAL PROPERTY**
**KNOW AS**
**INDEPENDENCE HALL**
**Princess Anne, Maryland**

Under and by virtue of the power of sale contained in a mortgage from Murray Silverman to Sharon Savings & Loan and by mense assignments duly assigned unto the undersigned for the purpose of foreclosure and collection, I hereby give notice that I will on

**TUESDAY, DECEMBER 3rd, 1985**
**AT 1:30 P.M.**
**AT THE COURTHOUSE DOOR**
**PRINCESS ANNE, MARYLAND**

offer the following described property for sale at public auction to the highest bidder therefor on the terms hereafter set forth:

All that lot or parcel of land situate, lying and being in the Town of Princess Anne, East Princess Anne Election District, Somerset County, Maryland, lying and binding on the south side of Main Street or Somerset Avenue and lying and binding on the west side of Beechwood Street and described on the 1974 Tax Assessment Maps of Somerset County, Maryland, and of the Town of Princess Anne on Map 13, Block 43 as Parcel 17, being bounded on the west by Main Street or Somerset Avenue, on the north by the land assessed to James E. Byrd, Jr. and Lois S. Byrd [Deed reference I.T.P. No. 275, folio 187], in part, and on the north in part and on the east in part by the land assessed to Clarence L. Byrd and Mary Ellen Byrd [Deed reference I.T.P. No. 275, Folio 185] and on the east in part by Beechwood Street, and on the east and south in part by the land assessed to Lois Sands Muir [Deed reference B.L.B. No. 180, Folio 366]. The improvements theron being known as Independence Hall.

IMPROVEMENTS: The property is improved by a three-story masonry building, the ground floor of which is suitable for commercial uses and the second and third floors are suitable for conversion to apartments or office space. The building is in fair condition and is the building commonly known as "Independence Hall".

TERMS: The sale is made free and clear of all liens; taxes and sewer and water charges to be adjusted to date of settlement. A deposit of $5,000.00 on the day of sale will be required and the balance shall be payable upon ratification of the sale by the Circuit Court; the deferred portion shall bear interest at the rate of 12%. Costs of title papers, documentary stamps, transfer tax and other closing costs at the expense of the purchaser.

51 N. Somerset Ave.
Princess Anne, Md. 21853
(301) 651-1400

Thomas S. Simpkins
Assignee

80-11/13-3t

# POWER OF ATTORNEY

(Irrevocable)

*Know All Men by These Presents:*

BOND No. R- 40245566

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 duly organized, does hereby make, constitute and appoint the following

SLVN [ ] authorized individuals:

BOND 88 8SC000368

| AUTHORIZED INDIVIDUALS | AUTHORIZED INDIVIDUALS |
|---|---|
| RANDALL L PRYOR<br>DONALD L HENDERSON<br>JERRY WARREN ELLIOTT<br>ROBERT J MEADE | VICKIE L WAGNER<br>MICHAEL J CUSEBIO<br>MARY LOU KING |

In the City of SALISBURY, 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, EXECUTOR, PERSONAL REPRESENTATIVE, GUARDIAN, CONSERVATOR, CURATOR, 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), REFEREE IN PARTITION, COMMISSIONER TO SELL REAL ESTATE, TRUSTEE OR RECEIVER — In Bankruptcy (Excluding Chapter 11) | $1,000,000 |
| (B) NOTARY PUBLIC, PUBLIC OFFICIAL AND DEPUTIES, RECEIVER — (In State Court Only) | $ 50,000 |
| (C) PLAINTIFF'S COURT BOND — Banks, Savings & Loan, and Trust Companies<br>— All Others, except bonds prohibited by "NOTE" below | $ 100,000<br>$ 20,000 |
| (D) COST ON APPEAL (EXCLUDING OPEN PENALTY, STAY, REMOVAL OF CAUSE) SUPERSEDEAS OR GUARANTEE OF A JUDGMENT | $ 2,000 |
| (E) LICENSE AND PERMIT Except bonds where the state is the obligee<br>SPECIAL FUEL USERS | $ 25,000<br>$ 2,000 |
| (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, Assistant 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, OR UTILITY DEPOSIT BONDS 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, Powers of Attorney 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, Powers of Attorney or other obligations of the corporation - the signature of any such officer and the corporate seal may be printed by facsimile."

Dated this 23rd day of August, 1982.

ATTEST C. Schmidt
Assistant Secretary

WESTERN SURETY COMPANY

By J. P. Kirby
President

STATE OF SOUTH DAKOTA
County of Minnehaha } ss

On this 23rd day of August, 1982, before me, a Notary Public, personally appeared JOE P. 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 June 12, 19 88

J. Rhone
Notary Public, South Dakota

BOND Book 11 PAGE 3603

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 * _____ day of _____

WESTERN SURETY COMPANY

By J. P. 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 A-5-83

Maryland

Address Claims to:
WESTERN SURETY COMPANY
101 South Phillips Avenue
SIOUX FALLS, SD 57192

# Western Surety Company

Bond Book 11 Page 604

## TRUSTEES, MORTGAGEES, ATTORNEYS OR FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS: BOND No. TM- 60157570

That we, THOMAS S. SIMPKINS, 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 FIFTY THOUSAND and no/100 ($ 50,000.00) DOLLARS,
(NOT VALID IF FILLED IN FOR MORE THAN $1,000,000.00)
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 December, 1985.

WHEREAS, the above bounden THOMAS S. SIMPKINS

by virtue of the power contained in a mortgage from MURRAY SILVERMAN

to SHARON SAVINGS & LOAN

bearing date the 8TH day of May, 1980 and recorded among

the mortgage records of SOMERSET COUNTY, MARYLAND

in Liber 322 No. _____ Folio 113

and THOMAS S. SIMPKINS
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 THOMAS S. SIMPKINS 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

Faith B. Phoebus

Thomas S. Simpkins) Principal

Principal

As to Surety

A. Jacobson

J. Middleton

WESTERN SURETY COMPANY

By _____

President

DEC 3 9 37 AM '85

Countersigned by _____ Maryland Resident Agent

RECORDED
LIBER NO. _____ FOLIO _____
J. THEODORE ... CLK. CI. CT.
BY _____ DEPUTY

BOOK 050 PAGE 689

1268—10-83

BOOK 050 PAGE 690

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Mortgage from Murray Silverman and Blossom Silverman, his wife | : | NO. 85CA00369 Chancery |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY, MARYLAND |

: : : : :

AFFIDAVIT

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 3rd day of December 1985, before me, the subscriber, a notary public in and for the state and county aforesaid, personally appeared Robert W. Murphey and after being duly sworn by me according to law, deposes and says:

1. That he was the purchaser at the public auction of the property in these proceedings held on December 3rd, 1985, at 1:30 p.m. for $40,000.00.

2. That he did not directly or indirectly discourage anyone from bidding on the property.

As Witness my hand and Notarial Seal.

Robert W. Murphey (SEAL)
Robert W. Murphey

Susan O. Nelson
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

In the Matter of the Foreclosure of a Mortgage from Murray Silverman and Blossom Silverman, his wife

: NO. 85CA00369 Chancery

: IN THE CIRCUIT COURT FOR

: SOMERSET COUNTY, MARYLAND

: : : : : : : :

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Thomas S. Simpkins, Attorney in the above captioned cause, duly qualifed after filing his approved bond, hereby reports: That he did on December 3rd, 1985, at 1:30 p.m. after having given due notice as required by law, sell the land at public auction described in these proceedings, unto Robert W. Murphey for the sum of Forty Thousand Dollars ($40,000.00) that being the highest bid therefor and that a deposit of Five Thousand Dollars has been paid as per terms of sale, the unpaid portion to be paid upon ratification.

Respectfully submitted,

Thomas S. Simpkins

STATE OF MARYLAND, COUNTY OF SOMERSET, SS:

I hereby certify that on this 3rd day of December 1985, before me, the subscriber, a notary public in and for the state

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE
P O BOX 307
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1800

and county aforesaid, personally appeared Thomas S. Simpkins, and he did depose and say: that he was duly appointed and qualified to sell the land in the above 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 the best of his information, knowledge and belief.

As Witness my hand and Notarial Seal.

Susan O. Nelson
Notary Public

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE
P O BOX 307
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

Thomas S. Simpkins

Attorney at Law
Princess Anne, Maryland

In the Foreclosure of a
Mortgage from Murray Silverman
and Blossom Silverman, his wife,

---

Chancery No. 85CA00369
In the Circuit Court for
Somerset County, Maryland

---

NOTICE

ORDERED, by the Circuit Court for Somerset County, Maryland, this 5th day of December 1985, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, be RATIFIED AND CONFIRMED unless cause to the contrary thereof be shown on or before the 6th day of January 1986; provided a copy of this ORDER be inserted in some newspaper published in Somerset County, Maryland, once in each of the three consecutive weeks before the 30th day of December 1985.

The Report states the amount of sale to be a total of Forty Thousand Dollars ($40,000.00).

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N SOMERSET AVE
P O BOX 207
PRINCESS ANNE, MD. 21853

TELEPHONE 651-1400

R. D. Lorsey
Judge

Somerset Herald

BOOK 050 PAGE 694

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 328 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 12/11, 1985, and ending 12/25, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor - Somerset Herald Publisher.

Printer's Fee: 27.50 per insertion.

Total - 3 weeks - 82.50

---

Thomas S. Simpkins
Attorney at Law
Princess Anne, Maryland

In the Foreclosure of a Mortgage
from Murray Silverman
and Blossom Silverman, his wife

Chancery Case No. 85CA00369
In the Circuit Court for
Somerset County, Maryland

## NOTICE

ORDERED, By the Circuit Court for Somerset County, Maryland, this 5th day of December 1985, that the sale of the property mentioned in these proceedings, made and reported by Thomas S. Simpkins, Attorney, be RATIFIED and CONFIRMED, unless cause to the contrary thereof be shown on or before the 6th day of January 1986; 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 30th day of December, 1985.

The Report states the amount of sale to be a total of Forty Thousand Dollars [$40,000.00].

True Copy, Test:
I. Theodore Phoebus
Clerk

R.D. Horsey
JUDGE
80-12/11-3t SH

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Mortgage from Murray Silverman and Blossom Silverman, his wife | : | NO. 85CA00369 Chancery |
| | : | IN THE CIRCUIT COURT FOR |
| | : | SOMERSET COUNTY, MARYLAND |

: : : : : : :

ORDER OF RATIFICATION

UPON the Report of Sale, Affidavit and Show Cause Order which was duly published as required by Rule, and no one having shown cause to the contrary or objected thereto, IT IS, this 7th day of January, 1986, ORDERED AND DECREED, by the Circuit Court for Somerset County, Maryland, in #85CA00369 Chancery that the sale of the property mentioned in these proceedings BE and It hereby IS RATIFIED AND CONFIRMED.

Judge

THOMAS S. SIMPKINS
ATTORNEY AT LAW
31 N. SOMERSET AVE.
P.O. BOX 307
PRINCESS ANNE, MD. 21853
TELEPHONE 651-1400

BOOK 050 PAGE 696

| | | |
|---|---|---|
| In the Matter of the Foreclosure of a Mortgage from Murray Silverman and Blossom Silverman, his wife | * | IN THE CIRCUIT COURT FOR SOMERSET COUNTY STATE OF MARYLAND NO. 85CA00369 |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | $ 40,000.00 |
| Interest to January 7, 1986 | | 402.50 |
| | | $ 40,402.50 |
| Fees, Costs, Expenses, etc. | | |
| I. Theodore Phoebus, Clerk | $ 149.00 | |
| Henderson Insurance Agency, Bond | 150.00 | |
| Somerset Herald | | |
| Advertising - $173.85 | | |
| Order Nisi - 82.50 | 256.35 | |
| Wallace Dashiell, Auctioneer | 100.00 | |
| Logan C. Widdowson, Auditor | 65.00 | |
| Thomas Simpkins, counsel fee per mortgage | 3,000.00 | |
| Certified mail | 3.34 | |
| Notary Fees | 8.00 | |
| Total Fees, Costs, Expenses, etc. | $3,731.69 | |
| Balance to be Distributed | | $ 36,670.81 |
| Mortgage Debt: | | |
| Principal | 425,057.01 | |
| Interest to 12/4/85 | 4,797.51 | |
| Interest from 12/5/85 through 2/2/86 | 6,694.20 | |
| Total Mortgage Debt | | $436,548.72 |
| Deficit | | $399,877.91 |

ALL EXCEPTIONS to said report must be filed within ten (10) 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

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3860

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:

Thomas Simpkins, Esquire
51 N. Somerset Avenue
Princess Anne, MD 21853

Mr. Murray Silverman
P.O. Box 566
Laurel, MD 20707

Mrs. Blossom Silverman
P.O. Box 566
Laurel, MD 20707

Logan C. Widdowson, Auditor

Date of Filing: January 23, 1986

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
1/23/86
86 # 189

BOOK 050 PAGE 698

No. 85CA00379 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 3rd day of January, 19 86 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, 19 86.

Theodore Phoebus
CLERK

No exceptions having been filed, and no cause to the contrary having been shown, IT IS ORDERED by the Circuit Court for Somerset County, in Equity, this 26th day of February, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

Theodore Phoebus
CLERK

Exd
JAN 08 1997

Norma M. Kelly
908 Tyson Street
Baltimore, Maryland,

Complainant

vs

Elizabeth B. Price
Chanco, Maryland,

Respondent

and all other persons unknown claiming any right, title, estate, lien, or interest in the real property described in the complaint adverse to Complainant's ownership or any cloud upon Complainant's title thereto

Chancery No. 10056

In the Circuit Court for

Somerset County, Maryland

FEB 7 77 8 025478D*****5.00
FEB 7 77 8 025477D*****40.00

BILL OF COMPLAINT QUIA TIMET
and
BILL OF COMPLAINT TO ESTABLISH BOUNDARY LINES

Norma M. Kelly, Complainant, by R. Patrick Hayman, her attorney, respectfully represents to the Court:

1. That the Complainant is the owner in fee simple of a certain tract or parcel of land near the Village of Chance, in Tangier Election District, Somerset County, Maryland, which was conveyed unto her by Alexander Jones, Trustee, and Francis L. and Marion C. Hayman, by deed dated March 20, 1961, and recorded among the Land Records of Somerset County in Liber 203 page 76, et. seq., a copy of which deed is attached hereto and incorporated by reference.

2. That Complainant and her predecessors in interest under the aforesaid deed have had exclusive, peaceable, complete, open, notorious, hostile, constructive, and continuous undisputed possession of said property adverse to Respondent and all other persons for more than 20 years, and Complainant is now in possession of said property.

3. That Respondent claims an estate or interest in said property adverse to Complainant. Respondent's claim is without any right whatever, and Respondent has no estate, right, title, lien, or interest

in or to said property, or any part thereof, but has denied or disputed Complainant's title.

4. That there is now pending no action at law or any proceeding in equity to enforce or test the validity of such title, lien, or encumbrance or other adverse claim.

5. That Respondent purchased from Elizabeth B. Price, Personal Representative of the Estate of Ralph R. Brown, certain real property described in a deed dated May 19, 1942, from Carlos Bozman, to Ralph R. Brown, recorded among the Land Records of Somerset County, Maryland, in Liber 122 page 261, more specifically described as "All that lot of land in Tangier Election District, Somerset County, Maryland, containing one and three-fourths acres, more or less, on the County Road adjoining the lands of Thomas H. Jones and W. D. Kelly, and assessed to the said Elizabeth S. Shores, of John N., for the said years 1927 and 1928."

6. That Respondent has caused to be prepared by P. J. Hannon Associates, R.L.S., Salisbury, Maryland, a plat dated March 26, 1975, and recorded among the Land Records of Somerset County in Plat Book 9 page 98, on which plat is shown 4.84 acres of land, and which plat was used as a basis for the description in a deed dated April 9, 1975 from Elizabeth Brown Price, Personal Representative of the Estate of Ralph R. Brown, to Elizabeth Brown Price, and recorded among the Land Records of Somerset County in Liber 286 page 221, et. seq., which lands are recited as being the same lands as those described in paragraph 5 supra.

7. That Respondent has caused her agent, Ruth Stewart, of Stephens-Stewart Realtors, Salisbury, Maryland, to place upon the lands of Complainant signs advertising Complainant's property for sale, without the knowledge or authorization of Complainant.

Wherefore, Complainant prays as follows:

1. That Respondent and all persons claiming under her, and any other person 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.

2. For a decree of this Court that the Complainant have absolute ownership and the right of disposition of the property described in paragraph 1 of the Bill of Complaint.

3. For said decree to permanently enjoin Respondent and all persons claiming under her, 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 Complainant by any action at law or otherwise.

4. That the Court issue a decree establishing the boundary lines between the lands in which the respective parties have an interest, pursuant Annotated Code of Maryland, Real Property, Section 14-111.

5. That a decree be issued temporarily restraining Respondent and all persons claiming under her, 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 Complainant, by any action at law, or otherwise, including any disposition by Respondent of the said property by sale, gift, devise, bequeath, or any other manner, pending a resolution of the disputed boundaries.

6. That the Complainant be awarded the costs of this proceeding.

7. That Complainant shall have such other and further relief as her case may require.

May it please your Honor to grant unto your orator the Writ of Subpoena directed to the said Elizabeth B. Price, of Chance, Maryland, the Respondent herein, commanding her 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.

Norma M. Kelly

Norma M. Kelly

R. Patrick Hayman

BOOK 050 PAGE 701

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 28th day of January, 1977, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County, personally appeared Norma M. Kelly, and she made oath in due form of law that the matters and facts set forth in the foregoing Bill of Complaint are true and correct as therein stated, to the best of her knowledge, information, and belief.

Witness my hand and Notarial Seal.

Lula Mae Deze
Notary Public

Norma M. Kelly,

Complainant

vs

Elizabeth B. Price, and
all other persons, etc.,

Respondent

Chancery No. 10056

In the Circuit Court for

Somerset County, Maryland

ORDER TO SHOW CAUSE

Upon reading and filing the verified complaint of the petitioner in this action, and the affidavit of Norma M. Kelly, petitioner, and from the stated intentions and acts of the Respondent, it appears to the satisfaction of the Court that there is a proper case for granting a temporary restraining order, and unless the temporary restraining order prayed for be granted, great injury will result to the petitioner,

Now, therefore, it is hereby ORDERED that the Respondent be and appear before this Court at the hour of 1:30 o'clock P.M., on the 7th day of March, 1977, then and there to show cause, if any she has, why she and her agents, servants, employees, and attorneys should not be permanently enjoined and restrained from proceeding with the disposition by sale, gift, devise, or any other method of the lands claimed by Respondent described in a deed from Elizabeth Brown Price, Personal Representative of the Estate of Ralph R. Brown, to Elizabeth Brown Price, dated April 9, 1975, and recorded among the Land Records of Somerset County in Liber 286 page 221, or from asserting any claim, estate, right, title, lien, or intent to the said property, or any part thereof, adverse to Complainant by any action at law or otherwise, and

It is further ORDERED that Respondent, her agents, servants, employees, and attorneys are hereby enjoined and restrained from proceeding with the disposition by sale, gift, devise, or any other

method of the aforesaid lands, pending the hearing on the Order To Show Cause hereinbefore cited; provided that a copy of this petition and order be served upon the Respondent, Elizabeth B. Price, on or before the 17th day of FEBRUARY, 1977.

BOOK 050 PAGE 704

DATED: February 7, 1977.

R. L. Horsey
Judge

Norma M. Kelly,

Complainant

vs

Elizabeth B. Price,

Respondent

and all other persons unknown claiming any right, title, estate, lien, or interest in the real property described in the complaint adverse to Complainant's ownership or any cloud upon Complainant's title thereto

Chancery No. 10056

In the Circuit Court for

Somerset County, Maryland

PETITION FOR ORDER OF PUBLICATION

Norma M. Kelly, Complainant, by R. Patrick Hayman, her attorney, respectfully represents to the Court:

1. That Complainant has signed a Bill Of Complaint Quia Timet and Bill Of Complaint to Establish Boundary Lines against Elizabeth B. Price, and all others as aforesaid in the above entitled matter.

2. That the action contemplates possible defenses by other persons not specifically named, believed to be property owners in the vicinity whose interest might be affected.

3. That Maryland Rule 180 requires publication of the Bill Of Complaint.

Wherefore, Complainant prays an order of publication directing publication of the said Bill Of Complaint Quia Timet and Bill of Complaint To Establish Boundary Lines.

R. Patrick Hayman
Attorney for Complainant

Upon the foregoing petition, it is this 7th day of February 1977, ORDERED that the Petition for Order of Publication is granted.

BOOK 050 PAGE 705

JUDGE

Norma M. Kelly,

Complainant

vs

Elizabeth B. Price
Chance, Maryland,

Respondent

and all other persons unknown claiming any right, title, estate, lien, or interest in the real property described in the Complaint adverse to Complainant's ownership or any cloud upon Complainant's title thereto

Chancery No. 10056

In the Circuit Court for

Somerset County, Maryland

BOOK 050 PAGE 706

ORDER OF PUBLICATION

ORDERED by the Circuit Court for Somerset County this 7th day of February, 1977, that notice of suit by Norma M. Kelly, for a Bill Of Complainant Quia Timet and Bill Of Complaint To Establish Boundary Lines has been filed against Elizabeth B. Price, Chance, Maryland, and all other persons unknown claiming any right, title, estate, lien, or interest in the real property described in the Complaint adverse to Complainant's ownership or any cloud upon Complainant's title thereto, be given by publication in the Marylander and Herald, or some other newspaper having general circulation in Somerset County, Maryland, for three successive weeks, which shall warn the aforesaid Respondent, and all other persons, as aforesaid, to file responsive pleadings on or before the 31st day of March, 1977.

I. Theodore Phoebus

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

No. 10056 Chancery Case

**WRIT OF SUBPOENA:** WITH CLAIM FOR INJUNCTION

# The Circuit Court for Somerset County

**Princess Anne, Maryland**

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

**TO** Elizabeth B. Price
Chance, Maryland

*GREETING:*

We command and enjoin you that you do within the time limited by law, AS PER COPY OF ORDER OF COURT ATTACHED HERETO ~~beginning on the first Monday of ..... next and ending fifteen days thereafter~~ cause your answer or other defense to be filed to the complaint of Norma M. Kelly
908 Tyson Street
Baltimore, 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 ~~Joseph M. Moore, Jr.~~, 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 ..... day of ....., 19..... Personal attendance in Court on the day named is not necessary, but unless you answer or make other defense within the time named, the Complainant(s) may obtain a decree pro confesso against you which upon proper proof may be converted to a final decree for the relief demanded.~~

Solicitor for Complainant(s)

R. Patrick Hayman
Prince William Street
Princess Anne, Maryland 21853

**Name**

**Address**

BOOK 050 PAGE 707

S. Theodore Phoebus
**Clerk**

SHERIFF'S RETURN

Summoned and copy of Bill of Complaint Quia Timet Bill of Complaint to Establish Boundary Lines Affidavit and Copies of Deeds

with Elizabeth B. Price
on 9 day of February, 1977

Thomas N. Foxwell Jr.
Sheriff.

NORMA M. KELLY *

-vs- *

ELIZABETH B. PRICE *

NO. 10,056 CHANCERY

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

BOOK 050 PAGE 703

* * * * * * * * *

DEMURRER AND ANSWER TO BILL OF COMPLAINT

Your Respondent, Elizabeth B. Price, as a Demurrer and Answer to the Bill of Complaint filed against her, says:

DEMURRER

1. The Bill of Complaint claims to be filed as a Bill Quia Timet, but the said Bill does not allege that the land is vacant and unoccupied, nor any other facts to show there is no adequate remedy at law. Barnes v. Webster, 220 Md. 473.

2. That the Bill of Complaint claims also to be filed under the provisions of Section 14-111 of the volume entitled "Real Estate" of the Annotated Code of Maryland, but said section makes no provision for equity jurisdiction.

3. That the Bill of Complaint sets forth no facts to show what boundary line of Respondent's property is in dispute or to what extent and therefore states no cause of action.

4. That the Bill of Complaint does not set forth under which item or items of Complainant's deed, filed as an exhibit therewith, Complainant claims Respondent's property as shown on the plat thereof referred to in Paragraph 6 of said Bill of Complaint.

Elizabeth B. Price
ELIZABETH B. PRICE

JOHN E. JACOB, JR.
Attorney for Respondent

LAW OFFICES
JOHN E. JACOB, JR.
106 W. MAIN ST.
SALISBURY, MD. 21801
TEL. 546-1281

## ANSWER

1. That your Respondent has no knowledge of the allegations contained in the first paragraph of the Bill of Complaint filed against her; but says that a cursory examination of the copy of the deed filed therewith indicates that there are nine parcels of land described therein, many of which do not appear to be contiguous with each other and thus do not form one parcel as alleged.

2. That your Respondent, not being aware of the specific locations of the parcels described in said deed, does not have sufficient information to answer the second paragraph of the Bill of Complaint, but denies that the Complainant has had exclusive, peaceable, complete, open, notorious, hostile, constructive, and continuous undisputed possession on said property adverse to Respondent and all other persons for more than 20 years or that the Complainant is now in possession of said property described on the plat referred to in Paragraph 6 of the Bill of Complaint.

3. That your Respondent is unable to tell from the Bill of Complaint or Complainant's deed whether or not she does indeed claim an estate or interest in any property adverse to Complainant, and is, therefore, unable to further answer the allegations contained in the third paragraph of the Bill of Complaint.

4. That your Respondent admits that there are now no other suits of any kind pending between them.

5. That she admits the matters and facts set forth in the fifth paragraph of the said Bill of Complaint.

6. That she admits the matters and facts set forth in the sixth paragraph of the said Bill of Complaint.

LAW OFFICES
JOHN E. JACOB, JR.
106 W. MAIN ST.
SALISBURY, MD. 21801
TEL. 546-1281

7. That she admits that she has caused Ruth Stewart to place on her own property a sign advertising it for sale, but denies that said sign is on Complainant's property or that it advertises Complainant's property for sale.

8. And further answering the said Bill of Complaint, and the Show Cause Order based thereon, your Respondent says that the Complainant has alleged no facts sufficient to justify an injunction against her of any kind, and particularly to enjoin her from asserting a claim to her own property which she and her father before her have owned for more than twenty (20) years, nor has she alleged sufficient facts to enable your Respondent to defend herself against said claims of Complainant.

WHEREFORE, having fully answered the Bill of Complaint filed herein, your Respondent prays that she may be dismissed hence with her costs.

Elizabeth B. Price
ELIZABETH B. PRICE

JOHN E. JACOB, JR.
Attorney for Respondent
106 West Main Street
Salisbury, Maryland 21801
Telephone: 546-1281

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 3rd day of March, 1977, a copy of the aforegoing Demurrer and Answer to Bill of Complaint was mailed by regular U. S. Mail, postage prepaid, to R. Patrick Hayman, Esquire, Attorney for Complainant, Prince William Street, Princess Anne, Maryland 21853.

JOHN E. JACOB, JR.

LAW OFFICES
JOHN E. JACOB, JR.
106 W. MAIN ST.
SALISBURY, MD. 21801
TEL. 546-1281

H.T.

Norma M. Kelly,

Complainant

vs

Elizabeth B. Price, etc.,

Respondent

Chancery No. 10056

In the Circuit Court for

Somerset County, Maryland

CIRCUIT COURT FOR SOMERSET COUNTY
MR. SHERIFF: Please summons the following witness.

Theodore Phoebus

Clerk of the Circuit Court
for Somerset County

Mr. Clerk:

Please issue Subpoena Duces Tecum for the following witness to testify for the Complainant in the above entitled cause, and make the Writ returnable on Monday, the 7th day of March, 1977, at 1:30 P.M.:

Patrick J. Hannon, 106-A North Division Street, Salisbury Maryland 21801,

and bring with him all plats, notes, and other documents dealing with the survey prepared for Elizabeth B. Price, of Chance, Maryland.

R. Patrick Hayman
Attorney for Complainant

**Dated: March 2, 1977**

Summoned Patrick J. Hannon and copy of Subpoena Duces Tecum left with him this 5th day of March, 1977.

William E. Brooks

Sheriff of Wicomico County

Sheriff's Cost $5.00

BOOK 050 PAGE 711

Norma M. Kelly,

Complainant

vs

Elizabeth B. Price, et al.,

Respondent

Chancery No. 10,056

In the Circuit Court for

Somerset County, Maryland

Mr. Clerk:

Please set this matter for a hearing on Defendant's Demurrer.

R. Patrick Hayman
Attorney for Complainant

I hereby certify that on this 29th day of January, 1980, I mailed a copy of the above to John E. Jacob, Jr., Esq., Attorney for Elizabeth B. Price, at 106 West Main Street, Salisbury, Maryland 21801.

R. Patrick Hayman
Attorney for Complainant

OFFICE OF

# Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. February 15, 1980

TO: R. Patrick Hayman, Esq.
Princess Anne, Md. 21853

John E. Jacob, Jr., Esq.
106 West Main Street
Salisbury, Md. 21801

RE: No. 10,056 Chancery Case - Norma M. Kelly vs. Elizabeth B. Price, et al

The above case has been *scheduled* as follows:

Argument on Demurrer, on Monday, April 7, 1980, 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.

---

RE: No. 10,056 Chy - Kelly v. Price , et al

Receipt of *trial* date is hereby acknowledged for the date of Mon., Apr. 7, 1980, at 9:30 A.M.

DATE 2/21/80 ATTORNEY R. Patrick Hayman

ATTORNEY

JOHN E. JACOB, JR.
ATTORNEY AT LAW
106 WEST MAIN STREET
SALISBURY, MARYLAND 21801
546-1281



February 20, 1980

Mrs. Elizabeth B. Price
Chance, Maryland 21616

Re: No. 10,056 Chancery Case
Kelly vs Price

Dear Mrs. Price:

Since you discharged me from the above entitled case in a letter of October 18, 1978, I would suggest you find new counsel. Enclosed is a copy from the Clerk of the Circuit Court for Somerset County which is notice for Argument on Demurrer set for April 7, 1980.

Sincerely yours,

John E. Jacob, Jr.

JEJ/bid
Encl.

cc: I. Theodore Phoebus, Clerk
Somerset County

OFFICE OF

# Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

PRINCESS ANNE, MD. July 8, 1980

TO: R. Patrick Hayman, Esq.
Princess Anne, Md. 21853

John E. Jacob, Jr., Esquire
106 W. Main St.
Salisbury, Md. 21801

RE: No. 10056 Chancery Case - Norman M. Kelly vs. Elizabeth B. Price, et al

The above case has been *scheduled* as follows:

Argument on Demurrer, on Wednesday, September 17, 1980, 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*

RE: No. 10056 Chy - Kelly v. Price, et al — Wed., Sep. 17, 1980, at 11:00 A.M.

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

DATE July 16, 1980 ATTORNEY R. Patrick Hayman

Assignment Clerk

---

RE: No. 10056 Chy - Kelly v. Price, et al — Wed., Sep. 17, 1980, at 11:00 A.M.

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

DATE _____ ATTORNEY _____

BOOK 050 PAGE 715

NORMA H. KELLY

vs

ELIZABETH B. PRICE, et al.

CHANCERY NO. 10,056

IN THE CIRCUIT COURT FOR

SOMERSET COUNTY, MARYLAND

* * * * * * * * * *

ORDER

BOOK 050 PAGE 716

MR. CLERK:

Please strike my appearance in the above-entitled case.

John E. Jacob, Jr.
Attorney for Respondent
106 W. Main Street
Salisbury MD 21801

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of July, 1980, I mailed a copy of the above to R. Patrick Hayman, Esquire, Princess Anne, Maryland 21853, attorney for Complainant.

John E. Jacob, Jr.

LAW OFFICES
JOHN E. JACOB, JR., P.A.
106 W. MAIN ST.
SALISBURY, MD. 21801

TEL. 546-1281

| | | |
|---|---|---|
| Norma M. Kelly | : | No. 10,056 Chancery |
| Complainant | : | In the Circuit Court For |
| vs. | : | Somerset County |
| Elizabeth B. Price | : | State of Maryland |
| Respondent | : | |

: : : : :

MR. CLERK:

Please enter the appearance of Thomas S. Simpkins and Thomas J. Spain for the respondent, Elizabeth B. Price.

Thomas S. Simpkins

I hereby certify that on this ~~xxth~~ 6th day of ~~April~~ August, 1980, I did send a copy of the foregoing to R. Patrick Hayman, Esquire, Prince William Street, Princess Anne, Md. 21853, by hand delivery.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Norma M. Kelly,

Complainant

vs

Elizabeth B. Price, et al.,

Respondent

Chancery No. 10,056

In the Circuit Court for

Somerset County, Maryland

BOOK 050 PAGE 718

AMENDED BILL OF COMPLAINT

Elma W. McDaniel, sole testamentary heir of Norma M. Kelly, substituted Plaintiff, by her attorney, R. Patrick Hayman, respectfully represents as follows:

1. That the Complainant is the owner in fee simple of certain tracts or parcels of land, inter alia, near the Village of Chance, Tangier Election District, Somerset County, Maryland, which were devised unto her by the Will of Norma M. Kelly, deceased, whose Will was admitted to probate in Baltimore City, Maryland, and is recorded there among the Testamentary Records in Liber P.J.D. No. 369, folio 246, and conveyed by deed of Margaret E. Mooney, Personal Representative of the Estate of Norma M. Kelly, to Elma W. McDaniel, dated July 26, 1978, and recorded among the Land Records of Somerset County in Liber I.T.P. No. 309, folio 10, a copy of which is attached hereto; and that the said Norma M. Kelly acquired the tracts or parcels of land by deed from Alexander G. Jones, et al., dated March 20, 1961, and recorded as aforesaid in Liber 203, folio 76, et seq., a copy of which deed is filed with the original Bill Of Complaint.

2. That the descriptions in the deed, as aforesaid in Paragraph 1 supra, are insufficient to locate accurately the boundaries of the tracts as they actually exist.

3. That the tracts or parcels are more accurately described as follows:

(a) All that lot or parcel of land described as Lot 16 in a deed from John W. Shores, et al. to Mary J. Horner, dated April 21, 1879,

and recorded as aforesaid in Liber B.F.L. No. 2, folio 341, except so much as was conveyed by the said Mary J. Horner unto the School Trustees for Somerset County, by deed dated June 18, 1880, and recorded as aforesaid in Liber B.F.L. No. 2, folio 675; and being the same premises conveyed by deed from Mary J. Horner unto Robert H. Wheatley, by deed dated April 17, 1896, and recorded as aforesaid in Liber O.T.B. No. 19, folio 82; and being the same premises described in a deed from Myrtle M. Wheatley and Olive W. Nicholson, sole heirs at law of Robert H. Wheatley, deceased, to Elma M. McDaniel, dated September 13, 1978, and recorded as aforesaid in Liber 324, folio 459.

(b) All that lot or parcel of land described as Lot 15 in a deed from Mary J. Horner, et al. to John W. Shores, dated April 21, 1879, and recorded as aforesaid in Liber B.F.L. No. 2, folio 335; except so much thereof as was conveyed off by the said John W. Shores unto Anna Elizabeth James, by deed dated January 23, 1892, and recorded as aforesaid in Liber O.T.B. No. 21, folio 533 (presently the property of Clifford T. Saddler, (deed ref. 255/614); and being the same premises conveyed by the said John W. Shores unto Catherine T. Kelly, by deed dated November 12, 1892, and recorded as aforesaid in Liber H.F.L. No. 12, folio 529; and being the same premises conveyed from the said Catherine T. Kelly to William D. Kelly as Lot 2 in a deed dated April 19, 1901, and recorded as aforesaid in Liber O.T.B. No. 30, folio 599.

The above two lots or parcels (a and b as herein described) being as "Lot 2" of Item One in the deed of Alexander G. Jones, et al. to Norma M. Kelly (Liber 203, folio 75); except so much as was conveyed by the said William D. Kelly as follows: (1) To Mrs. Earnnie Jones by deed dated June 29, 1903, and recorded as aforesaid in Liber O.T.B. No. 35, folio 543, (2) To State of Maryland by deed dated June 16, 1931, and recorded as aforesaid In Liber J.M.T. No. 102, folio 166, (3) To Lillian F. Webster, by deed dated September 16, 1939, and recorded as aforesaid in Liber B.L.B. No. 123, folio 390.

BOOK 050 PAGE 719

(c) All that lot or parcel of land described as Lot 13 in a deed from Mary J. Horner, et al. to Biddy A. Tankersley, dated April 21, 1879, and recorded as aforesaid in Liber B.F.L. No. 2, folio 333; and being the same premises conveyed by the said Biddy A. Tankersley to Levin Anderson, by deed dated August 1, 1879, and recorded as aforesaid in Liber B.F.L. No. 2, folio 231; and being the same premises conveyed by the said Levin Anderson to John P. Webster, by deed dated February 12, 1883, and recorded as aforesaid in Liber B.F.L. No. 5, folio 683; and being the same premises described in a deed from Gordon Tull, Trustee (See Chancery Case #3305, Volume 18, folio 406) to William D. Kelly, dated October 3, 1919, and recorded as aforesaid in Liber 79, folio 117; and being the same premises described as Item 8 in the deed from Alexander G. Jones, et al. to Norma M. Kelly, as aforesaid.

(d) All that lot or parcel of land described as Lot #12 in a deed from Mary J. Horner, et al. to Martha W. Webster, dated April 21, 1879, and recorded as aforesaid in Liber B.F.L. No. 2, folio 325; except so much as was conveyed by the said Martha W. Webster to Gustavin J. W. Price, et ux., by two deeds, (1) dated February 20, 1907, and recorded as aforesaid in Liber 45, folio 68, and (2) dated May 17, 1890, and recorded as aforesaid in Liber H.F.L. No. 8, folio 50; and being the same premises described in a deed from Martha W. Webster to Elmer J. Webster, dated April 1, 1895, and recorded as aforesaid in Liber 16, folio 453; and being the same premises described in a mortgage foreclosure sale of the property of Elmer J. Webster to Granville Webster, and recorded among the Chancery Records of Somerset County in Liber O.T.B. 10, folio 490; and being the same premises described in a deed from Granville Webster to Gertrude Wheatley, dated December 26, 1899, and recorded as aforesaid in Liber O.T.B. No. 27, folio 80; and being the same premises described in a deed from Harry C. Dashiell, Trustee, to William D. Kelly, dated March 4, 1912, and recorded as aforesaid in Liber 59, folio 127; and being the same premises described

as Item 4 in the deed from Alexander G. Jones, et al.

4. That Complainant and her predecessors in interest under the aforesaid deeds have had exclusive, peaceable, complete, open, notorious, hostile, constructive, and continuous undisputed possession of said property adverse to Respondent and all other persons for more than 20 years, and Complainant is now in possession of said property.

5. That Respondent claims an estate or interest in said property adverse to Complainant. Respondent's claim is without any right whatever, and Respondent has no estate, right, title, lien, or interest in or to said property, or any part thereof, but has denied or disputed Complainant's title.

6. That there is now pending no action at law or any proceeding in equity to enforce or test the validity of such title, lien, or encumbrance or other adverse claim.

7. That Respondent acquired from Elizabeth B. Price, Personal Representative of the Estate of Ralph R. Brown, certain real property described in a deed dated May 19, 1942, from Carlos Bozman, to Ralph R. Brown, recorded among the Land Records of Somerset County, Maryland, in Liber 122 page 261, more specifically described as "All that lot of land in Tangier Election District, Somerset County, Maryland, containing one and three-fourths acres, more or less, on the County Road adjoining the lands of Thomas H. James and W. D. Kelly, and assessed to the said Elizabeth S. Shores, of John N., for the said years 1927 and 1928."

8. That the tract or parcel listed in paragraph 7 supra is more accurately described as follows: "All that lot or parcel of land described as Lot No. 14 in a deed from Mary J. Horner, et al. to Catherine T. Kelly, dated April 21, 1879, and recorded as aforesaid in Liber B.F.L. No. 2, folio 339; and being the same premises conveyed by the said Catherine T. Kelly unto John W. Shores, by deed dated November 21, 1892, and recorded as aforesaid in Liber H.F.L. No. 12, folio 24; and being the same premises conveyed by Carlos Bozman, Treasurer, to Ralph

R. Brown, by deed dated May 19, 1942, and recorded as aforesaid in Liber 122, folio 261.

BOOK 050 PAGE 722

9. That Respondent has caused to be prepared by P. J. Hannon Associates, R.L.S., Salisbury, Maryland, a plat dated March 26, 1975, and recorded among the Land Records of Somerset County in Plat Book 9 page 98, on which plat is shown 4.84 acres of land, and which plat was used as a basis for the description in a deed dated April 9, 1975 from Elizabeth Brown Price, Personal Representative of the Estate of Ralph R. Brown, to Elizabeth Brown Price, and recorded among the Land Records of Somerset County in Liber 286 page 221, et . seq., which lands are recited as being the same lands as those described in paragraph 5 supra.

10. That Respondent has caused her agent, Ruth Stewart, of Stephens-Stewart Realtors, Salisbury, Maryland, to place upon the lands of Complainant signs advertising Complainant's property for sale, without the knowledge or authorization of Complainant.

Wherefore, Complainant prays as follows:

1. That Respondent and all persons claiming under her, and any other person 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.

2. For a decree of this Court that the Complainant have absolute ownership and the right of disposition of the property described in paragraph 1 of the Bill of Complaint.

3. For said decree to permanently enjoin Respondent and all persons claiming under her, 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 Complainant by any action at law or otherwise.

4. That the Court issue a decree establishing the boundary lines between the lands in which the respective parties have an interest, pursuant Annotated Code of Maryland, Real Property, Section 14-111.

5. That a decree be issued temporarily restraining Respondent and all persons claiming under her, 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 Complainant, by any action at law, or otherwise, including any disposition by Respondent of the said property by sale, gift, devise, bequeath, or any other manner, pending a resolution of the disputed boundaries.

6. That the Complainant be awarded the costs of this proceeding.

7. That Complainant shall have such other and further relief as her case may require.

May it please Your Honor to grant unto your orator the Writ of Subpoena directed to the said Elizabeth B. Price, of Chance, Maryland, the Respondent herein, commanding her 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.

Elma W. McDaniel

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 3rd day of November, 1980, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Elma W. McDaniel, and she made oath in due form of law that the matters and facts set forth in the foregoing Bill Of Complainant are true and correct as therein stated, to the best of her knowledge, information, and belief.

Witness my hand and Notarial Seal.

Notary Public

BOOK 060 PAGE 723

I hereby certify that on this day of November, 1980, I mailed a copy of the above Amended Bill Of Complaint to Thomas S. Simpkins, Esq., Attorney for Respondent, at Somerset Avenue, Princess Anne, Maryland 21853.

R. Patrick Hayman
Attorney for Complainant

| | | |
|---|---|---|
| NORMA M. KELLY | : | NO. 10,056 CHANCERY |
| Complainant | : | IN THE CIRCUIT COURT FOR |
| vs. | : | SOMERSET COUNTY |
| ELIZABETH B. PRICE | : | STATE OF MARYLAND |
| Respondent | : | |

: : : : : :

ANSWER TO AMENDED BILL OF COMPLAINT

TO THE HONORABLE, THE JUDGE OF SAID COURT:

Elizabeth B. Price, respondent, by her solicitor, Thomas S. Simpkins, for Answer to the Amended Bill of Complaint filed in these proceedings, respectfully says:

1. That she denies the allegations set forth in paragraph 1 thereof.

2. That she admits the facts set forth in paragraph 2 thereof.

3. That she denies the allegations set forth in paragraph 3 thereof.

4. That she denies the allegations set forth in paragraph 4 thereof.

5. That she denies the allegations set forth in paragraph 5 thereof.

6. That she denies the allegations set forth in paragraph 6 thereof.

7. That she denies the allegations set forth in paragraph 7 thereof.

8. That she denies the allegations set forth in paragraph 8 thereof.

9. That she admits the allegations set forth in paragraph 9 thereof.

10. That she denies the allegations set forth in paragraph 10 thereof.

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

And having fully answered, the respondent prays the complaint be dismissed.

Thomas S. Simpkins
Solicitor for Elizabeth B. Price
51 N. Somerset Ave.
Princess Anne, Md. 21853
651-1400

I hereby certify that on this 12th day of December 1980, I did forward a copy of the foregoing Answer to Amended Bill of Complaint to R. Patrick Hayman, Esq., Prince William Street, Princess Anne, Md. 21853, by hand delivery.

Thomas S. Simpkins

THOMAS S. SIMPKINS
ATTORNEY AT LAW
51 N. MAIN STREET
PRINCESS ANNE, MD.
TELEPHONE 651-1400

Norma M. Kelly,

Complainant

vs

Elizabeth B. Price,

Respondent

Chancery No. 10,056

In the Circuit Court for

Somerset County, Maryland

Mr. Clerk:

Please set the above entitled case for a hearing as soon as possible. I anticipate it will require at least one-half day to hear.

R. Patrick Hayman
Attorney for Complainant

I hereby certify that on this 2nd day of January, 1981, I delivered a copy of the above to Thomas S. Simpkins, Esq., Attorney for Respondent, at 51 N. Main Street, Princess Anne, Maryland 21853

R. Patrick Hayman
Attorney for Complainant

OFFICE OF

# Clerk of the Circuit Court

FOR SOMERSET COUNTY

I. THEODORE PHOEBUS, CLERK

BOOK 050 PAGE 728

PRINCESS ANNE, MD. January 22, 1981

TO: R. Patrick Hayman, Esq.
Princess Anne, MD 21853

Thomas S. Simpkins, Esq.
Princess Anne, MD 21853

RE: No. 10,056 Chancery Case - (Norma M. Kelly) vs. Elizabeth B. Price
Elma W. McDaniel

The above case has been *scheduled* as follows:

Hearing, on Thursday, March 12, 1981, at 10:00 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*.

RE: No. 10,056 Chy - Kelly v. Price

Thurs., Mar. 12, 1981, at 10:00 A.M.

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

DATE February 17, 1981 ATTORNEY R. Patrick Hayman

RE: No. 10,056 Chy - Kelly v. Price

Thurs., Mar. 12, 1981, at 10:00 A.M.

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

DATE _____ ATTORNEY _____

Pass - Counsel will present Consent Decree
R.M.P.

Norma M. Kelly,
Complainant
vs
Elizabeth B. Price,
Respondent

Chancery No. 10,056
In the Circuit Court for
Somerset County, Maryland

MOTION FOR CONSENT DECREE

Norma M. Kelly, Complainant, by R. Patrick Hayman, her attorney, and Elizabeth B. Price, Respondent, by Thomas S. Simpkins, her attorney, respectfully represents to the Court as follows:

1. That Elizabeth B. Price is the only person having filed an answer to the Bill of Complaint in the above captioned case.

2. That the Court, at pretrial conference, has determined that the only way relief can be granted, as prayed, with regard to establishment of the boundary lines, is to order a warrant of resurvey.

3. That the resurvey would, of necessity, include all of the land lying East of Maryland Route 363, which is encompassed by the loop of Cemetery Road.

4. That such survey would mandate an onerous expense, which would have to be borne by the parties.

5. That the parties wish to settle the matter.

Wherefore, the parties move that R. Patrick Hayman and Thomas S. Simpkins be appointed Trustees to sell the land in dispute, i.e., all that lot or parcel of land situate, lying, and being in Tangier Election District, Somerset County, Maryland, lying and binding, in part, upon the East side of Maryland Route 363, containing 4.84 acres, as laid down and shown on a Plat entitled "Part of land surveyed for Elizabeth B. Price", drawn by P. J. Hannon & Associates, dated March 26, 1975, and recorded among the Land Records of Somerset County in Plat Book I.T.P. No. 9, folio 98; and that the Trustees be authorized to sell the land, either at private sale at a price agreeable to

Complainant and Respondent, or if no price is mutually agreeable, then at public auction to the highest bidder and after payment of all expenses attendant to sale, to divide the net proceeds equally between Elma W. McDaniel and Elizabeth B. Price.



R. Patrick Hayman
Attorney for Complainant

Thomas S. Simpkins
Attorney for Respondent

ORDER OF COURT

Upon the foregoing Motion, it is this 12th day of March, 1981, ORDERED by the Circuit Court for Somerset County, in Chancery Case No. 10,056, that R. Patrick Hayman and Thomas S. Simpkins be appointed Trustees to sell the land in dispute, i.e., All that lot or parcel of land situate, lying, and being in Tangier Election District, Somerset County, Maryland, lying and binding, in part, upon the East side of Maryland Route 363, containing 4.84 acres, as laid down and shown on a plat entitled "Part of land surveyed for Elizabeth B. Price", drawn by P. J. Hannon & Associates, dated March 26, 1975, and recorded among the Land Records of Somerset County in Plat Book I.T.P. No. 9, folio 98; and that the Trustees are authorized to sell the land, either at private sale at a price agreeable to Complainant and Respondent, or if no price is mutually agreeable, then at public auction to the highest bidder, and after payment of all expenses attendant to sale, to divide the net proceeds equally between Elma W. McDaniel and Elizabeth B. Price.

Richard M. Pollitt
Judge

Elma W. McDaniel,

Substitute Plaintiff

vs

Elizabeth B. Price, et al.,

Defendant

Chancery No. 10,056

In the Circuit Court for

Somerset County, Maryland

REPORT OF SALE

The report of R. Patrick Hayman and Thomas S. Simpkins, Trustees appointed by this Court by an order dated March 12, 1981, 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 two weeks notice of the time, place, manner, and terms of sale by advertisement in the Somerset Herald, a weekly newspaper published in the Town of Princess Anne, Somerset County, Maryland, they did, pursuant to said notice, attend the steps of the Court House in Princess Anne, Maryland, on the 30th day of August, 1985, at 11:00 A.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, lying, and being in Tangier Election District, Somerset County, Maryland, lying and binding in part, upon the east side of Maryland Route 363; containing 4.84 acres, as laid down and shown on a plat entitled "Part of land surveyed for Elizabeth B. Price", drawn by P. J. Hannon & Associates, dated March 26, 1975, and recorded among the Land Records of Somerset County,

in Plat Book I.T.P. No. 9, folio 98.

And sold the same to Elizabeth B. Price, Philip R. Price, and Thomas B. Price, Sr. for $3,700.00, they being then and there the highest bidders therefor, and the purchasers have complied with the terms of sale.

BOOK 050 PAGE 732

Respectfully submitted,

R. Patrick Hayman

Thomas S. Simpkins,
Trustee

STATE OF MARYLAND, Somerset County:

I hereby certify that on this 27th day of January, 1986, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared R. Patrick Hayman and Thomas S. Simpkins, Trustees, 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

Elma W. McDaniel,

Substitute Plaintiff

vs

Elizabeth B. Price, et al.,

Defendants

Chancery No. 10,056

In the Circuit Court for

Somerset County, Maryland

NOTICE

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 3RD day of March, 1986, 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 24th day of February, 1986.

The report states the amount of sale to be $3,700.00.

DATED: January 29, 1986

I. Theodore Phoebus

I. Theodore Phoebus, Clerk

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

BOOK 050 PAGE 734

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 2 successive weeks, commencing 8-21, 1985, and ending 8-28, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lisa Taylor - Somerset Herald, Publisher.

Printer's Fee: $30.25 per insertion.
(2 wks = $60.50)

## TRUSTEE'S SALE

**On AUGUST 30, 1985,**
**AT 11:00 A.M.,**

on the steps of the Court House, at Princess Anne, Maryland, the undersigned Trustees, pursuant an Order of the Circuit Court for Somerset County, Maryland signed March 12, 1981, will sell at public auction the following described property:

All that lot or parcel of land situate, lying, and being in Tangier Election District, Somerset County, Maryland, lying and binding, in part, upon the East side of Maryland Route 363; containing 4.84 acres, as laid down and shown on a Plat entitled "Part of land surveyed for Elizabeth B. Price", drawn by P.J. Hannon & Associates, dated March 26, 1975, and recorded among the Land Records of Somerset County, in Plat Book, I.T.P. No. 9, folio 98.

Terms of Sale: 10% cash on day of sale, certified check or check drawn on a local Bank acceptable to Trustees. Balance due in full 30 days from date of sale, together with interest on the unpaid balance at 12%. Examination of title, preparation of deed, recording, tax stamps, and other closing costs at the expense of the purchaser.

R. Patrick Hayman, Esq.
Prince William Street
Phone: 651-3271 Princess Anne, MD 21853

Thomas S. Simpkins, Esq.
Somerset Avenue
Phone: 651-1400 Princess Anne, MD 21853

80-8/21-2tSH

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

## CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for ___ successive weeks, commencing 2/5, 1986, and ending 2/19, 1986 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lee Taylor - Somerset Herald
Publisher.

Printer's Fee: $22.00 per insertion.
3 insertions = $66.00

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Chancery No. 10,058
In the Circuit Court for
Somerset County, Maryland

Elma W. McDaniel
Substitute Plaintiff
vs
Elizabeth B. Price, et al.,
Defendants

**NOTICE**

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 3rd day of March, 1986, 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 24th day of February, 1986.

The report states the amount of sale to be $3,700.00.

Date: Jan. 29
80-2/5-3tSH

L. Theodore Phoebus
Clerk

BOOK 050 PAGE 735

Elma W. McDaniel,

Substitute Plaintiff

vs

Elizabeth B. Price, et al.,

Defendants

Chancery No. 10,056

In the Circuit Court for

Somerset County, Maryland

ORDER OF COURT

THIS 14th day of March, 1986, ORDERED by the Circuit Court for Somerset County, Maryland, that the sale of the real property, made and reported by R. Patrick Hayman and Thomas S. Simpkins, Trustees, be and hereby is finally ratified and confirmed, no cause to the contrary having been shown, although due notice appears to have been given pursuant to the Notice passed in said Court.

Judge

| | | |
|---|---|---|
| Elma W. McDaniel | * | CHANCERY NO. 10,056 |
| Substitute Plaintiff | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| Elizabeth B. Price, et al., | * | STATE OF MARYLAND |
| Defendant | * | |
| | * | |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 3,700.00 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | $215.00 | |
| Somerset Herald | | | |
| Advertising | 60.50 | | |
| Order Nisi | 66.00 | 126.50 | |
| Henderson, Elliott & Pryor, Bond | | 30.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Trustee's Commission | | 335.00 | |
| Total Fees, Costs, Expenses, etc. | | $771.50 | |
| Balance to be Distributed equally between Elma W. McDaniel and Elizabeth B. Price, per Court Order of March 12, 1981. | | | $ 2,928.50 |

ALL EXCEPTIONS to said report must be filed within ten 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:

R. Patrick Hayman, Esquire
Prince William Street
Princess Anne, MD 21853

Thomas Simpkins, Esquire
51 N. Somerset Avenue
Princess Anne, MD 21853

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-2600

Logan C. Widdowson, Auditor

Filing Date: March 11, 1986

LCW/gjb
3/11/86
86 # 191

No. 10,056 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 17th day of March, 19 86 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 March, 19 86.

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 31st day of March, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

Exd.
JAN 08 1987

| | |
|---|---|
| Alexander G. Jones, Attorney, Ex Parte : | No. 85(1)(X)379 Civil Action |
| under the power contained in Mortgage : | In the Circuit Court for |
| from Jesse Thomas and Dorothy Thomas, : | Somerset County, Maryland |
| his wife, to Peninsula Bank, a body : | |
| corporate : | |

Mr. Clerk:

Please docket the above entitled suit and file the original mortgage among the papers therein.

Alexander G.Jones, Attorney
P.O. Box 186
Princess Anne, Md. 21853
Telephone: 651-2747

BOOK 050 PAGE 739

JONES & JONES
ATTORNEYS AT LAW
PO BOX 186
PRINCESS ANNE MD 21853-0186

BOOK 050 PAGE 740

| | |
|---|---|
| Alexander G. Jones, Attorney, Ex Parte : | No. 85CA00379 Civil Action |
| under the power contained in Mortgage : | In the Cirucit Court for |
| from Jesse Thomas and Dorothy Thomas : | Somerset County, Maryland |
| his wife, to Peninsula Bank, a body : | |
| corporate | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 14th day of November, 1985, before me, the undersigned officer, personally appeared Morris A. Bozman, Senior Vice President of Peninsula Bank, and made oath in due form of law as follows: The principal amount owing on the mortgage is $20,009.42 with interest through November 13, 1985 in the amount of $816.50 or a total of $20,825.92 with a per diem rate of $7.23 thereafter, and also made oath in due form of law that the defendants are not in the military service as hereinafter set forth and 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. Oke
Notary Public

My commission expires July 1, 1986

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8500379 Civil Action |
| under the power contained in Mortgage | : | In the Circuit Court for |
| from Jesse Thomas and Dorothy Thomas, | : | Somerset County, Maryland |
| his wife, to peninsula Bank, a body | : | |
| corporate | : | |

AFFIDAVIT AS TO NOTICE OF DELIVERY

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 26th day of December, in the year nineteen hundred and eighty-five, 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 attorney named in said mortgage for purposes of foreclosure and collection of the mortgage in the above entitled proceeding filed for foreclosure and collection, that on December 23, 1985, pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Mr. Jesse Thomas, Deal Island, Maryland (Post Office Receipt No. P 147 085 205) by certified mail which was received by Roslyn Webster on December 24, 1985 as evidenced by the post office receipt, and to Mrs. Dorothy Thomas, Deal Island, Maryland 21821 (Post Office Receipt No. P 147 085 206) by certified mail which was received by Roslyn Webster on December 24, 1985 as evidenced by the post office receipt.

The aforesaid post office receipts and a copy of the original notice are attached hereto to be filed in this proceeding.

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

As witness my hand and Notarial Seal.

Patsy E. Ake
Notary Public

Alexander G. Jones

BOOK 050 PAGE 741

PS Form 3811, July 1983 447-845

**SENDER: Complete items 1, 2, 3 and 4**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

Mrs. Dorothy Thomas
Deal Island, 21821

4. Type of Service: ☐ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail

Article Number: P147 085 206

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X

6. Signature – Agent
X Roslyn Webster

7. Date of Delivery
12-24-85

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

P 147 085 206

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1984-446-014

| | |
|---|---|
| Sent to Mrs. Dorothy Thomas | |
| Street and No. | |
| P.O., State and ZIP Code Deal Island, Md. 21821 | |
| Postage | $ 22 |
| Certified Fee | 75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | 7c |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.67 |
| Postmark or Date | |

BOOK 050 PAGE 742

P 147 085 205

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1984-446-014

| | |
|---|---|
| Sent to Mr. Jesse Thomas | |
| Street and No. | |
| P.O., State and ZIP Code Deal Island, Md. 21821 | |
| Postage | $ 22 |
| Certified Fee | 75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | 7c |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.67 |
| Postmark or Date | |

PS Form 3811, July 1983 447-845

**SENDER: Complete items 1, 2, 3 and 4**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. Jesse Thomas
Deal Island, Md. 21821

4. Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail

Article Number: P 147 085 205

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X

6. Signature – Agent
X Roslyn Webster

7. Date of Delivery
12/24-85

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

JONES & JONES
ATTORNEYS AT LAW
P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

EDGAR A. JONES (1892-1972)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

AREA CODE 301
TELEPHONE 651-2747

December 23, 1985

Mr. Jesse Thomas
Mrs. Dorothy Thomas
Deal Island, Maryland 21821

Dear Mr. and Mrs. Thomas:

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 8500379 Civil Action in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain mortgage from Jesse Thomas and Dorothy Thomas to Peninsula Bank dated April 20, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 313, folio 684. The foreclosure sale is currently being advertised in the Somerset Herald, a newspaper published weekly in Somerset County, Maryland. The property described in the mortgage will be offered for sale at 2:00 P.M. on Wednesday, January 8, 1986 on the Court House steps in Princess Anne, Maryland. 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 with interest at thirteen per cent on the unpaid balance or sooner at the option of the purchasers. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and County taxes will be prorated and adjusted as of the date of ratification of sale.

Very truly yours,

Alexander G. Jones

AGJ:pea

Certified Mail - Return Receipt Requested

YCA00379

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

BOOK 050 PAGE 744

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 12/18, 1985, and ending 12/31, 1985 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor - Somerset Herald
Publisher.

Printer's Fee: $44.00 per insertion.

$132.00 Total amount

JONES & JONES
Attorneys at Law
Princess Anne, Maryland 21853

**ATTORNEY'S SALE**
**OF**
**VALUABLE RESIDENTIAL PROPERTY**

Under and by virtue of the power of sale contained in a mortgage from Jesse Thomas and Dorothy Thomas dated April 20, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 313, folio 684; default having occurred in said mortgage, the undersigned as attorney for the purpose of foreclossure of said mortgage, will offer at public sale on the Court House steps in Princess Anne, Maryland, on

WEDNESDAY, JANUARY 8, 1986

at or about the hour of 2:00 P.M., all that lot or parcel of land situate in Deal Island Election District, Somerset County, Maryland, described in 1950 as the land whereon Oscar W. Abbott and Reta B. Abbott resided, adjoining the land where on Maurice Abbott now resides and described in 1933 as lying on the west side of the county road leading from N.W. Webster's Store to Wenona, and being the same and all the land which was conveyed unto Jesse Thomas and Dorothy Thomas by Oscar W. Abbott and Reta B. Abbott, his wife, by deed dated June 10, 1966 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 233, folio 64.

This property is improved by a two story frame dwelling consisting of three bedrooms, living room, family room, kitchen, dining room and bathroom in fair cond[illegible]

TERMS OF SALE: Cash, certifi[illegible] cashier's check payable to Alexande[illegible] Jones, Attorney, in an amount equal to [illegible] third of the bid, the balance to be due [illegible] payable within thirty days with interest [illegible] thirteen per cent on the unpaid balance [illegible] sooner at the option of the purchaser. Titl[illegible] papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and County taxes will be prorated and adjusted as of the date of ratification of sale.

Wallace Dashiell
Auctioneer
651-2094

Alexander G. Jones
Attorney
Telephone: 651-2747

80-12/18-3tSH

No. 8500379 Civil Action

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 Twenty-eight thousand dollars ($28,000.00) 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 8th day of January, in the year nineteen hundred and eighty-six.

Whereas, by mortgage dated April 20, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 313, folio 684, Jesse Thomas and Dorothy Thomas conveyed to Peninsula Bank certain real estate in Somerset County to secure the payment of the sum therein mentioned; and whereas, the said Alexander G. Jones, Attorney named in said mortgage for the purpose of foreclosure and collection of 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 property or the proceeds thereof, then the above obligation shall be void, otherwise to be and remain in full force and virtue in law.

Bond Approved and Filed
Per: _____, Clerk

Alexander G. Jones (SEAL)

THE FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Witness: Larry E. Cake

By _____
Attorney in Fact

Bond Book 11 Page 623

JAN 8 1 12 PM '86

RECORDED IN
LIBER ___ FOLIO ___
ATTEST: ___ CLK. CT.
BY ___ DEPUTY

BOOK 650 PAGE 745

| | |
|---|---|
| Alexander G. Jones, Attorney, Ex Parte : | No. 8500379 Civil Action |
| under power contained in Mortgage : | In the Circuit Court for |
| from Jesse Thomas and Dorothy Thomas, : | Somerset County, Maryland |
| his wife, to Peninsula Bank, a body | BOOK 050 PAGE 746 |
| corporate | |

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 Jesse Thomas and Dorothy Thomas, his wife, to Peninsula Bank dated April 20, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 313, folio 684, 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 Somerset 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 on the Court House steps in Princess Anne, Maryland, on the 8th day of January, 1986, at 2:00 P.M., then and there proceed to sell the property described in said mortgage, to wit:

JONES & Bruce
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

All that lot parcel of land situate in Deal Island Election District, Somerset County, Maryland, described in 1950 as the land whereon Oscar A.

Abbott and Reta B. Abbott resided, adjoining the land whereon Maurice Abbott now resides and described in 1933 as lying on the west side of the county road leading from N. W. Webster's Store to Wenona, and being the same and all the land which was conveyed unto Jesse Thomas and Dorothy Thomas by Oscar W. Abbott and Reta B. Abbott, his wife, by deed dated June 10, 1966 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 233, folio 64, and sold same to Peninsula Bank at and for the sum of thirteen thousand dollars ($13,000.00) 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 8th day of January, in the year nineteen hundred and eighty-six, 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. Aker

Notary Public

My commission expires July 1, 1986

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte : | | No. 8500379 Civil Action |
| under the power contained in Mortgage | : | In the Circuit Court for |
| from Jesse Thomas and Dorothy Thomas, | : | Somerset County, Maryland |
| his wife, to Peninsula Bank, a body | : | |
| corporate | : | |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 8th day of January, 1986, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Victor H. Dryden, Agent for Peninsula Bank, 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.

Patsy E. Ake
Notary Public

My commission expires July 1, 1986

JONES & BRUCE
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

JONES & BRUCE, P.A.
Princess Anne, Md. 21853

NOTICE

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8500379 Civil Action |
| under power contained in Mortgage | : | In the Circuit Court for |
| from Jesse Thomas and Dorothy Thomas, | : | Somerset County, Maryland |
| his wife, to Peninsula Bank, a body | : | |
| corporate | : | |

ORDERED by the Circuit Court for Somerset County, this 9th day of January, in the year nineteen hundred and eighty-six, that the sale of the property mentioned in these proceedings 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 10th day of February, 1986, provided a copy of this notice be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 3rd day of February, 1986.

The report states the amount of sale to be $13,000.00.

Lloyd L. Griffin
JUDGE
Circuit Court
for Somerset County, Maryland

Invoice Issued

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 316 Princess Anne, MD 21853

BOOK 050 PAGE 750

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 1/15, 1986, and ending 1/29, 1986 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lee Ayler Powell Vinnid
Publisher.

Printer's Fee: $ 30.25 per insertion

Total = $ 90.75

**JONES & BRUCE, P.A.**
**Princess Anne, Maryland 21853**

**NOTICE**

**No. 8500379 Civil Action**
**In the Circuit Court for**
**Somerset County, Maryland**

**Alexander G. Jones,**
**Attorney, Ex Parte**
**Under Power Contained in Mortgage**
**from Jesse Thomas and**
**Dorothy Thomas, his wife,**
**to Peninsula Bank, a body corporate**

## NOTICE

**ORDERED by the Circuit Court for Somerset County this 9th day of January in the year nineteen hundred eighty-six, that the sale of the property mentioned in these proceedings 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 10th day of February, 1986, provided a copy of this notice be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 3rd day of February, 1986.**

**The report states the amount of sale to be $13,000.00.**

**True Copy, Test:**
**I. Theodore Phoebus**
**Clerk**

**Lloyd L. Simpkins**
**JUDGE**
**80-1/15-3tSH**

| | | |
|---|---|---|
| Alexander G. Jones, Attorney, Ex Parte | : | No. 8500379 Civil Action |
| under the power contained in Mortgage | : | In the Circuit Court for |
| from Jesse Thomas and Dorothy Thomas | : | Somerset County, Maryland |
| his wife, to Peninsula Bank, a body | : | |
| corporate | : | |

ORDERED by the Circuit Court for Somerset County, in Equity, this 14 day of February, in the year nineteen hundred and eighty-six, that the sale of the real estate mentioned in these proceedings made and reported by Alexander G. Jones, Attorney named in said 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 Notice passed in this cause.

Lloyd L. Griffin
Judge

| | | |
|---|---|---|
| Alexander G. Jones, Attorney Ex Parte under power contained in Mortgage from Jesse Thomas and Dorothy Thomas his wife, to Peninsula Bank, a body corporate | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| | * | NO. 8500379 CIVIL ACTION |

BOOK 050 PAG 752

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he made an examination of the proceedings in the above entitled cause and from them and the list of expensew furnished him therein, states the following Account:

| | | | |
|---|---|---|---|
| Amount of Sale | | | $ 13,000.00 |
| Expenses: | | | |
| I. Theodore Phoebus, Court costs | | $ 136.00 | |
| Fidelity & Deposit Company, Bond premium | | 112.00 | |
| Somerset Herald | | | |
| Advertising | $132.00 | | |
| Order Nisi | 90.75 | 222.75 | |
| Auctioneer's fee | | 75.00 | |
| Auditor's fee | | 65.00 | |
| 1983, 1984 and 1985 State and County Taxes | | 632.48 | |
| Trustee's Commission | | 400.00 | |
| Notary Fees | | 6.00 | |
| Certified Mail | | 3.34 | |
| Total Fees, Costs, Expenses, etc. | | $1,652.57 | |
| Balance to be Distributed | | | $ 11,347.43 |
| Mortgage Debt | | | |
| Principal Amount | | $20,009.42 | |
| Interest through 11/13/85 | | 816.50 | |
| Interest 11/13/85 through 1/8/86 | | 404.88 | |
| Interest 1/9/86 through 3/31/86 (per diem - $7.23) | | 592.86 | |
| Total Mortgage Debt | | | $ 21,823.66 |
| Deficit | | | $ 10,476.23 |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

ALL EXCEPTIONS to said report must be filed within ten 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:

Mr. Jesse Thomas
Deal Island, MD 21821

Alexander G. Jones, Esquire
South Somerset Avenue
Princess Anne, MD 21853

Mrs. Dorothy Thomas
Deal Island, MD 21821

Logan C. Widdowson, Auditor

Date of Filing: March 21, 1986

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE MD 21853
651-3800

LCW/gjb
3/21/86
86 # 192

No. 85CA00379 Chancery Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 21st day of March, 19 86 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 31 day of March, 19 86.

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 April, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

Exd
JAN 08 1987

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee<br>Princess Anne, Maryland 21853<br>and<br>Peninsula Bank<br>Princess Anne, Maryland 21853<br><br>Plaintiffs<br><br>vs.<br><br>Lloyd James Taylor<br>Wenona, Maryland 21870<br><br>Defendant | *<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>* | No. 85CA06 [illegible] Civil Action<br><br>In the Circuit Court for<br><br>Somerset County, Maryland |

To the Honorable, the Judges of said Court:

The motion of the plaintiffs filed pursuant to the provisions of Rule W72 of the Maryland Rules of Procedure respectfully represents:

1. That on August 1, 1983 Lloyd James Taylor executed and delivered to Morris A. Bozman and Alexander G. Jones, Trustees, and Peninsula Bank, a deed of trust duly recorded among the Land Records of Somerset County in Liber I.T.P. No. 339, folio 194 conveying certain fee simple property in Somerset County, Maryland, described therein to secure the payment of a debt in the amount of $29,900.00, evidenced by note dated August 1, 1983 in the amount of $29,900.00 payable in consecutive monthly installments of $371.81 each with interest at the rate of fourteen per cent per annum.

2. That the defendant has subsequently defaulted in the payment of the indebtedness evidenced by said note and secured by said deed of trust and granted unto the Trustees a power of sale in such case as provided in said deed of trust to the passage of an order for the sale of the property described in said deed of trust and authorized the trustee or successor to sell the same at public auction in the manner authorized and required

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

by law, Rules of Court and said deed of trust and agreed that the distribution of the proceeds of such sale should be made as therein provided.

3. That pursuant to paragraph 23 the defendant, described as "Borrower" granted to the Beneficiary, Peninsula Bank, the right and power to appoint a Substitute Trustee in accordance with the terms thereof.

4. That by a document dated December 19, 1985 and duly recorded among the Land Records of Somerset County in Liber I.T.P. No. 356, folio 61. Peninsula Bank appointed Alexander G. Jones, one of the plaintiffs herein, as Substitute Trustee in the place and stead of Morris A. Bozman, one of the original Trustees named in said deed of trust dated August 1, 1983.

5. That the defendant has defaulted in payment of the indebtedness secured by the deed of trust dated August 1, 1983 on which there now remains a balance due of principal in the amount of $29,543.87 and interest through December 19, 1985 of $2634.83 or a total of $32,178.70 with a per diem of $11.43 thereafter.

6. That the aforesaid deed of trust is filed herewith as a part of this motion as plaintiffs' Exhibit No. 1.

WHEREFORE, your plaintiffs pray that an order 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 _____

Attorneys for Plaintiffs
Princess Anne, Maryland 21853
Telephone: 651-2747

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee and Peninsula Bank | : | No. PSCA004/4 Civil Action |
| | : | In the Circuit Court for |
| Plaintiffs | : | Somerset County, Maryland |
| vs | : | |
| Lloyd James Taylor | : | |

ORDER FOR SALE OF PROPERTY DESCRIBED IN DEED OF TRUST

The motion and exhibit in the above cause having been submitted to and considered by this Court:

It is, thereupon, this 13th day of December, in the year nineteen hundred and eighty-five, by the Circuit Court for Somerset County, Maryland, ORDERED that the property described in said deed of trust 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 the Court a bond to the State of Maryland, executed by himself and a corporate surety or sureties to be approved by this Court or by the Clerk thereof in the penalty of Forty one Thousand dollars ($ 41,000.00), conditioned upon the faithful performance of the trust reposed or to be reposed in him by any further Order in the premises: He shall then proceed to make said sale, having given at least three weeks notice by advertisement inserted in a 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 ____%

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

from the date of sale to be paid on or before ratification of the sale; and as soon as may be convenient after 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 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 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 defendant, and those claiming by, from or under them or any of them. And the said Trustee shall bring into 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 ordered shall be made, a statement of the indebtedness claimed to be due by the defendant to the plaintiffs, duly verified by affidavit, as required by law and the Maryland Rules of Procedure, be filed in this proceeding.

Judge

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee and Peninsula Bank | : | No. 85C00411 Civil Action |
| Plaintiffs | : | In the Circuit Court for Somerset County, Maryland |
| vs | : | |
| Lloyd James Taylor | : | |
| Defendant | : | |

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 19th day of December, 1985, before me, the undersigned officer, personally appeared Victor H. Dryden, Vice President of Peninsula Bank, and made oath in due form of law as follows: The balance remaining due on the deed of trust as of December 19, 1985 is $29,543.87 principal, interest in the amount of $2634.83 or a total balance due of $32,178.70 with a per diem of $11.43 thereafter, and also made oath in due form of law that the defendant is not in the military service as hereinafter set forth and that he has 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

My Commission expires July 1, 1986

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

BOOK 050 PAGE 759

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee and | : | No. 8500414 Civil Action |
| Peninsula Bank | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Lloyd James Taylor | : | |

AFFIDAVIT AS TO NOTICE OF DELIVERY

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 24th day of January, in the year nineteen hundred and eighty-six, 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 Substitute Trustee for the purpose of foreclosure and collection of the deed of trust in the above entitled proceeding, that by letter dated January 15, 1986 pursuant to said rule he mailed a notice of the pending foreclosure proceeding to Lloyd James Taylor, Wenona, Maryland 21870 (Post Office Receipt No. P147 085 210) by certified mail, that said letter was received by Judy E. Taylor as evidenced by the post office receipt.

The aforesaid post office receipt and a copy of the original notice are attached hereto to be filed in this proceeidng.

As witness my hand and Notarial Seal.

Alexander G. Jones

Patsy T. Ake
Notary Public

JONES & BRUCE
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

PS Form 3811, July 1983 447-845

DOMESTIC RETURN RECEIPT

**SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. Lloyd James Taylor
Wenona, Md. 21870

4. Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number
P147 085 210

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X Judy E. Taylor

6. Signature – Agent
X

7. Date of Delivery

8. Addressee's Address *(ONLY if requested and fee paid)*

P 147 085 210

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Mr. Lloyd James Taylor | |
| Street and No. | |
| P.O., State and ZIP Code Wenona, Md. 21870 | |
| Postage | $ 22 |
| Certified Fee | 75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | |
| Return receipt showing to whom, Date, and Address of Delivery | 70 |
| TOTAL Postage and Fees | $ 1.67 |
| Postmark or Date | USPO PRINCESS ANNE MD 19 1986 |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1984-446-014

BOOK 050 PAGE 761

JONES & BRUCE, P.A.
ATTORNEYS AT LAW

EDGAR A. JONES (1902-1978)
ALEXANDER G. JONES
CHARLES A. BRUCE, JR.

P. O. BOX 186
PRINCESS ANNE, MD. 21853-0186

AREA CODE 301
TELEPHONE 651-2747

January 15, 1986

BOOK 050 PAGE 762

Mr. Lloyd James Taylor
Wenona, Maryland 21870

Dear Mr. Taylor:

Pursuant to Rule W-74 a 2 (c), this is to inform you that proceedings have been filed in No. 85CA00414 Civil Action in the Circuit Court for Somerset County, Maryland, for the foreclosure of a certain deed of trust from Lloyd James Taylor to Peninsula Bank dated August 1, 1983 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 339, folio 194. The foreclosure sale is currently being advertised in the Somerset Herald, a newspaper published weekly in Somerset County, Maryland. The property described in the deed of trust will be offered for sale at 2:00 P.M. on Tuesday, February 4, 1986 on the Court House steps in Princess Anne, Maryland. Terms of Sale: Cash, certified or cashier's check payable to Alexander G. Jones, Substitute Trustee, in an amount equal to one-third of the bid, the balance to be due and payable within thirty days with interest at fourteen per cent on the unpaid balance or sooner at the option of the purchaser. State and County real estate taxes will be prorated and adjusted as of the date of ratification of sale.

Very truly yours,

Alexander G. Jones
Substitute Trustee

AGJ:pea

Certified Mail - Return Receipt Requested

Times of Wed

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 40 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 1/16, 1986, and ending 1/29/, 1986 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lee Taylor - Somerset Herald
Publisher.

Printer's Fee: $68.75 - per insertion
Total 206.25

BOOK 050 PAGE 763

---

ES & BRUCE, P.A.
Attorneys at Law
Princess Anne, Maryland 21853

**SUBSTITUTE TRUSTEE'S SALE OF VALUABLE REAL ESTATE AND IMPROVEMENTS**

Under and by virtue of the assent to sale contained in a deed of trust dated August 1, 1983 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 339, folio 194, default having occurred in said deed of trust, and pursuant to an order of the Circuit Court for Somerset County, Maryland, dated December 23, 1985 and filed in No. 85CA00414 Civil Action in the Circuit Court for Somerset County, 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 in Princess Anne, Maryland, on

**TUESDAY, FEBRUARY 4, 1986**

at or about the hour of 2:00 o'clock P.M., all those lots or parcels of land situate in Deal Island Election District, Somerset County, Maryland, on the east side of the public road known as Windsor Road leading from Maryland Route 363 to the Lower Thorofare and on the north side of the road known as Theodore White Land leading in a westerly direction to Windsor Road from the lands of Roland D. Parkinson and Edwina Parkinson and being bounded in part on the north and on the east by said land, said tracts of land being more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, described in 1972 as "off the East side of Rt. 363, in the Village of Wenona, being 300 ft. by 300 ft. in size; bearing County Tax Map No. 28-17-127" and being the same and all the land which was conveyed unto Roland D. Parkinson and Edwina Parkinson, his wife, by Stanford Harrison, by deed dated June 7, 1972 and recorded among the aforesaid Land Records in Liber I.T.P. No. 266, folio 351.

Second: All that lot or parcel of land, situate as aforesaid, described in 1970 as "on the East side of Rt. 363 in Wenona, and being 300 ft. by 300 ft. in size; bearing county tax map #28-17-126" and being the same and all the land which was conveyed unto Roger Hoffman by Carlos Bozman, County Treasurer and Collector of State and County Taxes for Somerset County, by deed dated December 22, 1970 and recorded among the aforesaid Land Records in Liber I.T.P. No. 258, folio 368.

The land above described being the same land conveyed unto Lloyd James Taylor by Lloyd James Taylor and Rebecca Gail Taylor, his wife, by deed dated August 1, 1983 and recorded among the aforesaid Land Records in Liber I.T.P. No. 339, folio 192.

This property is improved by a ranch style dwelling consisting of two bedrooms, kitchen, dining area, living room and bath with porch and attached garage, together with a frame out building.

TERMS OF SALE: Cash, certified or cashier's check payable to Alexander G. Jones, Substitute Trustee, in an amount equal to one-third of the bid, the balance to be due and payable within thirty days with interest at fourteen per cent on the unpaid balance on sooner at the option of the purchaser. Title papers, documentary stamps, transfer tax, recording costs, etc. at expense of purchaser. State and County real estate taxes will be prorated and adjusted as of the date of ratification of sale.

Wallace Dashiell
Auctioneer
651-2094

Alexander G. Jones
Substitute Trustee
651-2747

80-1/15-3tSH

BOOK 650 PAGE 754 8XCHOOGY4

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 forty-one thousand dollars ($41,000.00), 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 4th day of February, in the year nineteen hundred and eighty-six.

Whereas, by deed of trust dated August 1, 1983 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 339, folio 194, Lloyd James Taylor conveyed to Peninsula Bank certain real estate in Somerset County to secure the payment of the sum therein mentioned; and whereas, teh siad Alexander G. Jones, Substitute Trustee, for the purpose of foreclosure and collection of said deed of trust, is authorized, upon default, to sell the property conveyed by said deed of trust; and whereas, default has occurred in the terms and conditions of said deed of trust and the said Alexander G. Jones is about to exercise the power of sale in said deed of trust 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 deed of trust 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 property or the proceeds thereof, then the above obligation, shall be void, otherwise to be and remain full force and virtue in law.

Bond Approved and filed as per
J. Sheridan Phillips, Clerk

Alexander G. Jones (SEAL)

THE FIDELITY AND DEPOSIT COMPANY
OF MARYLAND

Witness: Patty E. Ales

By
Attorney in Fact

FILED
FEB 4 1 29 PM '86

RECORDED IN
LIBER
FOLIO
CIR. CT.
DEPUTY

Bond Book 11 Page 641

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee and Peninsula Bank | : | No. 8500414 Civil Action |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Lloyd James Taylor | : | |

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 December 23, 1985, of a deed of trust made and executed by Lloyd James Taylor to Morris A. Bozman and Alexander G. Jones, Trustees, and Peninsula Bank dated August 1, 1983 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 339, folio 194, 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 trsut, whereby the said deed of trust 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 after giving more than twenty days notice of the time, place, manner and terms of sale by advertising in the Somerset Herald, a newspaper published weekly 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 steps in Princess Anne, Maryland, on the 4th day of February, 1986, at two o'clock P.M., and then and there proceeded to sell the property described in said deed of trust, to wit:

JONES & BRUCE
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

All those lots or parcels of land situate in Deal Island Election District, Somerset County, Maryland, on the east side of the public road known as Windosr Road leading from Maryland Route 363 to the Lower Thorofare and on the north side of the road known as Theodore White Lane leading in a westerly direction to Windsor Road from the lands of Roland D. Parkinson and Edwina Parkinson and being bounded in part on the north and on the east by said land, said tracts or land being more particularly described as follows:

First: All that lot or parcel of land, situate as aforesaid, described in 1972 as "off the East side of Rt. 363, in the Village of Wenona, being 300 ft. by 300 ft. in size; bearing County Tax Map No. 28-17-127" and being the same and all the land which was conveyed unto Roland D. Parkinson and Edwina Parkinson, his wife, by Stanford Harrison, by deed dated June 7, 1972 and recorded among the aforesaid Land Records in Liber I.T.P. No. 266, folio 351.

Second: All that lot or parcel of land, situate as aforesaid, described in 1970 as "on the East side of Rt. 363 in Wenona, and being 300 ft. by 300 ft. in size; bearing county tax map #28-17-126" and being the same and all the land which was conveyed unto Roger Hoffman by Carlos Bozman, County Treasurer and Collector of State and County Taxes for Somerset County, by deed dated December 22, 1970 and recorded among the aforesaid Land Records in Liber I.T.P. No. 258, folio 368.

The land above described being the same land conveyed unto Lloyd James Taylor by Lloyd James Taylor and Rebecca Gail Taylor, his wife, by deed dated August 1, 1983 and recorded among the aforesaid Land Records in Liber I.T.P. No. 339, folio 192.

And sold the property herein described unto Peninsula Bank, a body corporate of the State of Maryland, at and for the sum of twenty thousand

dollars ($20,000.00), 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,

Substitute Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of February, in the year nineteen hundred and eighty-six, before me, the subscriber, a Notary Public of the State and 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.

Patsy E. Ake

Notary PUblic

BOOK 050 PAGE 768

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee and Peninsula Bank | : | No. 8500414 Civil Action |
| vs | : | In the Circuit Court for Somerset County, Maryland |
| Lloyd James Taylor | : | |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of February, in the year nineteen hundred and eighty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Victor H. Dryden, Agent of Peninsula Bank, the purchaser of the real estate in the above entitled proceeding, and made oath in due form of law:

1. That in making said purcahse he was not acting as agent for anyone, except as set forth 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.

Patsy E. Ake

Notary PUblic

Somerset Herald
~~MARYLANDER & HERALD~~

P.O. Box ~~228~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 2/12, 1986, and ending 2/26, 1986 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Taylor Somerset Herald
Publisher.

Printer's Fee: $27.50 per insertion.

3 insertions = $82.50

BOOK 050 PAGE 769

NES & BRUCE, P.A.
Attorneys at Law
Princess Anne, Maryland 21853

No. 8500414 Civil Action
In the Circuit Court for
Somerset County, Maryland

Alexander G. Jones, Substitute Trustee
and
Peninsula Bank
vs
Lloyd James Taylor

## NOTICE

ORDERED by the Circuit Court for Somerset County, this 5th day of February, in the year nineteen hundred and eighty-six, that the sale of the property mentioned in these proceedings, and reported by Alexander G. Jones, Substitute Trustee in the above proceedings, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day of March 1986, provided a copy of this Order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 3rd day of March, 1986.

The report states the amount of sale to be $20,000.00.

True Copy, Test: L Theodore Phoebus
Clerk

80-2/12-3tSH

Jones & Bruce, P.A.
Attorneys at Law
Princess Anne, Md. 21853

BOOK 050 PAGE 770

NOTICE

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee and Peninsula Bank | : | No. 8500414 Civil Action |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Lloyd James Taylor | : | |

ORDERED by the Circuit Court for Somerset County, this 5th day of February, in the year nineteen hundred and eighty-six, 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 7th day of March, 1986, provided a copy of this Order be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 3RD day of March, 1986.

The report states the amount of sale to be $20,000.00.

J. Theodore Phoebus
CLERK

FINAL ORDER

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee and Peninsula Bank | : | No. 8500414 Civil Action |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Lloyd James Taylor | : | |

ORDERED by the Circuit Court for Somerset County, in Equity, this 17th day of March, in the year nineteen hundred and eighty-six, 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 raitifed and confirmed, no cause to the contrary having been shown although due notice appears to have been given as required by the Notice passed in said cause.

Lloyd L. Simpkins
Judge

| | | |
|---|---|---|
| Alexander G. Jones, Substitute Trustee | * | IN THE CIRCUIT COURT |
| and | * | FOR SOMERSET COUNTY |
| Peninsula Bank | * | STATE OF MARYLAND |
| vs. | * | NO. 8500414 CIVIL CASE |
| Lloyd James Taylor | * | |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 20,000.00 |
| Fees, Costs, Expenses, etc. | | | |
| I. Theodore Phoebus, Court costs | | 156.00 | |
| Somerset Herald | | | |
| Advertising | 206.25 | | |
| Order Nisi | 82.50 | 285.75 | |
| Fidelity & Deposit Co., Bond | | 164.00 | |
| Wallace Dashiell, Auctioneer | | 100.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| 1985-86 State and County Taxes | | 264.23 | |
| Trustee's Commission | | 1,150.00 | |
| Record Appointment of Substitute Trustee | | 12.00 | |
| Notary Fees | | 6.00 | |
| Certified Mail | | 1.45 | |
| Total Fees, Costs, Expenses, etc. | | $2,204.43 | |
| Balance to be Distributed | | | $ 17,795.57 |
| Statement of Mortgage Debt | | | |
| Principal Amount | | $29,543.87 | |
| Interest to 12/19/85 | | 2,634.83 | |
| Interest to 2/4/86 | | 514.35 | |
| Interest from 2/5/86 to 4/14/86 | | 788.67 | |
| TOTAL MORTGAGE DEBT | | $33,481.72 | |
| Deficit | | | $-15,686.15 |

ALL EXCEPTIONS to said report must be filed within ten days of the

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3500

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:

Mr. Lloyd James Taylor
Wenona, MD 21870

Alexander G. Jones, Esquire
South Somerset Avenue
Princess Anne, MD 21853

Logan C. Widdowson, Auditor

Filing Date: April 4, 1986

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
4/4/86
86 # 193

No. 860000414 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 4th day of April, 19 86 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 14th day of April, 19 86.

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 22nd day of April, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

Eld
JAN 08 1987

BOOK 050 PAGE 773

The Somerset County Sanitary Commission, : No. 85C 86037 Civil Action
Acting for and on Behalf of
Somerset County Sanitary District, Inc., : In the Circuit Court for
a body corporate of the State of Maryland
: Somerset County, Maryland

vs

Everett Hall and
Anna Johnson Hall
321 Broad Street
Salisbury, Maryland 21801

And the Real Estate and Improvements Hereinafter Described

COMPLAINT TO ENFORCE STATUTORY LIEN(S)

The Somerset County Sanitary Commission, by Robert C. Street, Chairman, Acting for and on behalf of Somerset County Sanitary District, Inc., a body politic and corporate of the State of Maryland, hereinafter called "Plaintiff", by Tony Bruce, Attorney for Plaintiff, files this Complaint:

1. The Plaintiff, under the provisions of the Health-Environmental Article of the Code of Public General Laws of Maryland, 1982 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 are to be used, among other purposes, for the maintenance and operation of its systems and for the retirement of bonds or issued by the Plaintiff.

2. That the Plaintiff has extended its facilities and services to serve the property or properties of the defendant(s) named herein and has duly and lawfully established such charges and assessments.

3. 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 Fairmount Election District, Somerset County, Maryland, more particularly described as:

All that lot or parcel of land in Fairmount Election District, Somerset County, Maryland, described as follows: Beginning at a stone bounder on the southeast corner of the John Clarke land on the west side of the county road leading through Freetown Hill; thence in a southerly direction by and with said county road 60' to the land of Robert L. Wilson; thence in a westerly direction by and with the said Wilson land 90' to a line ditch and the land formerly owned by Graham Waters; thence by and with said line ditch 60' to the land of John Clarke; thence in an easterly direction by and with the said Clarke land to the place of beginning, containing one-eighth (1/8) of an acre, more or less; and being the same and all the land which was conveyed unto Everett Hall and Anna Johnson Hall by Ethel E. Maddox, widow, by deed dated July 19, 1974 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 281, folio 758.

4. That the charges and assessments against such property or properties as of November, 1985 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 - Ready to Serve Charge.....

F - Front Foot Assessment(s) including interest at the rate of two-thirds per cent per month from March 1, 1985 (Date) ..... 226.56

1982 - $48.00 + 14.40
1983 - 48.00 + 10.56
1984 - 48.00 + 6.72
1985 - 48.00 + 2.88

TOTAL $226.56

BOOK 050 PAGE 775

5. That according to the applicable provisions of the Health-Environmental Article 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 Plaintiff to the defendant(s) said charges are overdue and in default and this suit is brought to enforce said lien(s).

WHEREFORE, the Plaintiff seeks a judgment of this Court:

(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 Plaintiff'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 Plaintiff have judgment against the defendant(s) for any deficiency remaining.

(3) And for such other relief as may be proper.

JONES & JONES

By _____

Attorneys for Plaintiff
P. O. Box 186
Princess Anne, Maryland 21853
Telephone: 301-651-2747

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

The Plaintiff moves for summary judgment on the ground that there is no genuine dispute between the parties as to any material fact, and that the Plaintiff is entitled to judgment as a matter of law.

_____
Attorneys for Plaintiff

AFFIDAVIT IN SUPPORT OF
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 8th day of November, in the year nineteen hundred and eighty-five, before me, the subscriber, a Notary Public of the State of Maryland, in and for Somerset County aforesaid, personally appeared Robert C. Street Chairman of Somerset County Sanitary Commission, and made oath in due form of law that there is now justly due and owing to the Plaintiff from the Defendant(s) named in the attached Complaint to Enforce

Lien(s) the sum of $ 226.56 , being charges or assessments for facilities and services provided by the Plaintiff to the Defendant(s) and to the property or properties described in said Complaint, that said property is owned by the Defendant(s) 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 Complaint, that this affidavit is made upon the personal knowledge of the affiant, that the affiant is competent to testify to the matters stated in this affidavit, and that he is duly authorized to make this affidavit.

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

Patsy E. Ake
Notary Public

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

BOOK 050 PAGE 773

WRIT OF SUMMONS

Case No. 85CA00371 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:
Name: Everett Hall

Address: 321 Broad Street, Salisbury, Maryland 21001

County: Wicomico

You are hereby summoned to file a written response by pleading or motion in this Court to the attached Complaint filed by Somerset County Sanitary Commission,
(Name and Address)

Acting for and on Behalf of

Somerset County Sanitary District, Inc.
a body corporate of the State of Maryland

within 30 days after service of this summons upon you.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued: November 12, 1985

Theodore Phoebus
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.

2. FAILURE TO FILE A RESPONSE WITHIN THE TIME ALLOWED MAY RESULT IN A JUDGMENT BY DEFAULT OR THE GRANTING OF THE RELIEF SOUGHT AGAINST YOU.

SHERIFF'S RETURN

Summoned Everett Hall and copy of Summons and Complain left with him this 20th day of November, 1985.

FEE: $15.00

SHERIFF of Wicomico County

NOTE:

1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126(a).

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

Case No. 85CA00371 Civil Action

WRIT OF SUMMONS

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:
Name: Anna Johnson Hall

Address: 321 Broad Street, Salisbury, Maryland 21801

County: Wicomico

You are hereby summoned to file a written response by pleading or motion in this Court to the attached Complaint filed by Somerset County Sanitary Commission,
(Name and Address)

Acting for and on Behalf of

Somerset County Sanitary District, Inc.
a body corporate of the State of Maryland

within 30 days after service of this summons upon you.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued: November 12, 1985

J. Theodore Phoebus
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.

2. FAILURE TO FILE A RESPONSE WITHIN THE TIME ALLOWED MAY RESULT IN A JUDGMENT BY DEFAULT OR THE GRANTING OF THE RELIEF SOUGHT AGAINST YOU.

SHERIFF'S RETURN

BOOK 050 PAGE 779

*Summoned Anna Johnson Hall and copy of Summons and Complain left with her this 20th day of November, 1985.*

FEE: $$5.00

SHERIFF of Wicomico County

NOTE:

1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126(a).

BOOK 050 PAGE 789

| | |
|---|---|
| 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. 85C10037 Civil Action In the Circuit Court for |
| vs : | Somerset County, Maryland |
| Everett Hall and Anna Johnson Hall | |

It is ORDERED by the Circuit Court for Somerset County, Maryland, this 23rd day of Dec, 1985, that judgment be entered in favor of the Plaintiff and against the Defendants, Everett Hall and Anna Johnson Hall, and against the real estate and improvements described in the aforegoing Complaint, for the sum of $226.56 with interest from date and costs of suit.

Lloyd L. Griffin
Judge

JONES & JONES
ATTORNEYS AT LAW
PO BOX 186
PRINCESS ANNE MD 21853-0186

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

Everett Hall and
Anna Johnson Hall

And the Real Estate and Improvements
Hereinbefore Described

No. 8500371 Civil Action

In the Circuit Court for

Somerset County, Maryland

JUDGMENT

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

It is thereupon, this 3rd day of JAN, in the year nineteen hundred and eighty six, by the Circuit Court for Somerset County, Maryland, ORDERED that judgment is granted Plaintiff and that the property in the proceedings mentioned be sold, and that Vernon Bruce be and he is hereby appointed Trustee to make sale in accordance with Rule BR of the Maryland Rules of Procedure and that the Trustee 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 $ 400.00, pursuant to Rule BR 3a.1.

Judge

BOOK 050 PAGE 731

Somerset Herald BOOK 050 PAGE 782

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 1/15, 1986, and ending 1/29, 1986 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lora Taylor - Somerset Herald. Publisher.

Printer's Fee: $46.75 per insertion.
Total = $140.25

Everett & Anna Hall property

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NES & BRUCE, P.A.
Pr. ss Anne, Maryland 21853

**TRUSTEE'S SALE**
**OF**
**VALUABLE UNIMPROVED LOT**

By virtue of the power contained in a judgment of the Circuit Court for Somerset County, Maryland, in Equity, passed in a cause in which Everett Hall and Anna Johnson Hall are the Defendants, the same being No. 8500371 Civil Action in said Court,

The undersigned Trustee named in said judgment will sell at public auction on the Court House steps in Princess Anne, Maryland, on

**TUESDAY, FEBRUARY 4, 1986**

at or about the hour of 2:00 o'clock P.M., all that lot or parcel of land in Fairmount Election District, Somerset County, Maryland, described as follows: Beginning at a stone bounder on the southeast corner of the John Clarke land on the west side of the county road leading through Freetown Hill; thence in a southerly direction by and with said county road 60' to the land of Robert L. Wilson; thence in a westerly direction by and with the said Wilson land 90' to a line ditch and the land formerly owned by Graham Waters; thence by and with said line ditch 60' to the land of John Clarke; then in an easterly direction by and with the said Clarke land to the place of beginning, containing one-eighth (1/8) of an acre, more or less; and being the same and all the land which was conveyed unto Everett Hall and Anna Johnson Hall by Ethel E. Maddox, widow, by deed dated July 19, 1974 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 281, folio 758.

TERMS OF SALE: Cash, certified or cashier's check payable to Tony Bruce, 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 per cent on the unpaid balance.

Title papers, documentary stamps, transfer tax, recording costs, agricultural transfer tax, if any, at expense of purchaser. State and County taxes will be prorated and adjusted as of the date of ratification of sale.

Wallace Dashiell
Auctioneer/651-2094
80-1/15-3tSH

Tony Bruce, Trustee
Princess Anne, Md.
Telephone: 651-2747

Bond Book 11 Page 640

KNOW ALL MEN BY THESE PRESENTS, that we, Tony Bruce, 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 hundred dollars ($400.00) 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 4th day of February, in the year nineteen hundred and eighty-six.

Whereas, the above bounden, Tony Bruce, by virtue of a decree of the Circuit Court for Somerset County, has been appointed to sell the property mentioned in these 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. Everett Hall and Anna Johnson Hall, No. 8500371 Civil Action, now pending in said Court.

Now the condition of the above obligation is such that if the above bounden, Tony Bruce, 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.

Bond Approved and filed as per
J. Shedon Phelps, Clerk

Tony Bruce (SEAL)
Tony Bruce

THE FIDELITY & DEPOSIT COMPANY OF MARYLAND

Witness: Patsy E. Akers

By
Attorney in Fact

FILED

FEB 4 1 29 PM '86

RECORDED IN
LIBER NO. FOLIO
ATTEST: CLERK OF CIRCUIT CT.
BY DEPUTY

BOOK 050 PAGE 783

| | |
|---|---|
| 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. 8500371 Civil Action |
| : | In the Circuit Court for |
| vs | Somerset County, Maryland |
| : | |
| Everett Hall and Anna Johnson Hall : | |

To the Honorable, the Judge of said Court:

The report of Tony Bruce, Trustee appointed by a decree of this Court, passed in the above entitled cause, dated the 3rd day of January, in the year nineteen hundred and eighty-six, 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 Somerset Herald, a weekly newspaper published in Somerset County, for 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 the 4th day of February, 1986, 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 in Fairmount Election District, Somerset County, Maryland, described as follows: Beginning at a stone bounder on the southeast corner of the John Clarke land to the west side of the county road leading through Freetown Hill; thence in a southerly direction by and with said county road 60' to the land of Robert L. Wilson; thence in a westerly direction by and with the said Wilson land 90' to a

JONES & BRUCE
ATTORNEYS AT LAW
PO BOX 186
PRINCESS ANNE MD 21853-0186

line ditch and the land formerly owned by Graham Waters; thence by and with said line ditch 60' to the land of John Clarke; thence in an easterly direction by and with the said Clarke land to the place of beginning, containing one-eighth (1/8) of an acre, more or less, and being the same and all the land which was conveyed unto Everett Hall and Anna Johnson Hall by Ethel E. Maddox, widow, by deed dated July 19, 1974 and recorded among the Land Records of Sonerset County in Liber I.T.P. No. 281, folio 758 and sold same to Somerset County Sanitary District, Inc. at and for the sum of nine hundred eighty dollars ($980.00), 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,

Tony Bruce, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of February, in the year nineteen hundred and eighty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce, 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. Ake
Notary Public

My commission expires July 1, 1986

| | | |
|---|---|---|
| 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. 8500371 Civil Action In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Everett Hall and Anna Johnson Hall | : | |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of February, in the year nineteen hundred and eighty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert C. Street, Chairman of the Somerset County Sanitary District, Inc., 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, except as noted above.

2. That others interested in said purchase, as principals, are none.

3. That he did not directly or indirectly discourge anyone from bidding for said property.

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

Patsy E. Ake
Notary Public

My commission expires July 1, 1986

Somerset Herald

~~MARYLANDER & HERALD~~

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 2/12, 1986, and ending 2/26, 1986 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lee Taylor Somerset Herald
Publisher.

Printer's Fee: $27.50 per insertion.

3 insertion = $82.50

BOOK 050 PAGE 787

JONES & BRUCE, P.A.
Attorneys at Law
Princess Anne, Maryland 21853

No. 8500371 Civil Action
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

Everett Hall and Anna Johnson Hall

## NOTICE

Ordered this 5th day of February, 1986, by the Circuit Court for Somerset County, Maryland, that the sale of the property mentioned in these proceedings, made and reported by Tony Bruce, 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 7th day of March, 1986, provided a copy of this notice be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 3rd day of March, 1986.

The report states the amount of sale to be $980.00.

True Copy, Test: I.Theodore Phoebus
Clerk

80-2/12-3tSH

JONES & BRUCE, P.A.
Attorneys at Law
Princess Anne, Md. 21853

BOOK 050 PAGE 733

NOTICE

| | | |
|---|---|---|
| The Somerset County Sanitary Commission, Acting for and on Behalf of Somerset County Sanitary District, Inc., a body corporate of theState of Maryland | : | No. 8500371 Civil Action |
| | : | In the Circuit Court for |
| vs | : | Somerset County, Maryland |
| Everett Hall and Anna Johnson Hall | | |

Ordered this 5th day of February, 1986, by the Circuit Court for Somerset County, Maryland, that the sale of the property mentioned in these proceedings, made and reported by Tony Bruce, 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 7th day of March, 1986, provided a copy of this notice be inserted in some weekly newspaper printed in Somerset County once in each of three successive weeks on or before the 3RD day of March, 1986.

The report states the amount of sale to be $980.00.

J. Theodore Phoebus
CLERK

FINAL ORDER

Ordered by the Circuit Court for Somerset County, this 20th day of March, 1986, 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 notice passed in said cause.

Donald F. Duffy
Judge

| | | |
|---|---|---|
| Somerset County Sanitary Commission | * | IN THE CIRCUIT COURT |
| vs. | * | FOR SOMERSET COUNTY |
| Everett Hall and<br>Anna Johnson Hall | * | STATE OF MARYLAND |
| | * | NO. 8500371 CIVIL ACTION |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 980.00 |
| Fees, Costs, Expenses, etc.: | | | |
| I. Theodore Phoebus, Clerk | | $182.00 | |
| Somerset Herald | | | |
| Advertising | $140.25 | | |
| Order Nisi | 82.50 | 222.75 | |
| Fidelity & Deposit Co., Bond | | 50.00 | |
| Wallace Dashiell, Auctioneer | | 75.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| 1982 - 1986 Front Foot Assessment | | 280.00 | |
| Trustee's Commission | | 98.00 | |
| Notary Fees | | 4.50 | |
| Total Fees, Costs, Expenses, etc. | | $977.25 | |
| Surplus | | | $ 2.75 |

(To be distributed among the parties as their interest may appear)

ALL EXCEPTIONS to said report must be filed within ten 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:

Anna Johnson Hall
321 Broad Street
Salisbury, MD 21801

Everett Hall
321 Broad Street
Salisbury, MD 21801

Tony Bruce, Esquire
South Somerset Avenue
Princess Anne, MD 21853

Logan C. Widdowson, Auditor

Date of Filing: April 10, 1986

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
4/10/86
86 # 194

BOOK 050 PAGE 790

No. 85CA031 Civil Action ~~Chancery Case~~

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 10th day of April, 19 86 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 April, 19 86.

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 May, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

I. Theodore Phoebus
CLERK

JAN 08 1987

End

| | | |
|---|---|---|
| ELIZABETH T. BOLDEN, | * | NO. 85CA0007 CIVIL |
| Plaintiff | | |
| | * | IN THE CIRCUIT COURT |
| VS | | |
| DAVID L. BOLDEN, | * | FOR SOMERSET COUNTY |
| Defendant | | |
| | * | STATE OF MARYLAND |

* * * * * * * * * * *

MOTION FOR APPOINTMENT OF CO-TRUSTEE

Elizabeth T. Bolden, Plaintiff, through her attorney, James V. Anthenelli and Robins, Johnson & Anthenelli, respectfully requests this Honorable Court appoint Tony Bruce as Co-Trustee for the purpose of facilitating the sale of certain real property owned jointly by the parties and for reasons respectfully states:

1. That pursuant to a Judgment of Divorce issued by this Honorable Court on October 31, 1985, James V. Anthenelli, attorney for Plaintiff, was appointed Trustee, pursuant to Subtitle BR of the Maryland Rules of Procedure, to hold a public sale of the real property owned jointly by the parties to this case located generally on Brownstone Road, Somerset County, Maryland.

2. That in order to conduct and facilitate the sale, the Plaintiff and her present attorney wish to retain the services of Tony Bruce, a practitioner in the jurisdiction where said real estate is located.

3. That Tony Bruce consents to his appointment as Co-Trustee and is desirous of participating in the sale of this property.

WHEREFORE, the Plaintiff respectfully requests Tony Bruce be appointed Co-Trustee along with James V. Anthenelli, Esquire, to sell the real estate more particularly described in said Judgment of Divorce under the same terms and conditions.

ROBINS, JOHNSON & ANTHENELLI

By: James V. Anthenelli
James V. Anthenelli
- Attorneys for Plaintiff -
- P. O. Box 506 -
- Salisbury, Maryland 21801 -
- Telephone No. 749-3791 -

JONES & JONES

By: Tony Bruce
Tony Bruce

LAW OFFICES
ROBINS, JOHNSON
& ANTHENELLI
128 EAST MAIN STREET
SALISBURY, MD. 21801

ELIZABETH T. BOLDEN, * NO. 85CA0007 CIVIL

Plaintiff

VS * IN THE CIRCUIT COURT

DAVID L. BOLDEN, * FOR SOMERSET COUNTY

Defendant

* STATE OF MARYLAND

* * * * * * * * * *

ORDER OF COURT

The foregoing Motion for Appointment of Co-Trustee having been read and considered, it is, this 26th day of November, 1985 ORDERED that James V. Anthenelli and Tony Bruce be, and hereby are appointed Trustees, pursuant to Subtitle BR of the Maryland Rules of Procedure, to hold a public sale of the real property owned jointly by these parties located generally on Brownstone Road, Somerset County, Maryland, and the net proceeds of sale be distributed to the parties according to their respective interests. The said Trustees shall be excused from the necessity of giving bond in this matter.

Richard M. Pollitt
JUDGE

LAW OFFICES
ROBINS, JOHNSON
& ANTHENELLI
128 EAST MAIN STREET
SALISBURY, MD. 21801

NOV 26 2 52PM '85

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

BOOK 050 PAGE 793

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 1/15, 1986, and ending 1/29, 1986 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lois Jafar - Somerset Herald
Publisher.

Printer's Fee: $55.00 per insertion
$165.00 Total

JAMES V. ANTHENELLI
Robins, Johnson & Anthenelli
Salisbury, Maryland 21801

and

TONY BRUCE
Jones & Bruce, P.A.
Princess Anne, Maryland 21853

**TRUSTEE'S SALE OF VALUABLE UNIMPROVED REAL ESTATE**

By virtue of the power contained in an order of the Circuit Court for Somerset County, Maryland, passed in a cause in which Elizabeth T. Bolden is Plaintiff and David L. Bolden is defendant, the same being No. 85CA0307 Civil Action in said Court, the undersigned Trustees named in said order will sell at public auction on the Court House Steps in Princess Anne, Maryland, on

**TUESDAY, FEBRUARY 4, 1986**

at or about the hour of 2:00 o'clock P.M., all that lot or parcel of land in West Princess Anne Election District, Somerset County, Maryland, binding on Hall's Branch, bounded by the lands of William Bolden and Elaine Bolden [I.T.P. No. 290, folio 126, plat I.T.P. No. 290, folio 129], Charles C. Chervenie and wife [I.T.P. No. 291, folio 367, plat I.T.P. No. 10, folio 63], James L.B. Thompson and wife [I.T.P. No. 309, folio 788, plat I.T.P. No. 12, folio 4] and other lands offered for sale simultaneously herewith, consisting of 2.66 acres, accurately laid down and described on a plat by P.J. Hannon dated April 2, 1976 [#P1081S] recorded among the Land Records of Somerset County in Liber I.T.P. No. 293, folio 783, together with a 20 ft. right of way leading northerly and easterly to Brownstone County Road, and being the same land conveyed unto David L. Bolden and Elizabeth T. Bolden by Robert L. Chamberlin, Jr., et al, by deed dated May 17, 1976 and recorded among the aforesaid Land Records in Liber I.T.P. No. 293, folio 780.

TERMS OF SALE: A deposit of $2,000.00 shall be paid in cash, certified or cashier's check, payable to the undersigned Trustees, on the date of sale and the balance shall be paid upon final ratification of the sale, or all cash, at the option of purchaser, any deferred payment to bear interest from date of sale at the rate of ten [10] per cent per annum 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, notary fees and Maryland agricultural transfer tax [if any].

James V. Anthenelli
Trustee
Telephone: 749-3791
Tony Bruce/Trustee
Telephone: 651-2747

Wallace Dashiell,
Auctioneer
651-2094
80-1/15-3tSH

| | | |
|---|---|---|
| Elizabeth T. Bolden | : | No. 85CA0007 Civil |
| vs | : | In the Circuit Court for |
| David L. Bolden | : | Somerset County, Maryland |

The report of James V. Anthenelli and Tony Bruce, Trustees appointed by this Court by Order of Court dated November 26, 1985, respectfully represents that after 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 Somerset Herald, a weekly newspaper published in Somerset County, Maryland, for three weeks before the date of sale, he did, pursuant to said notice, attend on the Court House steps in Princess Anne, Maryland, on the 4th day of February, 1986, at 2:00 o'clock P.M., and then and there proceed to sell the property described in said advertisement, to wit:

All that lot or parcel of land in West Princess Anne Election District, Somerset County, Maryland, binding on Hall's Branch, bounded by the lands of William Bolden and Elaine Bolden (I.T.P. No. 290, folio 126, plat I.T.P. No. 290, folio 129), Charles C. Chervenie and wife (I.T.P. No. 291, folio 367, plat I.T.P. No. 10, folio 63), James L. B. Thompson and wife (I.T.P. No. 309, folio 788, plat I.T.P. No. 12, folio 4) and the land of William Bolden, et al, consisting of 2.66 acres, accurately laid down and described on a plat by P.J. Hannon dated April 2, 1976 (#P1081S) recorded among the Land Records of Somerset County in Liber I.T.P. No. 293, folio 783, together with a 20 ft. right of way leading norhterly and easterly to Brownstone County Road, and being the same land conveyed unto David L. Bolden and Elizabeth T. Bolden by Robert L.

JONES & BRUCE
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853 0186

Chamberlin, Jr., et al, by deed dated May 17, 1976 and recorded among the aforesaid Land Records in Liber I.T.P. No. 293, folio 780 and sold same to Robert B. Brightman and R. Gary Wink, partners trading B & W Construction, they being then and there the highest bidders therefor at and for the sum of Twenty-nine hundred dollars ($2900.00), and the purchasers have complied with the terms of sale to the satisfaction of your Trustees.

Respectfully submitted,

James V. Anthenelli

Tony Bruce
Trustees

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 7th day of February, in the year nineteen hundred and eighty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared James V. Anthenelli and Tony Bruce, Trustees named in the aforegoing 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.

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

Patsy E. Ake
Notary Public

My commission expires July 1, 1986

| | | |
|---|---|---|
| Elizabeth T. Bolden | : | No. 85CA0007 Civil |
| vs | : | In the Circuit Court for |
| David L. BOlden | : | Somerset County, Maryland |

PURCHASERS' AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of February, in the year nineteen hundred and eighty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert B. Brightman and R. Gary Wink, partners trading as B & W Construction, 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 agents 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.

Patsy E. Abel
Notary Public

My commission expires July 1, 1986

James V. Anthenelli
Robins, Johnson & Anthenelli
Salisbury, Md. 21801

and

Tony Bruce
Jones & Bruce, P.A.
Princess Anne, Md. 21853

BOOK 050 PAGE 797

NOTICE

| | | |
|---|---|---|
| Elizabeth T. Bolden | : | No. 85CA0007 Civil |
| vs | : | In the Circuit Court for |
| David L. Bolden | : | Somerset County, Maryland |

ORDERED by the Circuit Court for Somerset County, this 7th day of February, in the year nineteen hundred and eighty-six, that the sale of the property mentioned in these proceedings, and reported by James V. Anthenelli and Tony Bruce, Trustees, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day of March, 1986, provided a copy ofthis notice be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 3RD day of March, 1986.

The report states the amount of sale to be $2900.00.

J. Theodore Phelps
CLERK

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 2/12, 19 86, and ending 2/26, 19 86 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lee Taylor - Somerset Herald
Publisher.

Printer's Fee: 28.88 per insertion.
3 insertions = $86.64

BOOK 050 PAGE 798

JAMES V. ANTHENELLI
Robins, Jackson & Anthenelli
Salisbury, Maryland 21801
and
TONY BRUCE
Jones & Bruce, P.A.
Princess Anne, Maryland 21853

No. 85CA0007 Civil
In the Circuit Court for
Somerset County, Maryland

Elizabeth T. Bolden
vs
David L. Bolden

## NOTICE

**ORDERED by the Circuit Court for Somerset County, this 7th day of February, in the year nineteen hundred and eighty-six, that the sale of the property mentioned in these proceedings, and reported by James V. Anthenelli and Tony Bruce, Trustees, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day of March 1986, provided a copy of this notice be inserted in some newspaper published in Somerset County, once in each of three successive weeks before the 3rd day of March, 1986.**

**The report states the amount of sale to be $2,900.00.**

**True Copy, Test:** **I, Theodore Phoebus**
**80-2/12-3tSH** **Clerk**

FINAL ORDER

| | | |
|---|---|---|
| Elizabeth T. Bolden | : | No. 85CA0007 Civil |
| vs | : | In the Circuit Court for |
| David L. Bolden | : | Somerset County, Maryland |

ORDERED by the Circuit Court for Somerset County, in Equity, this 17th day of March, in the year nineteen hundred and eighty-six, that the sale of the real estate mentioned in these proceedings made and reported by James V. Anthenelli and Tony Bruce, 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 Notice passed in said cause.

Floyd L. Simpkins
Judge

| | | |
|---|---|---|
| Elizabeth T. Bolden | * | |
| | * | |
| vs. | * | No. 85CA0007 Civil Action |
| | * | In the Circuit Court for |
| David L. Bolden | * | Somerset County, Maryland |
| | * | |

FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $2,900.00 |
| Interest | | | 9.50 |
| | | | $2,909.50 |
| Fees, Costs, Expenses, etc.: | | | |
| I. Theodore Phoebus, Clerk | | $121.00 | |
| Atlantic Publications, | | | |
| Advertising | $165.00 | | |
| Order Nisi | 86.64 | 251.64 | |
| 1984-85 State and County Taxes | | 41.09 | |
| 1985-86 taxes prorated | | 29.25 | |
| Wallace Dashiell, Auctioneer | | 50.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Notary Fees | | 3.00 | |
| Trustee's Commission | | 290.00 | |
| Total Fees, Costs, Expenses, etc. | | $850.98 | |
| Balance to be Distributed among the parties | | | $2,058.52 |

ALL EXCEPTIONS to said report must be filed within ten 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:

Tony Bruce, Esquire
South Somerset Avenue
Princess Anne, MD 21853

James V. Anthenelli, Esquire
Robins, Johnson & Anthenelli
128 E. Main Street
Salisbury, MD 21801

David L. Bolden
Rt. 1, Box 407
Jeffrey Lane
Princess Anne, MD 21853

Elizabeth Bolden
Rt. 3, Box 354A
Princess Anne, MD 21853

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3000

LCW/gjb
5/5/86
86 # 195

Logan C. Widdowson, Auditor

Filing Date: May 6, 1986

BOOK 050 PAGE 801

No. 85A0007 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 6 day of May, 19 86 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 16 day of May, 19 86.

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 19th day of May, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

JAN 08 1987
Eld

BOOK 050 PAGE 802

| | | |
|---|---|---|
| William Bolden, Jr.<br>Plaintiff | : | No. [illegible] Civil Action |
| vs | : | In the Circuit Court for |
| David L. Bolden and<br>Elizabeth Bolden, his wife,<br>their heirs and assigns and all other<br>persons unknown claiming any right, title,<br>estate, lien or interest in real property<br>described in the Complaint<br>Defendants | :<br>:<br>:<br>:<br>: | Somerset County, Maryland |

Mr. Clerk:

Plesae docket suit as above, enter the appearance of Tony Bruce, as attorney for Plaintiff, and issue service of process upon the defendants.

JONES & JONES

By _____
Tony Bruce

PLAINTIFF:
William Bolden, Jr.
Rt. 3, Princess Anne, Md. 21853

PLAINTIFF'S ATTORNEY:
Tony Bruce
Jones & Jones
P.O. Box 186
Princess Anne, MD. 21853
301-651-2747

DEFENDANT:
David L. Bolden
Maple Street
Princess Anne, Md. 21853

Elizabeth Bolden
c/o Leonard Twining
Rt. 3,
Princess Anne, Md. 21853

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE, MD 21853-0186

| | | |
|---|---|---|
| William Bolden, Jr.<br>Plaintiff | : | No. 85C00365 Civil Action |
| vs | : | In the Circuit Court for |
| David L. Bolden and<br>Elizabeth Bolden, his wife,<br>their heirs and assigns and all other<br>persons unknown claiming any right, title,<br>estate, lien or interest in real property<br>described in the Complaint<br>Defendants | :<br><br>:<br><br>:<br><br>: | Somerset County, Maryland |

COMPLAINT FOR SALE OF LAND IN LIEU OF PARTITION
AND ACCOUNTING OF PROCEEDS

To the Honorable, the said Judges of saidCourt:

1. That this Complaint 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 by deed dated Augsut 13, 1979 and recorded among the Land Records of Somerset County in Liber I.T.P. No. 317, folio 767, Plaintiff, et ux, conveyed unto Plaintiff, Defendant, David L. Bolden, and Bobby Lee Leath, a tract or parcel of land in West Princess Anne Election District, Somerset County, Maryland, assessed as containing 1.69 acres, being laid down and described on a plat by Patrick J. Hannon dated June 2,1 976 (#P11035) recorded in Liber I.T.P. No. 294, folio 616, together with and subject to certain rights of way described in said deed.

BOOK 060 PAGE 803

3. That the interest of Bobby Lee Leath was conveyed unto Plaintiff by deed dated April 13, 1982 recorded among the Land Records in Liber I.T.P. No. 332, folio 180, subject to a deed of trust for the benefit of Peninsula Bank from Plaintiff, David L. Bolden and Bobby Lee Leath, said property having been improved by the construction of a warehouse.

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD

4. That Defendants are currently adversaries in a divorce action under which Defendant, Elizabeth Bolden, may have certain rights in said property.

5. That the parties have been unable to reach agreement for sale of the property either to a third party or among themselves.

6. That Plaintiff has been required to make all payments of the mortgage indebtedness, insurance premiums and taxes since March 1984 nothwithstanding the

obligation of the Defendant, David L. Bolden.



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

WHEREFORE, Plaintiff requests subpoenas be issued to David L. Bolden and Elizabeth Bolden requiring them to respond to the aforegoing complaint by some set date.

(a) That a judgment may be passed by this Court for the appointment of my counsel as Trustee for the sale of the real estate described in the above Complaint 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 the allowance of such costs and fees as may be approved by this Court and to convey good and marketable fee simple title the the purchaser thereof

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

And as in duty bound,

William Bolden, Jr.
Plaintiff

JONES & JONES

By _____
Tony Bruce
Attorneys for Plaintiff
P.O. Box 186
Princess Anne, Md. 21853
Telephone: 651-2747

| | | |
|---|---|---|
| William L. Bolden, Jr.<br>Plaintiff | : | No. 85-AC-368 Civil Action |
| vs | : | In the Circuit Court for |
| David L. Bolden and<br>Elizabeth Bolden, his wife,<br>their heirs and assigns and all other<br>persons unknown claiming any right, title,<br>estate, lien or interest in real property<br>described in the Complaint<br>Defendants | :<br>:<br>:<br>:<br>: | |

MOTION FOR SUMMARY JUDGMENT

Now comes Plaintiff by Tony Bruce of Jones & Jones, his attorneys, pursuant to Rule 2-501 of the Maryland Rules of Procedure and moves for summary judgment on the ground that there is no genuine dispute of any material fact and that the Plaintiff is entitled to judgment as a matter of law.

JONES & JONES

By _____
Tony Bruce

AFFIDAVIT IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 1st day of November, 1985, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared William Bolden, Jr. and made oath in due form of law that he is an adult competent to testify and that he has personal knowledge that:

1. He is the owner of a two-thirds interest in common with the interest of Defendants in the property described in the Complaint.

2. That the property is improved with one storage building.

3. That the property could not be equitably divided among the parties.

4. That he has paid the sum of $1,119.68 in payments to Peninsula Bank, insurance premiums and taxes and that he is unaware of the Defendant paying any monies toward same since March 1984.

5. That the full cash value of the property according to the Somerset County Tax Assessment Office is $11,270.00.

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE, MD 21853-0186

6. That sale pursuant to the BJ and BR Rules in lieu of partition will allow the parties to account for the net proceeds after payment of the costs, fees, commissions, current taxes and current principal on the mortgage, the latter of which is $2,698.35 as of November 1, 1985.

7. That my counsel is capable of performing as Trustee for the sale of the property.

William Bolden, Jr.

William Bolden, Jr.

Subscribed to and sworn before me this 1st day of November, 1985.

Patty E. Aka

Notary Public

My commission expires July 1, 1986

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

Case No. 85CA00368 Civil Action

WRIT OF SUMMONS

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

TO:
Name: Elizabeth Bolden

Address: c/o Leonard Twining, Rt. 3, Princess Anne, Maryland 21853

County: Somerset

You are hereby summoned to file a written response by pleading or motion in this Court to the attached Complaint filed by William Bolden, Jr.
(Name and Address)
Rt. 3
Princess Anne, Maryland 21853
within 30 days after service of this summons upon you.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued: November 5, 1985

J. Theodore Phoebus
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.

2. FAILURE TO FILE A RESPONSE WITHIN THE TIME ALLOWED MAY RESULT IN A JUDGMENT BY DEFAULT OR THE GRANTING OF THE RELIEF SOUGHT AGAINST YOU.

SHERIFF'S RETURN

BOOK 050 PAGE 807

Summons and copy of Civil papers left with Elizabeth Bolden 11-19-85

FEE: $

SHERIFF Suzy L. Jones, Deputy

NOTE:

1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126(a).

# The Circuit Court for Somerset County

Clerk of the Circuit Court
Court House, P.O. Box 99
Princess Anne, MD 21853

WRIT OF SUMMONS

Case No. 85CA00368 Civil Action

STATE OF MARYLAND, SOMERSET COUNTY, TO WIT:

BOOK 050 PAGE 803

TO:
Name: David L. Bolden

Address: Maple Street, Princess Anne, Maryland 21853

County: Somerset

You are hereby summoned to file a written response by pleading or motion in this Court to the attached Complaint filed by William Bolden, Jr.
(Name and Address)
Rt. 3

Princess Anne, Maryland 21853
within 30 days after service of this summons upon you.

WITNESS the Honorable Chief Judge of the First Judicial Circuit of Maryland.

Date Issued: November 5, 1985

D Sheridan Phoebus
CLERK

TO THE PERSON SUMMONED:

1. PERSONAL ATTENDANCE IN COURT ON THE DAY NAMED IS NOT REQUIRED.

2. FAILURE TO FILE A RESPONSE WITHIN THE TIME ALLOWED MAY RESULT IN A JUDGMENT BY DEFAULT OR THE GRANTING OF THE RELIEF SOUGHT AGAINST YOU.

SHERIFF'S RETURN

Served David Bolden
11-22/85

FEE: $

SHERIFF Deputy B. L. Jones

NOTE:

1. This summons is effective for service only if served within 60 days after the date it is issued.
2. Proof of service shall set out the name of the person served, date and the particular place and manner of service. If service is not made, please state the reasons.
3. Return of served or unserved process shall be made promptly and in accordance with Rule 2-126.
4. If this summons is served by private process, Process server shall file a separate affidavit as required by Rule 2-126(a).

| | | |
|---|---|---|
| William Bolden, Jr. Plaintiff | : | No. 8500368 Civil Action |
| vs | : | In the Cirucit Court for |
| David L. Bolden and Elizabeth Bolden, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in real property described in the Complaint Defendants | : | Somerset County, Maryland |

JUDGMENT

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

It is thereupon, this 23rd day of December, in the year nineteen hundred and eighty-five, by the Circuit Court for somerset County, Maryland, ORDERED that judgment is granted Plaintiff and that the property in the proceedings mentioned be sold, and that Tony Bruce be and he is hereby appointed Trustee to make sale in accordance with Rule BR of the Maryland Rules of Procedure and that the Trustee 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 $12,000.00, pursuant to Rule BR 3a. 1.

Lloyd L. Griffin
Judge

BOOK 050 PAGE 809

JONES & JONES
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box 328 Princess Anne, MD 21853

BOOK 050 PAGE 810

# CERTIFICATE OF PUBLICATION

We, Atlantic Publications, Inc., publishers of the Marylander and Herald, a weekly newspaper published at Princess Anne, Maryland, do hereby certify that the enclosed notice has been published for 3 successive weeks, commencing 1/15, 1986, and ending 1/29, 1986 inclusive, in the said Marylander and Herald aforementioned.

Attest: Lori Taylor - Somerset Herald
Publisher.

Printer's Fee: $50.88 - per insertion.

Total: $152.64

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**TONY BRUCE**
**Jones & Bruce, P.A.**
**Princess Anne, Maryland 21853**

**TRUSTEE'S SALE**
**OF**
**VALUABLE REAL ESTATE**
**AND IMPROVEMENTS**

By virtue of the power contained in a judgment of the Circuit Court for Somerset County, Maryland, passed in a cause in which William Bolden, Jr. is Plaintiff and David L. Bolden and Elizabeth Bolden are the Defendants, the same being No. 8500368 Civil Action in said Court, the undersigned Trustee named in said judgment will sell at public auction on the Court House Steps in Princess Anne, Maryland, on

**TUESDAY, FEBRUARY 4, 1986**

at or about the hour of 2:00 o'clock P.M., all that lot or parcel of land in West Princess Anne Election District, Somerset County, Maryland, consisting of 1.69 acres, depicted on a plat by P.J. Hannon dated June 2, 1976 [#P11035] recorded among the Land Records of Somerset County in Liber I.T.P. No. 294, folio 616, together with a right of way 20 ft. in width to Brownstone County Road in common with others lawfully entitled to the use thereof and subject to a 20 ft. right of way along the westerly side of the property and being the same land described in a deed dated August 13, 1979 and recorded among the aforesaid Land Records in Liber I.T.P. No. 317, folio 767 and in a deed dated August 13, 1982 and recorded among the aforesiad Land Records in Liber I.T.P. No. 332, folio 180.

This porperty is improved by an insulated warehouse 30 ft. by 60 ft. with electric and oil hot air heat, overhead door, shallow well and pump, all of which are offered in "As Is" condition.

TERMS OF SALE: A deposit of $2,000.00 shall be paid in cash, certified or cashier's check, payable to the undersigned Trustee, on the date of sale and the balance shall be paid upon final ratification of the sale, or all cash, at the option of purchaser, any deferred payment to bear interest from date of sale at the rate of ten [10] per cent per annum and to be secured to the satisfaction of the Trustee. 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, notary fees and Maryland agricultural transfer tax [if any].

Wallace Dashiell
Auctioneer
Princess Anne, Md.
651-2094

Tony Bruce, Trustee
Princess Anne, Md.
651-2747
80-1/15-3tSH

KNOW ALL MEN BY THESE PRESENTS, That we, Tony Bruce, 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 thousand dollars ($12,000.00) 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 4th day of February, in the year nineteen hundred and eighty-six.

Whereas, the above bounden, Tony Bruce, 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 William Bolden, Jr. vs. David L. Bolden, et al, now pending in said Court, being No. 8500368 Civil Action.

Now, the condition of the above obligation is such that if the above bounden, Tony Bruce does 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.

Bond Approved and filed.
As per _____, Clerk

_____ (SEAL)
Tony Bruce

THE FIDELITY & DEPOSIT COMPANY OF MARYLAND

Witness: _____

By _____
Attorney in Fact

FILED

Bond Book 11 Page 639

FEB 4 1 29 PM '86

RECORDED
LINE
ATTEST
BY

FOLIO
CLERK
DEPUTY

BOOK 050 PAGE 811

| | | |
|---|---|---|
| William Bolden, Jr. | : | No. 8500368 Civil Action |
| vs | : | In the Circuit Court for |
| David L. Bolden and Elizabeth Bolden, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in real property described in the Complaint | : | Somerset County, Maryland |

The report of Tony Bruce, Trustee appointed by this Court by Judgment dated December 23, 1985, 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 Judgment, and having given at least three weeks notice of the time, place, manner and terms of sale by advertisement in the Somerset Herald, a weekly newspaper published in Somerset County, Maryland, for three weeks before the date of sale, he did, pursuant to said notice, attend on the Court House steps in Princess Anne, Maryland, on the 4th day of Febraury, 1986, at 2:00 o'clock P.M., and then and there proceed to sell the property described in said advertisement, to wit:

All that lot or parcel of land in West Princess Anne Election District, Somerset County, Maryland, consisting of 1.69 acres, depicted on a plat by P. J. Hannon dated June 2, 1976 (P11035) recorded among the Land Records of Somerset County in Liber I.T.P. No. 294, folio 616, together with a right of way 20 feet in width to Brownstone County Road in common with others lawfully entitled to the use thereof and subject to a 20 foot right of way along the westerly side of the property and being the same land described in a deed dated August 13, 1979 and recorded among the aforesaid Land Records in Liber I.T.P. No. 317, folio 767 and in a deed dated August 13, 1982 and recorded among the aforesaid Land Records in Liber I.T.P. No. 332, folio 180 and sold

JONES &
ATTORNEYS AT LAW
P.O. BOX 186
PRINCESS ANNE MD 21853-0186

same to Robert B. Brightman and R. Gary Wink, partners trading as B & W Construction, they being then and there the highest bidders therefor at and for the sum of Fifteen thousand five hundred dollars ($15,500.00), and the purchaser has complied with the terms of sale to the satisfaction of your Trustee.

Respectfully submitted,

Tony Bruce, Trustee

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of February, in the year nineteen hundred and eighty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Tony Bruce, Trustee named in the aforegoing 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.

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

Notary Public

My commission expires July 1, 1986

| | | |
|---|---|---|
| William Bolden, Jr. | : | No. 8500368 Civil Action |
| vs | : | In the Circuit Court for |
| David L. Bolden and Elizabeth Bolden, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in real property described in the Complaint | : | Somerset County, Maryland |

PURCHASER'S AFFIDAVIT

State of Maryland, Somerset County, to wit:

I hereby certify, that on this 4th day of February, in the year nineteen hundred and eighty-six, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Robert B. Brightman and R. Gary Wink, partners trading as B & W Construction, 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 they were not acting as agents 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.

Patsy G. Allen
Notary Public

My commission expires July 1, 1986

Somerset Herald

**MARYLANDER & HERALD**

P.O. Box ~~328~~ 310 Princess Anne, MD 21853

# CERTIFICATE OF PUBLICATION

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Attest: Lois Taylor - Somerset Herald
Publisher

Printer's Fee: $27.50 per insertion

3 insertions = $82.50

BOOK 050 PAGE 815

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JONES & BRUCE, P.A.
Attorneys at Law
Princess Anne, Maryland 21853

No. 8500368 Civil Action
In the Circuit Court for
Somerset County, Maryland

William Bolden, Jr.
vs
David L. Bolden and
Elizabeth Bolden, his wife,
their heirs & assigns & all other persons
unknown claiming any right, title, estate,
lien or interest in real property
described in the Complaint

## NOTICE

ORDERED, by the Circuit Court for Somerset County, this 5th day of February, in the year nineteen hundred and eighty-six, that the sale of the property mentioned in these proceedings, and reported by Tony Bruce, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day of March, 1986, provided a copy of this notice be inserted in some newspaper published in Somerset County once in each of three successive weeks, before the 3rd day of March, 1986.

The report states the amount of sale to be $15,500.00.

True Copy, Test: I. Theodore Phoebus
Clerk

80-2/12-3tSH

JONES & BRUCE, P.A.
Attorneys at Law
Princess Anne, Md. 21853

BOOK 050 PAGE 816

NOTICE

| | | |
|---|---|---|
| William Bolden, Jr. | : | No. 8500368 Civil Action |
| vs | : | In the Circuit Court for |
| David L. Bolden and Elizabeth Bolden, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in real property described in the Complaint | : | Somerset County, Maryland |

ORDERED by the Circuit Court for Somerset County, this 5th day of February, in the year nineteen hundred and eighty-six, that the sale of the property mentioned in these proceedings, and reported by Tony Bruce, Trustee, be ratified and confirmed unless cause to the contrary thereof be shown on or before the 7th day of March, 1986, provided a copy of this notice be inserted in some newspaper published in Somerset County once in each of three successive weeks before the 3RD day of March, 1986.

The report states the amount of sale to be $15,500.00.

Theodore Phoebus
CLERK

FINAL ORDER

| | | |
|---|---|---|
| William Bolden, Jr. | : | No. 8500368 Civil Action |
| vs | : | In the Circuit Court for |
| David L. Bolden and Elizabeth Bolden, his wife, their heirs and assigns and all other persons unknown claiming any right, title, estate, lien or interest in real property described in the Complaint | : | Somerset County, Maryland |

ORDERED by the Circuit Court for Somerset County, in Equity, this 17th day of March, in the year nineteen hundred and eighty-six, that the sale of the real estate mentioned in these proceedings made and reported by Tony Bruce, 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 Notice passed in said cause.

Lloyd L. Simpkins
Judge

| | | |
|---|---|---|
| William Bolden, Jr. | * | No. 8500368 Civil Action |
| vs. | * | In the Circuit Court for |
| David L. Bolden and Elizabeth Bolden | * | Somerset County, Maryland |
| | * | |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | $15,500.00 |
| Interest received on balance of purchase price | | 140.60 |
| Refund on pro rata share of taxes by Buyers | | 28.08 |
| | | $15,668.68 |

Fees, Costs, Expenses, etc.:

| | | |
|---|---|---|
| I. Theodore Phoebus, Clerk | | $ 186.00 |
| Atlantic Publications, | | |
| Advertising | $152.64 | |
| Order Nisi | 82.50 | 235.14 |
| Fidelity & Deposit Co., Bond | | 50.00 |
| Wallace Dashiell, Auctioneer | | 100.00 |
| Logan C. Widdowson, Auditor | | 65.00 |
| Trustee's Commissions | | 925.00 |
| Refund to William Bolden, Jr. | | 1,997.86 |
| Payoff on Peninsula Bank Loan | | |
| Principal - $2,661.50 | | |
| Interest | 109.01 | 2,770.51 |
| Notary Fees | | 3.00 |
| Clerk of Court to release mortgage | | 7.00 |

Total Fees, Costs, Expenses, etc. $6,339.51

Balance to be Distributed among the parties as follows: $ 9,329.17

| | | |
|---|---|---|
| 1/6 interest to Elizabeth Bolden | = $1,554.86 | |
| 1/6 interest to David L. Bolden | = 1,554.86 | |
| 4/6 interest to William Bolden, Jr. | = 6,219.45 | $ 9,329.17 |

-0-

ALL EXCEPTIONS to said report must be filed within ten 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:

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE MD 21853
651-3600

Tony Bruce, Esquire
Somerset Avenue
Princess Anne, MD 21853

David L. Bolden
Maple Street
Princess Anne, MD 21853

Elizabeth Bolden
c/o Leonard Twining
Route 3
Princess Anne, MD 21853

BOOK 050 PAGE 813

Logan C. Widdowson, Auditor

Filing Date: May 6, 1986

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

LCW/gjb
5/6/86
86 # 197

No. 85CA00368 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 6th day of May, 19 86 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 May, 19 86.

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 19th day of May, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

J. Theodore Phoebus
CLERK

Eld

JAN 08 1987

BOOK 050 PAGE 819

BOOK 050 PAGE 820

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | * | NO. 86CA00472 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | * | |
| Defendants | * | |

* * * * * * *

ORDER TO DOCKET SUIT

MR. CLERK:

Please docket this case as above and file for foreclosure the attached Deed of Trust from John T. Handy, III and Patricia Handy, his wife, to Maryland National Bank dated April 13, 1984 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 343, Folio 622. Please also file the enclosed copy of the Deed of Appointment of Substitute Trustees dated July 11, 1985 and recorded or intended to be recorded among the Land Records of Somerset County, Maryland on March 17, 1985 from Maryland National Bank to John C. Nason and John R. Sullivan, Substitute Trustees.

JOHN C. NASON

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, MD 21801
Telephone: (301) 546-4644

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

(with Principal Installments) B S U

$ 95,000.00 (Amount) South Salisbury, Salisbury (Bank Office and Location), Maryland April 13 (Date), 19 84

ON DEMAND, the Undersigned (whether one or more than one) promises (jointly and severally, if more than one) to pay to the order of Maryland National Bank (the "Bank") the principal sum of Ninety-five Thousand and 00/100********** Dollars (the "Principal Sum") with interest on the unpaid balance thereof from the date hereof until maturity at a per annum rate of interest which is at all times equal to the Bank's Prime Rate plus 1½ % per annum and the interest rate hereon will increase or decrease each time and as of the date that the Bank's Prime Rate increases or decreases, provided that the interest rate hereon shall never be lower than _____ % per annum. The term "Bank's Prime Rate" as used in this Note means the fluctuating prime rate of interest established and declared by the Bank from time to time.

Until Demand is made by the Bank, the Undersigned shall make Thirty-five ( 35 ) consecutive principal payments in the amount of $ 791.66 each, calendar month commencing on the 13th day of May, 19 84, and on the same day of each calendar month thereafter, and a final payment of $ 67,291.90 on April 13, 19 87. The obligation of the Undersigned to make the aforesaid payments shall in no way affect or condition the right of the Bank to demand payment at any time of the unpaid balance of the Principal Sum together with accrued and unpaid interest thereon.

Interest shall be (a) payable whenever demanded by the Holder, and (b) calculated on the basis of a 360-day year applied to the actual number of days the Principal Sum, or any portion thereof, is outstanding. After maturity, the unpaid balance of the Principal Sum plus accrued and unpaid interest earned to maturity shall bear interest at a per annum rate of interest which is equal to the rate of interest on this Note until maturity, as indicated above, plus 1% per annum.

The obligations of the Undersigned evidenced by this Note are secured by, guaranteed by, and are part of the obligations referred to in, any security agreement, guaranty agreement, mortgage, deed of trust, pledge agreement, loan agreement, hypothecation agreement, indemnity agreement, letter of credit application, assignment or any other document previously, simultaneously or hereafter executed and delivered by any of the Undersigned or by any other party (collectively, the "Loan Documents") as security for, as a guaranty of, or in connection with, obligations of any of the Undersigned to the Bank or to any other Holder, whether or not this Note is specifically referred to therein.

All payments of the principal of and interest on this Note shall be (a) paid in lawful money of the United States of America during regular business hours of the Bank at the office of the Bank set forth above or at such other place as the Holder may at any time or from time to time designate in writing to the Undersigned, and (b) shall be applied first to the payment of all accrued and unpaid interest and second to the payment of principal.

Each Obligor (which term, as used herein, shall include the Undersigned and each endorser, guarantor, accommodation party and surety of this Note) hereby waives demand, presentment for payment, protest, notice of dishonor and of protest and agrees that at any time and from time to time and with or without consideration, the Holder may, without notice to or further consent of any Obligor and without in any manner releasing, lessening or affecting the obligations of any Obligor hereunder and under any of the Loan Documents (a) release, surrender, waive, add, substitute, settle, exchange, compromise, modify, extend or grant indulgences with respect to, (i) this Note, (ii) any of the Loan Documents, (iii) all or any part of any collateral or security for this Note, and (iv) any Obligor, (b) complete any blank space in this Note according to the terms upon which the loan evidenced hereby is made, and (c) grant any extension or other postponements of the time of payment hereof. If the Undersigned consists of 2 or more parties, the term "Undersigned" as used herein means each of such parties jointly and severally, and their obligations hereunder are joint and several. The Holder may (without notice to or consent of any of the Undersigned or any other Obligor, and with or without consideration) release, compromise, settle with, or proceed against any one or more of the Undersigned or any other Obligor without releasing, lessening or affecting the obligations hereunder or under any of the Loan Documents of the other or others of the Undersigned or any other Obligor. The term "Holder" as used herein means the holder of this Note, including the Bank.

If this Note is placed in the hands of an attorney for collection after maturity, the Undersigned shall pay on demand all costs and expenses of collection including an attorney's fee of 15% of the then unpaid balance of the Principal Sum. As security for the payment of all obligations under this Note, each Obligor hereby pledges and grants to the Holder a lien on and security interest in, and authorizes the Holder to offset such obligations of such Obligor to the Holder against, all property of such Obligor now or at any time hereafter in the possession of, in transit to, under the control of, or on deposit with, the Holder in any capacity whatsoever, including, without limitation, any balance of any deposit account and any credits with the Holder.

If this Note is not paid at maturity, each Obligor who signs this Note and/or the Unconditional Guaranty of Payment on the reverse side hereof, hereby authorizes and empowers any attorney of any Court of Record within the United States to appear for each Obligor or any one or more of them in any Court in one or more proceedings or before any clerk thereof, and confess judgment against each such Obligor, without prior notice or opportunity for prior hearing, in favor of the Holder for the then unpaid balance of the Principal Sum, with interest accrued thereon and the cost of suit and an attorney's fee of 15% of such unpaid balance of the Principal Sum, hereby waiving and releasing, to the extent permitted by law, all errors and all rights of exemption, appeal, stay of execution, inquisition and extension upon any levy on real estate or personal property to which each such Obligor may otherwise be entitled under the laws of the United States or of any state or possession of the United States now in force or which may hereafter be passed.

In the event any one or more of the provisions of this Note shall for any reason be held to be invalid, illegal or unenforceable in whole or in part or in any respect, or in the event that any one or more of the provisions of this Note operate or would prospectively operate to invalidate this Note, then and in either of those events, such provision or provisions only shall be deemed null and void and shall not affect any other provision of this Note and the remaining provisions of this Note shall remain operative and in full force and effect and shall in no way be affected, prejudiced or disturbed thereby.

Each right, power and remedy of the Holder hereunder, under the Loan Documents or under applicable laws shall be cumulative and concurrent and the exercise of any one or more of them shall not preclude the simultaneous or later exercise by the Holder of any or all such other rights, powers or remedies. No failure or delay by the Holder to insist upon the strict performance of any one or more provisions of this Note or of the Loan Documents or to exercise any right, power or remedy consequent upon a breach thereof or default hereunder shall constitute a waiver thereof or preclude the Holder from exercising any such right, power or remedy. By accepting partial payment after the due date of any amount of principal of or interest on this Note, the Holder shall not be deemed to have waived the right either to require prompt payment when due and payable of all other amounts of principal of or interest on this Note or to exercise any rights and remedies available to it in order to collect all such other amounts due and payable under this Note. No modification, change, waiver or amendment of this Note shall be deemed to be made by the Holder unless in writing signed by the Holder, and each such waiver, if any, shall apply only with respect to the specific instance involved. This Note shall be deemed made in, and shall be governed by the laws of the State of Maryland.

The signature(s) and seal(s) of the Undersigned is/are subscribed to this Note the day and year written above.

BOOK 050 PAGE 821

WITNESS _____ (SEAL)

WITNESS _____ (SEAL)

WITNESS _____ (SEAL)

John T. Handy, III
T/A Chesapeake Original _____ (SEAL)

John T. Handy, III _____ (SEAL)

Patricia Handy _____ (SEAL)

207-89-1 REV 2 81

## UNCONDITIONAL GUARANTY OF PAYMENT

The undersigned (jointly and severally if more than one) hereby unconditionally and irrevocably guarantees to the Holder of the above Note the payment in full of the principal of and interest on the Note, as and when the same shall become due and payable, whether by declaration extension or otherwise, together with all costs and attorney's fees incurred in the collection or enforcement thereof. The undersigned assents to and agrees to be bound by all the terms and provisions of the Note including, without limitation, the warrant of attorney to confess judgment therein contained. Without notice to or further consent of the undersigned, with or without consideration, and without lessening or releasing the obligations hereunder of the undersigned, the undersigned consents to (a) any extension of time for payment of the Note, (b) any renewal, modification, delay, waiver or release of the Note, (c) the addition or release of any maker, accommodation party, endorser, guarantor or surety of the Note, (d) the addition to, sale or other disposition of, or substitution for or release of, any collateral or security for the Note or any part thereof, and (e) any indulgence to the Holder of the Note or to any maker, accommodation party, endorser, surety or guarantor of the Note. The undersigned waives presentment, demand, notice of dishonor, notice of acceptance of this Unconditional Guaranty of Payment and notice of any action taken under this Unconditional Guaranty of Payment, under the Note, or against any collateral or security. This Unconditional Guaranty of Payment is made in and shall be governed by the laws of the State of Maryland. Those terms defined in the Note are used herein with the same meaning.

The signature(s) and seal(s) of the undersigned is/are subscribed to this Guaranty as of the date of this Note.

BOOK 050 PAGE 822

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

My Commission Expires July 1, 1986

Linda Thorne-Jones
Notary Public

I certify this to be a true test copy

| APPROVED BY | COST CENTER | OFFICER OR BR SYMBOL | NEW | RENEW | CUSTOMER NO | NOTE NO | TIED TO LINE/COMM |
|---|---|---|---|---|---|---|---|
| | 534 | SSA | X | | 1832971 | 9061 | ☐ YES # ____ 999 ☒ NO |

PROCEEDS ☐ F-35 ☒ CHECK ☐ CREDIT DDA # _____ ☐ OTHER _____

PROCEEDS/CURTAILMENT OF

| SEC | UNS | RR# |
|---|---|---|
| X | | |

MARYLAND NATIONAL BANK

## CERTIFICATE OF USE OF LOAN PROCEEDS

South Salisbury, Salisbury, Md. 21801 April 13 1984

(Bank Office and Location) (Date)

This is to certify to Maryland National Bank that application has been made by the Undersigned to Maryland National Bank for a loan in the principal amount of $ Ninety-five Thousand and 00/100**********

on the representation by the Undersigned that the proceeds of the same will be used and employed by the Undersigned as follows:

Monies to be used to purchase certain assets of Carol Dayton Sign Co. Inc. in Crisfield, Md.

John T. Handy, III
T/A Chesapeake Original
John T. Handy, III (SEAL)

Patricia Handy (SEAL)
Patricia Handy

(SEAL)

(SEAL)

1832971 Customer No.

901 Note No.

207-66 Rev 5/82

BOOK 050 PAGE 823

MARYLAND NATIONAL BANK

BOOK 050 PAGE 824

# DEMAND NOTE

$ 120,000.00 (Amount)

South Salisbury, Salisbury (Bank Office and Location), Maryland June 14, 19 84

ON DEMAND, the Undersigned (whether one or more than one) promises (jointly and severally if more than one) to pay to the order of Maryland National Bank (the "Bank") the principal sum of One hundred twenty Thousand and 00/100 ********** Dollars (The "Principal Sum") with interest on the unpaid balance thereof from the date hereof until maturity at a per annum rate of interest which is at all times equal to the Bank's Prime Rate plus 2 % per annum and the interest rate hereon will increase or decrease each time and as of the date that the Bank's Prime Rate increases or decreases, provided that the interest rate hereon shall never be lower than n/a % per annum. The term "Bank's Prime Rate" as used in this Note means the fluctuating prime rate of interest established and declared by the Bank from time to time.

Interest shall be (a) payable whenever demanded by the Holder, and (b) calculated on the basis of a 360 day year applied to the actual number of days the Principal Sum, or any portion thereof, is outstanding. After maturity, the unpaid balance of the Principal Sum plus accrued and unpaid interest ratified to maturity shall bear interest at a per annum rate of interest which is equal to the rate of interest on this Note until maturity, as indicated above, plus 1% per annum.

The obligations of the Undersigned evidenced by this Note are secured by, guaranteed by, and are part of the obligations referred to in, any security agreement, guaranty agreement, mortgage, deed of trust, pledge agreement, loan agreement, hypothecation agreement, indemnity agreement, letter of credit application, assignment or any other document previously, simultaneously or hereafter executed and delivered by any of the Undersigned or by any other party (collectively, the "Loan Documents") as security for, as a guaranty of, or in connection with, obligations of any of the Undersigned to the Bank or to any other Holder, whether or not this Note is specifically referred to therein.

All payments of the principal of and interest on this Note shall be (a) paid in lawful money of the United States of America during regular business hours of the Bank at the office of the Bank set forth above or at such other place as the Holder may at any time or from time to time designate in writing to the Undersigned, and (b) shall be applied first to the payment of all accrued and unpaid interest and second to the payment of principal.

Each Obligor (which term, as used herein, shall include the Undersigned and each endorser, guarantor, accommodation party and surety of this Note) hereby waives demand, presentment for payment, protest, notice of dishonor and of protest and agrees that at any time and from time to time and with or without consideration, the Holder may, without notice to or further consent of any Obligor and without in any manner releasing, lessening or affecting the obligations of any Obligor hereunder and under any of the Loan Documents: (a) release, surrender, waive, add, substitute, settle, exchange, compromise, modify, extend or grant indulgences with respect to, (i) this Note, (ii) any of the Loan Documents, (iii) all or any part of any collateral or security for this Note, and (iv) any Obligor, (b) complete any blank space in this Note according to the terms upon which the loan evidenced hereby is made, and (c) grant any extension or other postponements of the time of payment hereof. If the Undersigned consists of 2 or more parties the term "Undersigned" as used herein means each of such parties, jointly and severally, and their obligations hereunder are joint and several. The Holder may (without notice to or consent of any of the Undersigned or any other Obligor, and with or without consideration) release, compromise, settle with or proceed against any one or more of the Undersigned or any other Obligor without releasing, lessening or affecting the obligations hereunder or under any of the Loan Documents of the other or others of the Undersigned or any other Obligor. The term "Holder" as used herein means the holder of this Note, including the Bank.

If this Note is placed in the hands of an attorney for collection after maturity, the Undersigned shall pay on demand all costs and expenses of collection including an attorney's fee of 15% of the then unpaid balance of the Principal Sum. As security for the payment of all obligations under this Note, each Obligor hereby pledges and grants to the Holder a lien on and security interest in, and authorizes the Holder to offset such obligations of such Obligor to the Holder against, all property of such Obligor now or at any time hereafter in the possession of, in transit to, under the control of, or on deposit with, the Holder in any capacity whatsoever, including, without limitation, any balance of any deposit account and any credits with the Holder.

If this Note is not paid at maturity, each Obligor who signs this Note and/or the Unconditional Guaranty of Payment on the reverse side hereof, hereby authorizes and empowers any attorney of any Court of Record within the United States to appear for each such Obligor or any one or more of them in any Court in one or more proceedings or before any clerk thereof, and confess judgment against each such Obligor, without prior notice, or opportunity for prior hearing, in favor of the Holder for the then unpaid balance of the Principal Sum, with interest accrued thereon and the cost of suit and an attorney's fee of 15% of such unpaid balance of the Principal Sum, hereby waiving and releasing, to the extent permitted by law, all errors and all rights of exemption, appeal, stay of execution, inquisition and extension upon any levy on real estate or personal property to which each such Obligor may otherwise be entitled under the laws of the United States or of any state or possession of the United States now in force or which may hereafter be passed.

In the event any one or more of the provisions of this Note shall for any reasons be held to be invalid, illegal or unenforceable, in whole or in part or in any respect, or in the event that any one or more of the provisions of this Note operate or would prospectively operate to invalidate this Note, then and in either of those events, such provision or provisions only shall be deemed null and void and shall not affect any other provision of this Note and the remaining provisions of this Note shall remain operative and in full force and effect and shall in no way be affected, prejudiced or disturbed thereby.

Each right power and remedy of the Holder hereunder, under the Loan Documents or under applicable laws shall be cumulative and concurrent and the exercise of any one or more of them shall not preclude the simultaneous or later exercise by the Holder of any or all such other rights, powers or remedies. No failure or delay by the Holder to insist upon the strict performance of any one or more provisions of this Note or of the Loan Documents or to exercise any right, power or remedy consequent upon a breach thereof or default hereunder shall constitute a waiver thereof, or preclude the Holder from exercising any such right, power or remedy. By accepting partial payment after the due date of any amount of principal of or interest on this Note, the Holder shall not be deemed to have waived the right either to require prompt payment when due and payable of all other amounts of principal of or interest on this Note or to exercise any rights and remedies available to it in order to collect all such other amounts due and payable under this Note. No modification, change, waiver or amendment of this Note shall be deemed to be made by the Holder unless in writing signed by the Holder, and each such waiver, if any, shall apply only with respect to the specific instance involved. This Note shall be deemed made in, and shall be governed by the laws of, the State of Maryland.

The signature(s) and seal(s) of the Undersigned is/are subscribed to this Note the day and year written above.

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

John T. Handy, III T/A Chesapeake Original

_____ (SEAL)

John T. Handy, III _____ (SEAL)

Patricia A. Handy _____ (SEAL)

Patricia Handy

**UNCONDITIONAL GUARANTY OF PAYMENT**

The undersigned (jointly and severally if more than one) hereby unconditionally and irrevocably guarantees to the Holder of the above Note, the payment in full of the principal of and interest on the Note, as and when the same shall become due and payable, whether by declaration, extension or otherwise, together with all costs and attorney's fees incurred in the collection or enforcement thereof. The undersigned assents to and agrees to be bound by all the terms and provisions of the Note including, without limitation, the warrant of attorney to confess judgment therein contained. Without notice to or further consent of the undersigned, with or without consideration, and without lessening or releasing the obligations hereunder of the undersigned, the undersigned consents to (a) any extension of time for payment of the Note, (b) any renewal, modification, delay, waiver or release of the Note, (c) the addition or release of any maker, accommodation party, endorser, guarantor or surety of the Note, (d) the addition to, sale or other disposition of, or substitution for or release of, any collateral or security for the Note or any part thereof, and (e) any indulgence to the Holder of the Note or to any maker, accommodation party, endorser, surety or guarantor of the Note. The undersigned waives presentment, demand, notice of dishonor, notice of acceptance of this Unconditional Guaranty of Payment and notice of any action taken under this Unconditional Guaranty of Payment, under the Note, or against any collateral or security. This Unconditional Guaranty of Payment is made in and shall be governed by the laws of the State of Maryland. Those terms defined in the Note are used herein with the same meaning.

The signature(s) and seal(s) of the undersigned is/are subscribed to this Unconditional Guaranty of Payment as of the date of the Note.

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

BOOK 050 PAG. 825

| APPROVED BY | COST CENTER | OFFICER OR HR SYMBOL | NEW | RENEW | CUSTOMER NO | NOTE NO | TIED TO LINE/COMM |
|---|---|---|---|---|---|---|---|
| | 534 | SSA | X | | 1832971 | 0002 | X YES # 0 999 ☐ NO |

| PROCEEDS | | PROCEEDS/CURTAILMENT OF | SEC | UNS | RR# |
|---|---|---|---|---|---|
| ☐ F-35 ☐ CHECK | ☒ CREDIT DDA # 527-17-5830 ☐ OTHER _____ | | | | |

MARYLAND NATIONAL BANK

BOOK 050 PAGE 826

# DEMAND NOTE

$ 50,000.00
(Amount)

South Salisbury, Salisbury, Maryland April 13, 19 84
(Bank Office and Location)

ON DEMAND, the Undersigned (whether one or more than one) promises (jointly and severally if more than one) to pay to the order of Maryland National Bank (the "Bank") the principal sum of Fifty Thousand and 00/100 ********** Dollars (The "Principal Sum") with interest on the unpaid balance thereof from the date hereof until maturity at a per annum rate of interest which is at all times equal to the Bank's Prime Rate plus 2 % per annum and the interest rate hereon will increase or decrease each time and as of the date that the Bank's Prime Rate increases or decreases, provided that the interest rate hereon shall never be lower than n/a % per annum. The term "Bank's Prime Rate" as used in this Note means the fluctuating prime rate of interest established and declared by the Bank from time to time.

Interest shall be (a) payable whenever demanded by the Holder, and (b) calculated on the basis of a 360 day year applied to the actual number of days the Principal Sum, or any portion thereof, is outstanding. After maturity, the unpaid balance of the Principal Sum plus accrued and unpaid interest carried to maturity shall bear interest at a per annum rate of interest which is equal to the rate of interest on this Note until maturity, as indicated above, plus 1% per annum.

The obligations of the Undersigned evidenced by this Note are secured by, guaranteed by, and are part of the obligations referred to in, any security agreement, guaranty agreement, mortgage, deed of trust, pledge agreement, loan agreement, hypothecation agreement, indemnity agreement, letter of credit application, assignment or any other document previously, simultaneously or hereafter executed and delivered by any of the Undersigned or by any other party (collectively, the "Loan Documents") as security for, as a guaranty of, or in connection with, obligations of any of the Undersigned to the Bank or to any other Holder, whether or not this Note is specifically referred to therein.

All payments of the principal of and interest on this Note shall be (a) paid in lawful money of the United States of America during regular business hours of the Bank at the office of the Bank set forth above or at such other place as the Holder may at any time or from time to time designate in writing to the Undersigned, and (b) shall be applied first to the payment of all accrued and unpaid interest and second to the payment of principal.

Each Obligor (which term, as used herein, shall include the Undersigned and each endorser, guarantor, accommodation party and surety of this Note) hereby waives demand, presentment for payment, protest, notice of dishonor and of protest and agrees that at any time and from time to time and with or without consideration, the Holder may, without notice to or further consent of any Obligor and without in any manner releasing, lessening or affecting the obligations of any Obligor hereunder and under any of the Loan Documents (a) release, surrender, waive, add, substitute, settle, exchange, compromise, modify, extend or grant indulgences with respect to, (i) this Note, (ii) any of the Loan Documents, (iii) all or any part of any collateral or security for this Note, and (iv) any Obligor, (b) complete any blank space in this Note according to the terms upon which the loan evidenced hereby is made, and (c) grant any extension or other postponements of the time of payment hereof. If the Undersigned consists of 2 or more parties the term "Undersigned" as used herein means each of such parties, jointly and severally, and their obligations hereunder are joint and several. The Holder may (without notice to or consent of any of the Undersigned or any other Obligor, and with or without consideration) release, compromise, settle with or proceed against any one or more of the Undersigned or any other Obligor without releasing, lessening or affecting the obligations hereunder or under any of the Loan Documents of the other or others of the Undersigned or any other Obligor. The term "Holder" as used herein means the holder of this Note, including the Bank.

If this Note is placed in the hands of an attorney for collection after maturity, the Undersigned shall pay on demand all costs and expenses of collection including an attorney's fee of 15% of the then unpaid balance of the Principal Sum. As security for the payment of all obligations under this Note, each Obligor hereby pledges and grants to the Holder a lien on and security interest in, and authorizes the Holder to offset such obligations of such Obligor to the Holder against, all property of such Obligor now or at any time hereafter in the possession of, in transit to, under the control of, or on deposit with, the Holder in any capacity whatsoever, including, without limitation, any balance of any deposit account and any credits with the Holder.

If this Note is not paid at maturity, each Obligor who signs this Note and/or the Unconditional Guaranty of Payment on the reverse side hereof, hereby authorizes and empowers any attorney of any Court of Record within the United States to appear for each such Obligor or any one or more of them in any Court in one or more proceedings or before any clerk thereof, and confess judgment against each such Obligor without prior notice, or opportunity for prior hearing, in favor of the Holder for the then unpaid balance of the Principal Sum, with interest accrued thereon and the cost of suit and an attorney's fee of 15% of such unpaid balance of the Principal Sum, hereby waiving and releasing, to the extent permitted by law, all errors and all rights of exemption, appeal, stay of execution, inquisition and extension upon any levy on real estate or personal property to which each such Obligor may otherwise be entitled under the laws of the United States or of any state or possession of the United States now in force or which may hereafter be passed.

In the event any one or more of the provisions of this Note shall for any reasons be held to be invalid, illegal or unenforceable, in whole or in part or in any respect, or in the event that any one or more of the provisions of this Note operate or would prospectively operate to invalidate this Note, then and in either of those events, such provision or provisions only shall be deemed null and void and shall not affect any other provision of this Note and the remaining provisions of this Note shall remain operative and in full force and effect and shall in no way be affected, prejudiced or disturbed thereby.

Form 207-89 REV 2.81

Each right, power and remedy of the Holder hereunder, under the Loan Documents or under applicable laws shall be cumulative and concurrent, and the exercise of any one or more of them shall not preclude the simultaneous or later exercise by the Holder of any or all such other rights, powers or remedies. No failure or delay by the Holder to insist upon the strict performance of any one or more provisions of this Note or of the Loan Documents or to exercise any right, power or remedy consequent upon a breach thereof or default hereunder shall constitute a waiver thereof, or preclude the Holder from exercising any such right, power or remedy. By accepting partial payment after the due date of any amount of principal of or interest on this Note, the Holder shall not be deemed to have waived the right either to require prompt payment when due and payable of all other amounts of principal of or interest on this Note or to exercise any rights and remedies available to it in order to collect all such other amounts due and payable under this Note. No modification, change, waiver or amendment of this Note shall be deemed to be made by the Holder unless in writing signed by the Holder, and each such waiver, if any, shall apply only with respect to the specific instance involved. This Note shall be deemed made in, and shall be governed by the laws of, the State of Maryland.

The signature(s) and seal(s) of the Undersigned is/are subscribed to this Note the day and year written above.

| | |
|---|---|
| _____ (SEAL) | John T. Handy, III T/A Chesapeake Original _____ (SEAL) |
| Sackertown Road _____ (SEAL) Crisfield, Md. 21817 | John T. Handy, III _____ (SEAL) |
| _____ (SEAL) | Patricia A. Handy _____ (SEAL) Patricia Handy |

**UNCONDITIONAL GUARANTY OF PAYMENT**

The undersigned (jointly and severally if more than one) hereby unconditionally and irrevocably guarantees to the Holder of the above Note, the payment in full of the principal of and interest on the Note, as and when the same shall become due and payable, whether by declaration, extension or otherwise, together with all costs and attorney's fees incurred in the collection or enforcement thereof. The undersigned assents to and agrees to be bound by all the terms and provisions of the Note including, without limitation, the warrant of attorney to confess judgment therein contained. Without notice to or further consent of the undersigned, with or without consideration, and without lessening or releasing the obligations hereunder of the undersigned, the undersigned consents to (a) any extension of time for payment of the Note, (b) any renewal, modification, delay, waiver or release of the Note, (c) the addition or release of any maker, accommodation party, endorser, guarantor or surety of the Note, (d) the addition to, sale or other disposition of, or substitution for or release of, any collateral or security for the Note or any part thereof, and (e) any indulgence to the Holder of the Note or to any maker, accommodation party, endorser, surety or guarantor of the Note. The undersigned waives presentment, demand, notice of dishonor, notice of acceptance of this Unconditional Guaranty of Payment and notice of any action taken under this Unconditional Guaranty of Payment, under the Note, or against any collateral or security. This Unconditional Guaranty of Payment is made in and shall be governed by the laws of the State of Maryland. Those terms defined in the Note are used herein with the same meaning.

The signature(s) and seal(s) of the undersigned is/are subscribed to this Unconditional Guaranty of Payment as of the date of the Note.

_____ (SEAL)

_____ (SEAL)

BOOK 050 PAGE 827 _____ (SEAL)

| APPROVED BY | COST CENTER | OFFICER OR RR SYMBOL | NEW | RENEW | CUSTOMER NO | NOTE NO | TIED TO LINE/COMM |
|---|---|---|---|---|---|---|---|
| | 534 | SSA | X | | | | ☒ YES # ____ 909 ☐ NO |

| PROCEEDS | | PROCEEDS/CURTAILMENT OF | SEC | UNS | RR# |
|---|---|---|---|---|---|
| ☐ F-35 ☐ CHECK | ☒ CREDIT DDA # 527-17-5830 ☐ OTHER _____ | | X | | |

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | * | NO. 86CP0 4172 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | * | BOOK 050 PAGE 828 |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | * | |
| Defendants | * | |

* * * * * * *

STATEMENT OF INDEBTEDNESS

Balance Due on principal of Deed of Trust from John T. Handy, III and Patricia Handy, his wife, to Maryland National Bank, dated April 13, 1984 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 343, Folio 622, et seq., is ONE HUNDRED FIFTY-ONE THOUSAND FOUR HUNDRED AND TWENTY-SIX DOLLARS AND EIGHTY-SIX CENTS ($151,426.86) as of October 1, 1985, plus per diem interest thereafter of Forty-Four Dollars and Eighty Cents ($44.80).

JOHN C. NASON

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, MD 21801
Telephone: (301) 546-4644

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

STATE OF MARYLAND, WICOMICO COUNTY, TO WIT:

On this 17th day of March, 1986, before me, the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared John C. Nason and John R. Sullivan, Substitute Trustees for the purpose of foreclosure and collection of a certain Deed of Trust from John T. Handy, III, and Patricia Handy, his wife, to Maryland National Bank, dated April 13, 1984 and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 343, Folio 622, et seq., and made oath in due form of law that the above Statement of Indebtedness is true and correct to the best of their knowledge, information and belief, and that they have authority to make said Affidavit on behalf of the said Mortgagee and at the same time, made oath in due form of law that the said John T. Handy, III and Patricia Handy, his wife, are not now serving in the Armed Forces of the United States of America nor any of its allies and have not served in said Armed Forces for a period of ninety (90) days prior to the filing hereof.

AS WITNESS my hand and Notarial Seal.

Connie J. Hallard
NOTARY PUBLIC

My Commission Expires: 7/1/86

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PROFESSIONAL ASSOC.
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P.O. BOX 44
SALISBURY, MD
21801

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | * | NO. 86-CA-00472 CIVIL |
| | * | IN THE CIRCUIT COURT |
| | * | FOR SOMERSET COUNTY |
| | * | STATE OF MARYLAND |
| Plaintiffs | * | BOOK 050 PAGE 830 |
| V. | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | * | |
| | * | |
| Defendants | * | |

* * * * * * *

MOTION TO REDUCE BOND

Comes now John C. Nason and John R. Sullivan, Substitute Trustees for Maryland National Bank, and requests that this Honorable Court reduce the amount of the bond required to file herein and as reasons therefore states:

1. That pursuant to Consent Order Allowing Relief From Stay dated February 27, 1986 in the United States Bankruptcy Court for the District of Maryland, the undersigned have filed in this foreclosure proceeding on a Deed of Trust from John T. Handy, III and Patricia Handy to Maryland National Bank which is recorded among the Land Records of Somerset County, Maryland, in Liber I.D.T. No. 343, Folio 622, et seq.

2. That said deed of trust secures three (3) loans made by Maryland National Bank to the Respondents on April 13, 1984 in the amount of Ninety-Five Thousand Dollars ($95,000.00), on April 13, 1984 in the amount of Fifty Thousand Dollars ($50,000.00), and on June 14, 1984 in the amount of One Hundred and Twenty Thousand Dollars ($120,000.00).

3. That the only loan specifically secured by this property was the April 13, 1984 loan in the amount of

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Ninety-Five Thousand Dollars ($95,000.00), however, in that the subsequent two (2) loans totaling One Hundred and Seventy Thousand Dollars ($170,000.00) had cross-collateralization clauses, said deed of trust operates as security for those loans as well.

4. That there is presently due and payable on said loans the sum of One Hundred and Fifty-One Thousand Four Hundred and Twenty-Six Dollars and Eighty-Six Cents ($151,426.86) plus per diem interest of Forty-Four Dollars and Eighty Cents ($44.80) per day, which totals One Hundred and Fifty-Eight Thousand Nine Hundred and Fifty-Three Dollars and Twenty-Six Cents ($158,953.26).

5. That attached hereto and incorporated herein by reference as Exhibit 1 is a copy of an appraisal of the aforesaid real property from Real Estate First and Victor J. Stephens, a qualified appraiser in Salisbury, Maryland, on November 17, 1985, said appraisal valuing the aforesaid real property to be worth Ninety Thousand Dollars ($90,000.00).

6. It is highly unlikely that the property will bring more at a foreclosure sale than the appraised value and it is even more unlikely that the property would ever bring the near total amount owed on the property.

7. In view of the facts set forth herein, it is highly unlikely that Maryland National Bank will recoup its losses as a result of this foreclosure sale and if it is required to post a bond in the amount of the total debt Plaintiffs will be required to incur a much greater expense for said bond than it would if it was only required to post the bond sufficient to cover the value of the property.

WHEREFORE, the undersigned requests that this Honorable Court sign an Order requiring that the Plaintiffs post a bond prior to the sale of the property which is the subject matter of

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this foreclosure suit in the amount of Ninety Thousand Dollars ($90,000.00) and in the event said property sells for an amount greater than Ninety Thousand Dollars ($90,000.00) that Plaintiff be required to supplement said bond to cover the sale price.

JOHN C. NASON

JOHN R. SULLIVAN

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216 East Main Street
P.O. Box 44
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SALISBURY, MD
21801

REAL ESTATE
FIRST

September 17, 1985

Maryland National Bank
1145 S. Salisbury Blvd.
Salisbury, Maryland 21801

Attn: Mr. Wade

Re: Chesapeake Original
Sackertown Road
Crisfield, MD. 21817

Dear Mr. Wade:

As requested, we have personally inspected the subject property. In our opinion, after extensive research and detailed market analysis, the Fair Market Value of the subject property is Ninety Thousand Dollars ($90,000).

Victor J. Stephens

Donald L. Smith

VJS:cac

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REC'D
BANKS, NASON & HICKSON P.A.

OCT 3 1985

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FIRST

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## ZONING

Somerset County R-2 (Residential Medium Density). Present improvements do not conform to zoning regulations. Note: After 12 consecutive months of non-use as a business, property reverts to original zoning, which would prohibit commercial use without zoning change.

## ASSESSMENT

| | |
|---|---|
| Current Full Value - Lane | $ 6,000 |
| Current Full Value - Building | 47,200 |
| Current Full Market Value - Total | $ 51,766 |
| Current Assesed Value | $ 22,510 |

Deed Reference: 343/620

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VALUATION OF IMPROVEMENTS

The estimated replacement cost of the subject improvements has been based on the Marshall Valuation Service Calculator Cost Method* and diaglogue with local contractors and builders.

| | |
|---|---|
| Fully Improved Building | $125,770 |
| Site Improvements (water & septic system) | 3,000 |
| Replacement Cost | 128,770 |
| ** Depreciation (50%) | 64,385 |
| Depreciated Cost | 64,385 |
| Rounded | 64,400 |
| Equipment | 13,500 |
| Land | 10,000 |
| Final Cost Approach Value | 87,900 |

*For Specifics, please see attached Form 1003
**Economic and functional obsolescence were computed at a rate of 10% each in addition to the indicated allowance for physical depreciation. (Economic due to the non conforming use exeption and surrounding homes; Functional due to the separation between buildings and lack of refrigeration in the packing and sorting areas.)

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EQUIPMENT LIST

| | Depreciated Cost |
|---|---|
| 3 Metal hand carts (dollys) | $150.00 |
| 1 Railroad type pushcart (very old) | 75,00 |
| 1 Hayssen wrapping machine (old) | 100.00 |
| 36 New "bus" pans (Rubbermaid) | 300.00 |
| 2 Bryant ceiling mount gas heaters (not attached) | (Included in building cost) |
| 3 Fiberglass over wood (1 yr. old) soft crab preparation stations (custom built) | 200.00 |
| 4 3½' x 7' stainless tables | 150.00 |
| 1 2½' x 3½' fiberglass container on wheels (1 yr.old) | 100.00 |
| 50 Used plastic "bus" pans | 175.00 |
| 1 3' x 9' stainless covered wood table | 30.00 |
| 1 4' x 24' fiberglass over wood packing table set up for conveyor | 100.00 |
| 12 Metal freezer carts (racks, old) | 200.00 |
| 1 Royal 660 typewriter (electric) | 75.00 |
| 2 Metal office desks | 100.00 |
| 1 Typing desk | 80.00 |
| 1 Metal typing stand | 25.00 |
| 3 Letter size filing cabinets | 85.00 |
| 1 postage scale | 20.00 |
| 2 office chairs | 30.00 |
| 1 Unisonic calculator | 30.00 |
| 1 "Addressograph" label machine | 100.00 |
| 1 Old box stapler | 75.00 |
| 3 4' stainless blowing tanks for oysters | 125.00 |
| 2 Old hospital gurneys | 25.00 |
| 15' x 30' freezer with 3 Kramer Compressors (1955-1960) 3 Copelmatic motors 3 Thermobank evaporators | $6000.00 |
| 15' x 30' freezer with 3 Copeland compressors (1 damaged)(1955-1960) 3 Kramer-Thermobank motors 3 Thermobank evaporators | 5000.00 |
| 1 "Du-Well" flake ice machine (1960) | 300.00 |
| TOTAL FOR EQUIPMENT | $13,640.00 |

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# CALCULATOR COST FORM

*For subscribers using the* **MARSHALL VALUATION SERVICE** *Calculator Cost Method*

**SQUARE FOOT COSTS**

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1. Subscriber making survey Victor Stephens/Donald Smith Date of survey 9/17/85
2. Name of building Chesapeake Original Owner John T. Handy,III
3. Located at Sackertown Road, Crisfield, MD.

| | SECTION I | SECTION II | SECTION III | SECTION IV |
|---|---|---|---|---|
| 4. Occupancy | Warehouse | Warehouse | offices | |
| 5. Building class and quality | Cls. C Qual low cost | Cls. C Qual low cost | Cls. C Qual low cost | Cls. ___ Qual ___ |
| 6. Exterior wall | Block | Block | Block | |
| 7. No. of stories & height per story | No 1 Ht. 8' | No. 2 Ht. 10' | No 1 Ht. 7' | No ___ Ht ___ |
| 8. Average floor area | 2625 | 5084 | 855 | |
| 9. Average perimeter | 220 | 436 | 436 | |
| 10. Age and condition | Age 20 Cond ave. | Age 30 Cond fair | Age 20 Cond ave. | Age ___ Cond ___ |

11. Region: Western ___ Central ___ Eastern X
12. Climate: Mild ___ Moderate X Extreme ___

| | SECTION I | SECTION II | SECTION III | SECTION IV |
|---|---|---|---|---|
| 13. **Base Square Foot Cost** | 13.54 | 13.54 | 18.23 | |

**SQUARE FOOT REFINEMENTS**

| | | | | |
|---|---|---|---|---|
| 14. Heating, cooling, ventilation | 0 | 0 | 0 | |
| 15. Elevator deduction | 0 | 0 | 0 | |
| 16. Miscellaneous | 0 | 0 | 0 | |
| 17. Total lines 13 through 16 | 13.54 | 13.54 | 18.23 | |

**HEIGHT AND SIZE REFINEMENTS**

| | | | | |
|---|---|---|---|---|
| 18. Number of stories-multiplier | 0 | 0 | 0 | |
| 19. Height per story-multiplier (see Line 7) | .885 | .921 | .885 | |
| 20. Floor area-perimeter multiplier (see Lines 8 and 9) | 1.20 | 1.19 | 0 | |
| 21. Combined height and size multiplier (Lines 18 x 19 x 20) | 1.062 | 1.09 | .883 | |

**FINAL CALCULATIONS**

| | SECTION I | SECTION II | SECTION III | SECTION IV |
|---|---|---|---|---|
| 22. Refined square foot cost (Line 17 x 21) | 14.38 | 14.84 | 16.13 | |
| 23. Current cost multiplier (Sect. 99 p. 3) | 1.03 | 1.03 | 1.03 | |
| 24. Local multiplier (Sect. 99 p. 5 thru 8) | .95 | .95 | .95 | |
| 25. Final sq. ft. cost (Line 22 x Line 23 x Line 24) | 14.07 | 14.52 | 15.79 | |
| 26. Area ( ) | 2625 | 5084 | 855 | |
| 27. Line 25 x Line 26 | 36,935 | 73,823 | 13,500 | |
| 28. Lump sums (Line 34) loading dock | 0 | 1,512 | 0 | |
| 29. **Replacement Cost** (Line 27 + Line 28) | 36,935 | 75,335 | 13,500 | |
| 30. Depreciation % (Sect. 97) | 50 | 50 | 50 | |
| 31. Depreciation amount (Line 29 x Line 30) | 18,467 | 37,667 | 6,750 | |
| 32. **Depreciated Cost** (Line 29 - Line 31) | 18,467 | 37,667 | 6,750 | |

**TOTAL OF ALL SECTIONS**

33. Replacement cost $125,770 Depreciated cost 62,885 Insurable value ___

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ESTIMATE OF LAND VALUE

Sale No. 1: 25' x 150' lot, fronting 25' on the East side of Main Street, Crisfield, Maryland; sold 7/83 for $5,500 or $220 per front foot. Downward adjustments are indicated for location, zoning and visibility.

Sale No. 2: 25' x 150' lot, fronting 25' on the East side of Main Street, Crisfield, Maryland; sold 7/83 for $5,500 or $220 per front foot. Downward adjustments are indicated for location, zoning and visibility.

Sale No. 3: 75' x 150' lot, (11,250 sq.ft.) fronting 75 ft. on the North side of West Main Street, sold 6/83 for $16,000 or $213 per front foot. A major downward adjustment is indicated for location, zoning and visibility.

COMMENTS OF MARKET DATA:

All of the above listed comparable sales of commercial properties were in 1973. There have been no sales of undeveloped commercial land during 1984 and 1985, thus far, probably because none has been available for sale. In the past, there has been a strong market for commercial property in Crisfield. All of these comparables were located in the downtown area of Crisfield, a high visibility location. The location of the subject property would limit it's use to a business that did not require visibility. The large size of the subject property would have been filled in the front portion, the rear of the lot is low and wooded. This is considered to be a non-conforming use with respect to the zoning regulations of the county. Taking all of these factors into consideration we would value the subject lot at $100 per front foot. Thus:

100 front feet @ $100 per front foot equals $10,000



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MARKET DATA APPROACH

After extensive research and detailed conversations with local realtors and attorneys, we have been unable to come up with any comparable market data. There are sales of Seafood Companies on record but all are sold as viable enterprises and all are located directly on the water which greatly enhances their value-these are not even remotely comparable sales. There are similar properties that have been listed for sale but not sold. There is but one sale that may give us an indication but it is far from conclusive.

We know that John T. Handy III purchased the Subject Property in the Spring of 1984 for $100,000 but at that time it was a viable business awaiting new direction. Today, there is no known business left therefore the value has decreased, but by how much? Due to the lack of comparable sales we can only rely on the Income and Cost Approaches as our remaining sources of measure.

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## INCOME APPROACH

Income:

| | | |
|---|---|---|
| 12 months @ $1,000/month (net) | | $12,000 |

Projected Expenses:

| | | |
|---|---|---|
| Taxes: (Estimated revised figure) | $440 | |
| Insurance (estimated) | 400 | |
| | $840 | |
| Net Operating Income | | $11,160 |

The Capitalization Rate is determined by the Band of Investment Formula:

| | Value | | Return | | Factor |
|---|---|---|---|---|---|
| Mortgage | .80 | X | .1300 | = | .1040 |
| Equity | .20 | X | .1000 | = | .0200 |
| | | | | | .1240=12.40% |

Thus $11,160 capitalized at 12.40% = $90,000

*Based on local market (Conversation with local realtors and the lease of the "Crisfield Garmet Co." - a similar property in size and zoning).

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REAL ESTATE
FIRST

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RECONCILIATION AND FINAL ESTIMATE

| | |
|---|---|
| Income Approach | $90,000 |
| Cost Approach | $87,900 |
| Market Data Approach | see page 7 |

Historically, the Income Approach is considered to be the best indicator of value when measuring investment property. Therefore, in keeping with past and present appraisal practices, we feel that the Income Approach is the optimal measure of Fair Market Value being closely reinforced by the Cost Approach. Due to a lack of market statistics (there are no comparable sales on record for the past five years), the Market Data Approach can not be employed.

Therefore, our final estimate of value is concluded to be Ninety Thousand Dollars ($90,000).*

*Note: After conversing with the Planning and Zoning Dept., we feel that (although current zoning variance is soon to expire) in all liklihood a similar type business would have little difficulty reacquiring the non-conforming use exemption. HOWEVER, without that exemption the value of the subject property would be drastically reduced to a value as yet undetermined.

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## CERTIFICATION AND LIMITING CONDITIONS

We certify that, to the best of our knowledge and belief, the statements of fact contained in this appraisal report are true and correct. We further certify that the reported appraisal analyses and opinions are limited only by the reported qualifying conditions and are our personal, unbiased, professional analyses and opinions. We further certify that we have no present or prospective interest in the appraised property. The appraisal analyses and opinions were developed and this appraisal report has been prepared in conformance with (and the use of this report is subject to) the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the American Institute of Real Estate Appraisers. We do not authorize the out-of-context quoting from or partial reprinting of this appraisal report. Further, neither all nor any part of this appraisal report shall be disseminated to the general public by the use of media for public communication without the prior written consent of the appraiser(s) signing this appraisal report.

Victor J. Stephens, CCIM

Donald L. Smith

BOOK 050 PAG 843

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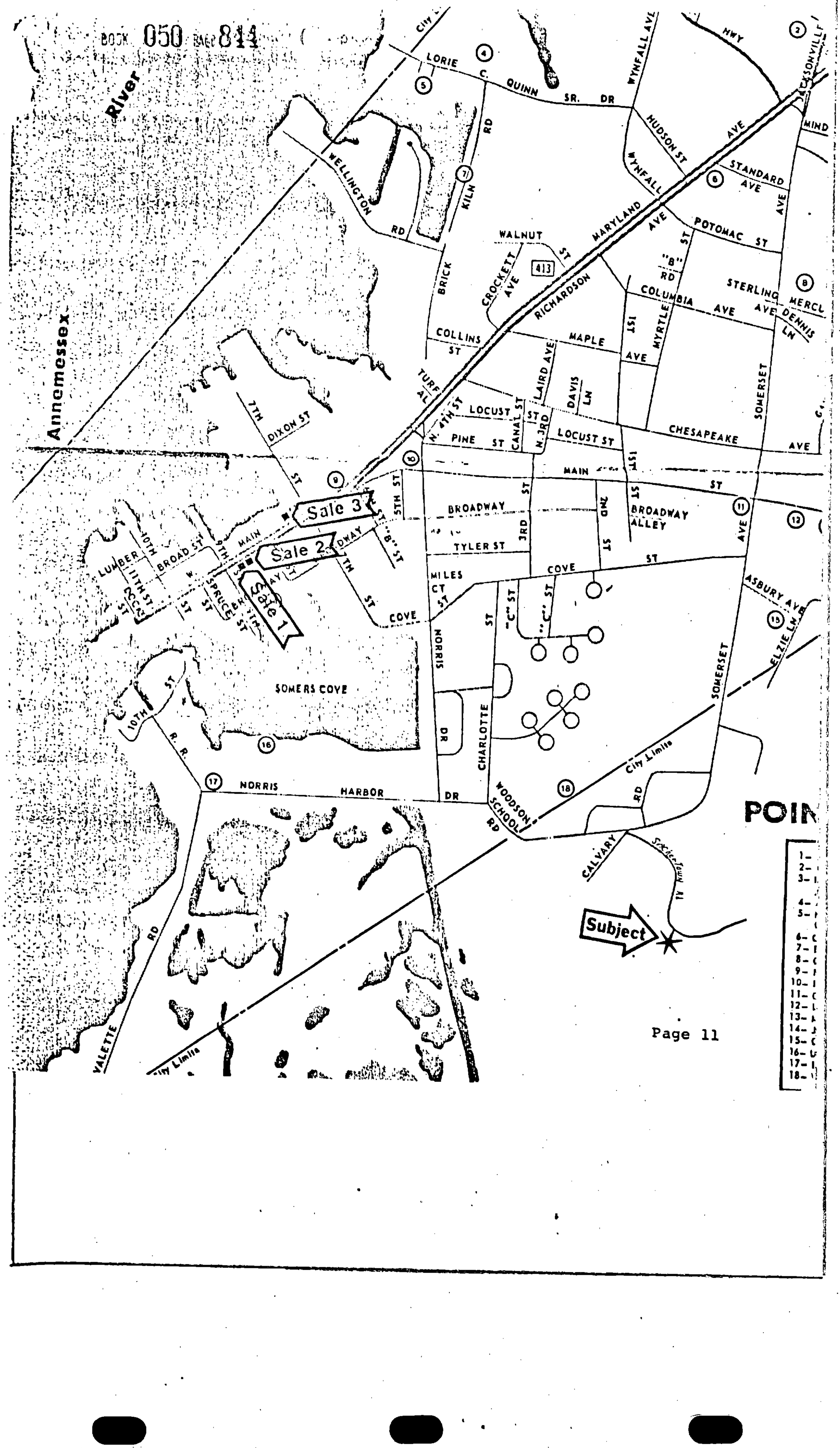
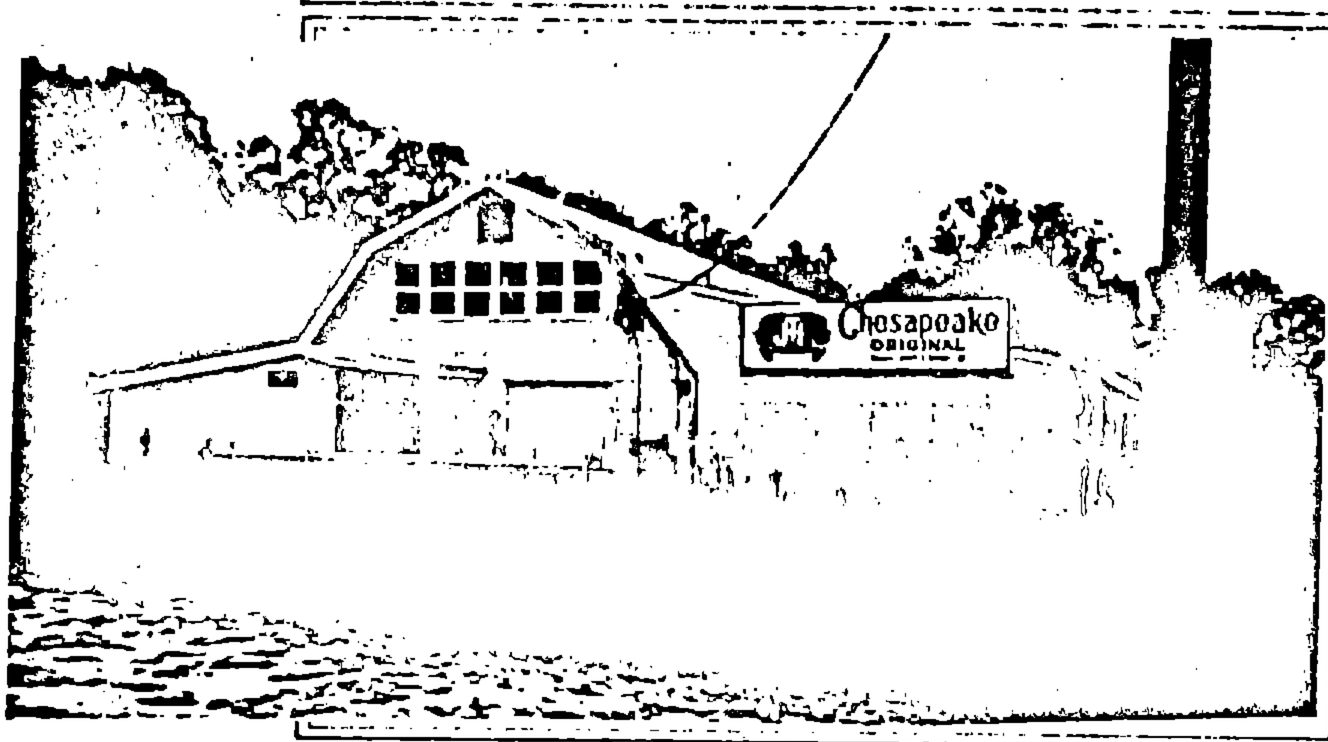
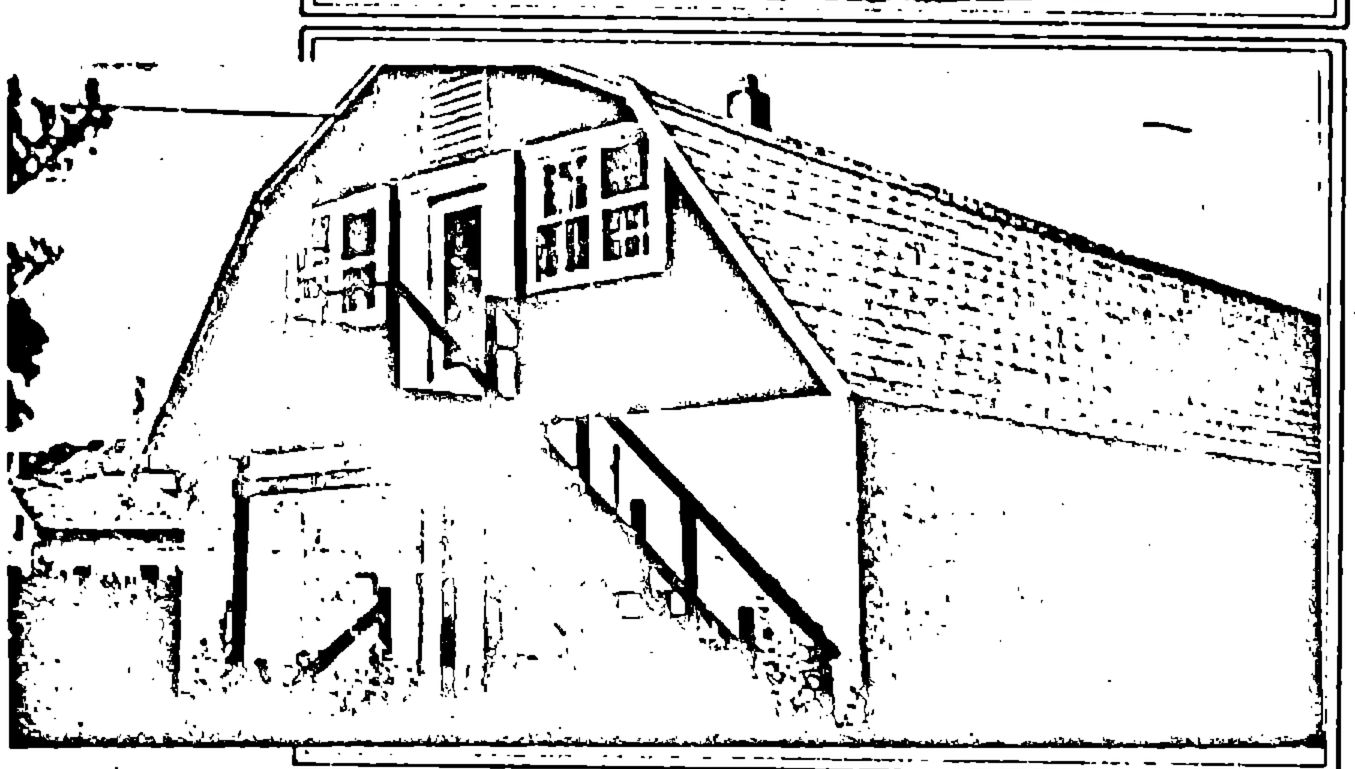

Annemessex River
LORIE
C. QUINN SR. DR
WYNFALL AVE
HWY
JACKSONVILLE
HUDSON ST
WYNFALL
STANDARD AVE
MARYLAND AVE
POTOMAC ST
WELLINGTON RD
KILN RD
WALNUT ST
413
BRICK
CROCKETT AVE
RICHARDSON
"B" RD
COLUMBIA AVE
STERLING AVE
MERCL
DENNIS LN
COLLINS ST
MAPLE AVE
1ST
MYRTLE
TURF AL
LAIRD AVE
DAVIS LN
7TH
DIXON ST
N. 4TH ST
LOCUST ST
CANAL ST
N. 3RD
PINE ST
LOCUST ST
CHESAPEAKE AVE
SOMERSET
MAIN ST
BROADWAY
BROADWAY ALLEY
TYLER ST
Sale 3
Sale 2
Sale 1
LUMBER
10TH
BROAD ST
9TH
MAIN
SPRUCE ST
"B" ST
COVE
MILES CT
NORRIS
"C" ST
ASBURY AVE
ELZIE LN
SOMERS COVE
CHARLOTTE
City Limits
NORRIS HARBOR DR
WOODSON SCHOOL RD
CALVARY
Salisbury Rd
Subject
VALETTE RD
POIN

PHOTOGRAPH ADDENDUM

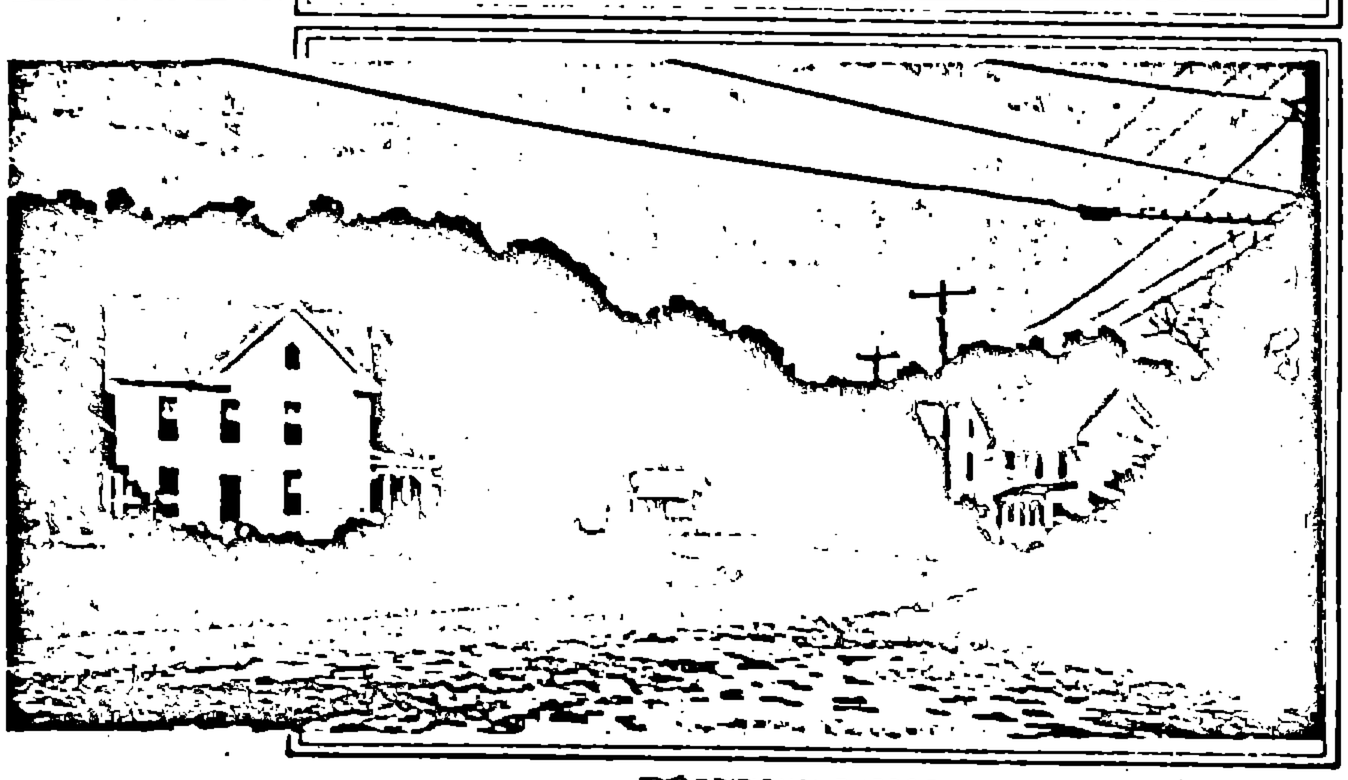
Borrower/Client
Property Address
City County State Zip Code




FRONT OF
SUBJECT PROPERTY



REAR OF
SUBJECT PROPERTY



STREET SCENE

ADDITIONAL PHOTOGRAPHS ON REVERSE SIDE

FW 90H

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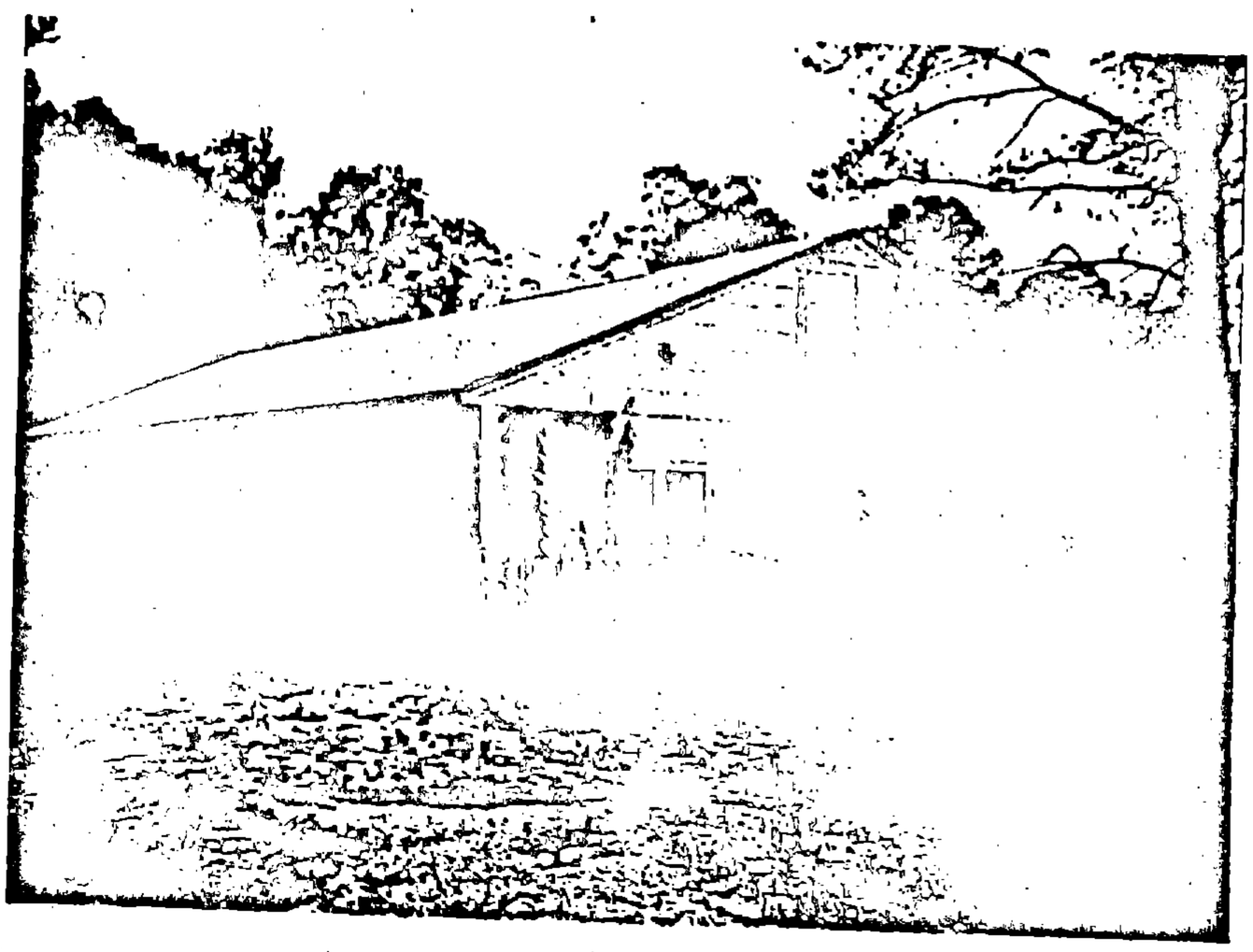
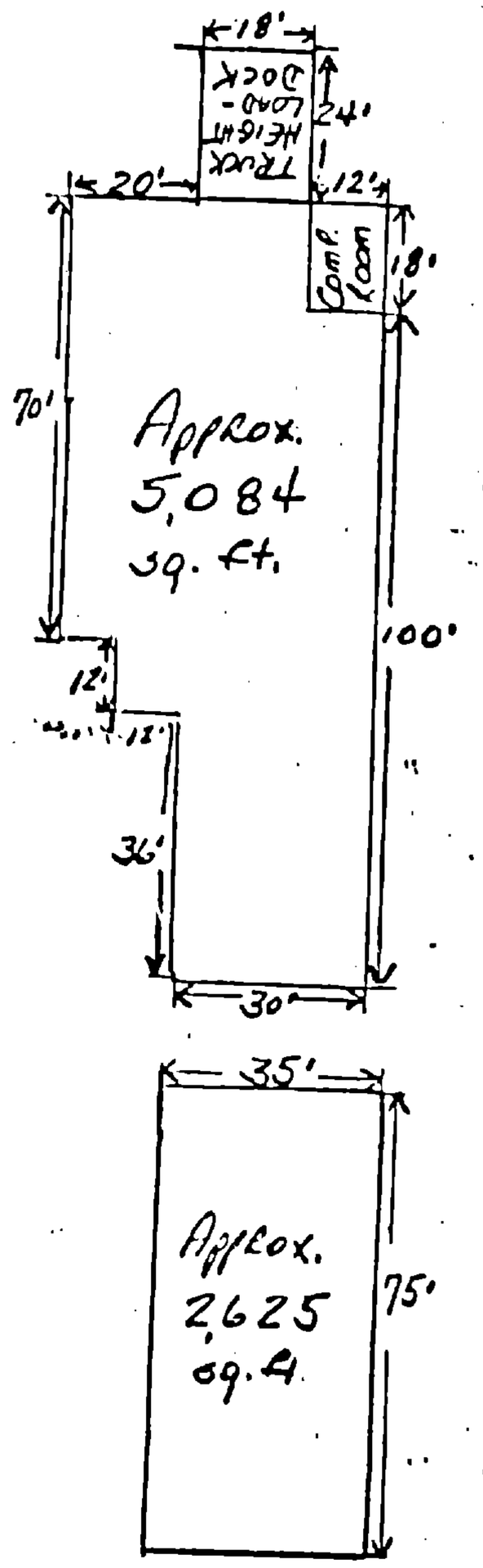
BOOK 050 PAGE 846

Bldg #1






NOT DRAWN TO SCALE

BOOK 000 PAGE 843

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | * | NO. Y86A00472 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | * | |
| Defendants | * | |

* * * * * * *

ORDER

Upon consideration of the foregoing Motion To Reduce Bond, it is this 20th day of March, 1986, by the Circuit Court for Somerset County, Maryland,

ORDERED, that the Plaintiff be required to post a bond in the amount of Ninety Thousand Dollars ($90,000.00) before offering said property for sale at auction and in the event said property sells for a greater amount that Plaintiff supplement the bond to cover the sale price of the property.

Donald F. Gunderson
JUDGE

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

# The Ohio Casualty Insurance Company

HAMILTON, OHIO

86CA00472 Civil Action

BOND NO. 2-510-072

IN THE CIRCUIT COURT FOR SOMERSET COUNTY, MARYLAND

JOHN R. SULLIVAN & JOHN C. NASON, SUBSTITUTE TRUSTEES FOR MARYLAND NATIONAL BANK

Plaintiff

vs.

JOHN T. & PATRICIA HANDY

Defendant

Bond Book 11 Page 656

~~EQUITY NO.~~ CASE No. 86CA00472

FORECLOSURE BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, JOHN R. SULLIVAN & JOHN C. NASON, SUBSTITUTE TRUSTEES as Principal and The Ohio Casualty Insurance Company, a body corporate, duly incorporated under the laws of the State of Ohio and duly authorized to transact a surety 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 Ninety Thousand and 00/100 ---------- ($90,000.00 ----------) Dollars, 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 26th day of March in the year of our Lord One Thousand Nine Hundred and Eighty-Six.

Whereas, the above bounden JOHN R. SULLIVAN & JOHN C. NASON, SUBSTITUTE TRUSTEES by virtue of the power contained in a ~~mortgagee~~ deed of trust from John T. & Patricia Handy to Maryland National Bank bearing date the 13th day of April, 1984 and recorded among the ~~mortgagee~~-deed of trust records of Somerset County, Maryland in Liber No. I.T.P. 343 folio 622 and JOHN R. SULLIVAN AND JOHN C. NASON, SUBSTITUTE TRUSTEES ~~is~~/are about to sell the land and premises described in said ~~mortgagee~~-deed of trust, 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 R. SULLIVAN & JOHN C. NASON, SUBSTITUTE TRUSTEES 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 remain in full force and virtue in law.

In Testimony Whereof, the above bounden JOHN R. SULLIVAN & JOHN C. NASON, SUBSTITUTE TRUSTEES has hereto set their hand and Seal and the said body corporate has caused these presents to be duly signed by its Attorney-in-fact, the day and year first herein above written.

Signed, Sealed and delivered in the presence of:

JOHN R. SULLIVAN (SEAL)

JOHN C. NASON (SEAL)

As to Surety:

Brenda H. Moore

THE OHIO CASUALTY INSURANCE COMPANY

By: Thomas J. Wisniewski
Thomas J. Wisniewski
Attorney-in-Fact

BOND APPROVED AND FILED.
PER J. Sheldon Phillips, CLERK
S-4753

FILED

APR 2 9 43 AM '86

RECORDED IN LIBER ... FOLIO ... AND ENTERED ON THE BOOK ... BY ... CLK. CIR. CT. DEPUTY

BOOK 050 PAGE 849

CERTIF. .D COPY OF POWER OF ATTO..NEY

# THE OHIO CASUALTY INSURANCE COMPANY

HOME OFFICE, HAMILTON, OHIO

BOOK 050 PAGE 850

21-249

**Know All Men by These Presents:** That THE OHIO CASUALTY INSURANCE COMPANY, in pursuance of authority granted by Article VI, Section 7 of the By-Laws of said Company, does hereby nominate, constitute and appoint: H. S. Huffington or Gordon D. Gladden or Thomas J. Wisniewski - - - - - - - - - - - - - - - - - - of Salisbury, Maryland - - - - 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, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance TWO HUNDRED FIFTY THOUSAND - - - - - - - - - - - - - - - - - - - ($ 250,000.00 - -) Dollars, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

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 Hamilton, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

SEAL

In WITNESS WHEREOF, the undersigned, officer of the said The Ohio Casualty Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of the said The Ohio Casualty Insurance Company this 2nd day of January 19 85.

(Signed) Richard T. Hoffman

Asst. Secretary

STATE OF OHIO, COUNTY OF BUTLER } SS.

On this 2nd day of January A. D. 19 85 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came Richard T. Hoffman, Asst. Secretary- - - of THE OHIO CASUALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposeth and saith, that he is the officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

NOTARIAL SEAL

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at the City of Hamilton, State of Ohio, the day and year first above written.

(Signed) Donna Parshall

Notary Public in and for County of Butler, State of Ohio

My Commission expires February 7, 1989.

This power of attorney is granted under and by authority of Article VI, Section 7 of the By-Laws of the Company, adopted by its directors on April 2, 1954, extracts from which read:

"ARTICLE VI"

"Section 7. Appointment of Attorney-In-Fact, etc. The chairman of the board, the president, any vice-president, the secretary or any assistant secretary shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the Company as surety to, and to execute, attach the corporate seal, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, or the official representative thereof, or to any county or state, or any official board or boards of county or state, or the United States of America, or to any other political subdivision."

This instrument is signed and sealed by facsimile as authorized by the following Resolution adopted by the directors of the Company on May 27, 1970:

"RESOLVED that the signature of any officer of the Company authorized by Article VI Section 7 of the by-laws to appoint attorneys in fact, the signature of the Secretary or any Assistant Secretary certifying to the correctness of any copy of a power of attorney and the seal of the Company may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company. Such signatures and seal are hereby adopted by the Company as original signatures and seal, to be valid and binding upon the Company with the same force and effect as though manually affixed."

## CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company, do hereby certify that the foregoing power of attorney, Article VI Section 7 of the by-laws of the Company and the above Resolution of its Board of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Company this 26th day of March A.D., 19 86

SEAL

Board Book 11 Page 657

Assistant Secretary

S-4300-C 12-80-3M

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | *<br>*<br>*<br>* | NO. 86 CA 00472 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | *<br>*<br>* | |
| Defendants | * | |

* * * * * * *

REPORT OF SALE

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The report of John C. Nason and John R. Sullivan, Substitute Trustees, appointed under and by virtue of the Deed of Appointment of Substitute Trustees, authorizing the said Substitute Trustees to sell the hereinafter described real property, shows that after giving bond, with security, for the faithful discharge of the trust, and having given proper notice of the time, place, manner and terms of sale, by advertisement in the Crisfield Times, a newspaper published in Somerset County, the said Substitute Trustees did, pursuant to said notice, attend the place of sale on April 29, 1986 at 1:30 p.m. o'clock, and then and there proceeded to sell the property mentioned in said proceedings, to wit:

ALL that lot or parcel of land situate as aforesaid and being located on the South side of the State Road leading to Jenkins Creek and beginning at the Northeast corner of the land owned or formerly owned by Betty Ward, marked by a shallow ditch, and the State Road; thence running by and with the State Road in an easterly direction to the lands owned or formerly

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BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

owned by Washington Tull; thence running in a Southerly direction by and with the lands of the said Washington Tull to the lands owned or formerly owned by L. D. Ward; thence by and with the said L. D. Ward property in a Westerly direction to the lands of the said Betty Ward; thence to the place of beginning, and containing one (1) acre, more or less: BEING in all respects the same property conveyed unto the said John T. Handy, III, by Deed from Carol Dryden & Co. by Deed dated April 13, 1984, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 343, Folio 620, et seq.

The said property was sold to Maryland National Bank, it being the highest bidder, at the sum of Seventy Thousand Dollars ($70,000.00).

JOHN C. NASON

JOHN R. SULLIVAN
Substitute Trustees

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, MD 21801
Telephone: (301) 546-4644

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY that on this _____ day of April, 1986, before me, a Notary Public in and for the State and County aforesaid, personally appeared JOHN C. NASON AND JOHN R. SULLIVAN, Substitute Trustees, named in the above Report Of Sale, and they made oath in due form of law that the matters and facts set forth in the foregoing Report Of Sale are true to the best of their knowledge, information and belief, and that the said sale was fairly made.

AS WITNESS my hand and Notarial Seal.

Connie J. Halland
NOTARY PUBLIC
My Commission Expires: 7/1/86

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HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | *<br>*<br>*<br>* | NO. 86 CA 00472 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | *<br>*<br>* | |
| Defendants | * | |

* * * * * * *

AFFIDAVIT OF SERVICE PURSUANT TO RULE W74

STATE OF MARYLAND, COUNTY OF WICOMICO, TO WIT:

I HEREBY CERTIFY, that before me, the subscriber, a Notary Public in and for the state and county aforesaid, personally appeared John R. Sullivan, and made oath in due form of law as follows:

1. That he forwarded to Patricia A. Handy and John T. Handy, III not less than five days nor more than twenty days prior to the sale, notice of the time, place and terms of the sale by certified mail to their last known address, a copy of said certified letters with attachments are attached hereto and incorporated herein by reference.

2. That said letters were received at that address as evidenced by the return receipts attached hereto as Exhibit 2.

BOOK 050 PAGE 853

JOHN R. SULLIVAN
Affiant

SUBSCRIBED AND SWORN TO before me this 21st day of May, 1986.

Connie J. Hellard
NOTARY PUBLIC
My commission expires: 7-1-86

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

LAW OFFICES OF
BANKS, NASON & HICKSON
PROFESSIONAL ASSOCIATION
216 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

EDWARD G. BANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON
JOHN R. SULLIVAN

TELEPHONE
(301) 546-4644



May 5, 1986

CERTIFIED MAIL

John T. Handy, III
P.O. Box 150
Crisfield, MD 21817

Re: Foreclosure Sale - Chesapeake Original
Sackertown Road, Crisfield, MD 21871

Dear Mr. Handy:

Pursuant to Maryland Rule W74 a 2 (c), we are hereby notifying you that the foreclosure sale of the above-captioned property will take place at public auction to be held at the premises on May 16, 1986, at 2:00 p.m., and will be sold then and there to the highest bidder(s). A deposit of $3,000.00, payable in cash or by certified or cashier's check will be required from the purchaser(s).

Enclosed is a xeroxed copy of an advertisement appearing in The Crisfield Times, a newspaper published in and for Somerset County, setting forth the particulars.

It is obviously in your best interest to have your property sold at the highest possible price. To achieve this goal, it is recommended that your property, including the interior, be open for inspection by prospective bidders on the day of sale at 1:00 p.m., and that it be displayed in the best possible condition.

A xeroxed copy of this letter is being sent to you by regular mail.

Very truly yours,

JOHN C. NASON, Substitute Trustee

JCN:hl

cc: Regular Mail to P.O. Box 150
cc: Certified Mail to South Pomfrett Road
Crisfield, MD 21817

LAW OFFICES OF
BANKS, NASON & HICKSON
PROFESSIONAL ASSOCIATION
216 EAST MAIN STREET
P. O. BOX 44
SALISBURY, MARYLAND 21801

EDWARD G. BANKS, JR.
JOHN C. NASON
H. MICHAEL HICKSON
JOHN R. SULLIVAN

TELEPHONE
(301) 546-4644

May 5, 1986

CERTIFIED MAIL

Patricia A. Handy
Sackertown Road
P.O. Box 150
Crisfield, MD 21817

Re: Foreclosure Sale - Chesapeake Original
Sackertown Road, Crisfield, MD 21871

Dear Mrs. Handy:

Pursuant to Maryland Rule W74 a 2 (c), we are hereby notifying you that the foreclosure sale of the above-captioned property will take place at public auction to be held at the premises on May 16, 1986, at 2:00 p.m., and will be sold then and there to the highest bidder(s). A deposit of $3,000.00, payable in cash or by certified or cashier's check will be required from the purchaser(s).

Enclosed is a xeroxed copy of an advertisement appearing in The Crisfield Times, a newspaper published in and for Somerset County, setting forth the particulars.

It is obviously in your best interest to have your property sold at the highest possible price. To achieve this goal, it is recommended that your property, including the interior, be open for inspection by prospective bidders on the day of sale at 1:00 p.m., and that it be displayed in the best possible condition.

A xeroxed copy of this letter is being sent to you by regular mail.

Very truly yours,

JOHN C. NASON, Substitute Trustee

JCN:hl

cc: Regular Mail to P.O. Box 150
cc: Certified Mail to South Pomfrett Road
Crisfield, MD 21817

BOOK 050 PAGE 856

P 561 362 020

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to John T. Handy III | |
| Street and No. P.O. Box 150 | |
| P.O., State and ZIP Code Crisfield, Md 21817 | |
| Postage | $ 39 |
| Certified Fee | 75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | 70 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.84 |
| Postmark or Date | |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

P 561 362 018

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

*(See Reverse)*

| | |
|---|---|
| Sent to Rebecca Handy | |
| Street and No. P.O. Box 150 | |
| P.O., State and ZIP Code Crisfield Md 21817 | |
| Postage | $ 39 |
| Certified Fee | 75 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt Showing to whom and Date Delivered | 70 |
| Return receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | $ 1.84 |
| Postmark or Date | |

PS Form 3800, Feb. 1982 ★ U.S.G.P.O. 1983-403-517

PS Form 3811, July 1982

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

**(CONSULT POSTMASTER FOR FEES)**

1. The following service is requested (check one).
   - ☒ Show to whom and date delivered ..... ___¢
   - ☐ Show to whom, date, and address of delivery .. ___¢
2. ☐ RESTRICTED DELIVERY ..... ___¢
   *(The restricted delivery fee is charged in addition to the return receipt fee.)*

TOTAL $___

3. ARTICLE ADDRESSED TO: Mrs. Rebecca Handy
P.O. Box 150
Crisfield, Md 21817

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY 5/8/86

POSTMARK (Only to be on reverse side)

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

EMPLOYEE'S INITIALS

RETURN RECEIPT ★ GPO: 1982-370-603

PS Form 3811, July 1983

● **SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to: John T. Handy III
P.O. Box 150
Crisfield, Md 21817

4. Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number P 561 362 020

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X

7. Date of Delivery 5/8/86

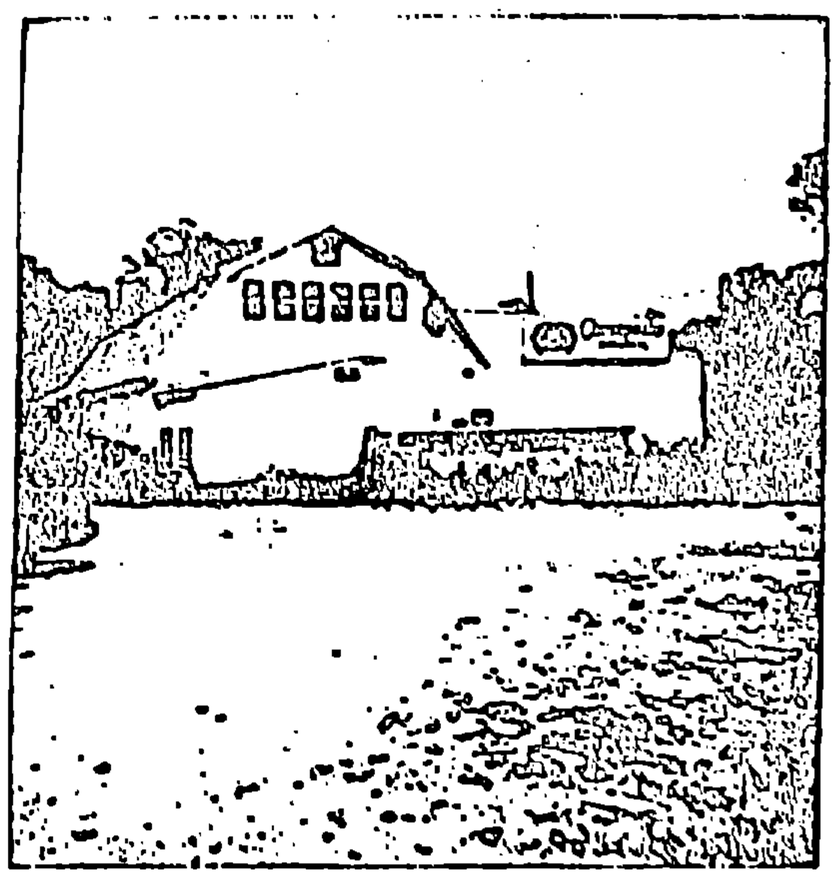
8. Addressee's Address (ONLY if requested and fee paid)
POST OFFICE

DOMESTIC RETURN RECEIPT

JOHN C. NASON
JOHN R. SULLIVAN
SUBSTITUTE TRUSTEES
BANKS, NASON & HICKSON, P.A.
216 East Main Street
Salisbury, Maryland 21801

SUBSTITUTE TRUSTEE'S SALE
OF
VALUABLE COMMERCIAL PROPERTY

CHESAPEAKE ORIGINAL SEAFOOD COMPANY
South side of Sackertown Road
Crisfield, Maryland



Under and by virtue of the power of sale contained in a Deed of Trust from John T. Handy, III and Patricia A. Handy, to Michael K. Bloxham and Jesse Schwartz, Trustees, dated April 13, 1984 and recorded among the Land Records of Somerset County, Maryland in Liber 343, Folio 622, and under and by virtue of a Consent Order Allowing Relief From Stay dated February 27, 1986 in the United States Bankruptcy Court for the District of Maryland, Bankruptcy Case No. 85-B-1070, the undersigned Substitute Trustees will offer for sale at public auction, on the premises, on

May 16, 1986
AT
2:00 p.m.

ALL that lot or parcel of land situate as aforesaid and being located on the South side of the State Road leading to Jenkins Creek and beginning at the Northeast corner of the land owned or formerly owned by Betty Ward, marked by a shallow ditch, and the State Road; thence running by and with the State Road in an Easterly direction to the lands owned or formerly owned by Washington Tull; thence running in a Southerly direction by and with the lands of the said Washington Tull to the lands owned or formerly owned by L. D. Ward; thence by and with the said L. D. Ward property in a Westerly direction to the

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BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

lands of the said Betty Ward; thence to the place of beginning, and containing one (1) acre, more or less: BEING in all respects the same property conveyed unto the said John T. Handy, III, by Deed from Carol Dryden & Co. by Deed dated April 13, 1984, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 343, Folio 615 and conveyed by John T. Handy, III by deed of the same date to John T. Handy, III and Patricia A. Handy and recorded among the Land Records of Somerset County in Liber I.T.P. No. 343, Folio 620, et seq.

IMPROVEMENTS: This property is improved with a single story block (12") building that measures 34 feet by 80 feet and contains 2720 square feet and a two-story (12") block building measuring 100 feet by 31 feet with 3 attached rooms for a total of 4700 square feet on the first floor and 1900 square feet on the second floor.

CONDITIONS OF SALE: This property will be sold subject to all covenants, agreements, conditions, easements, liens, rights-of-way, and restrictions as may appear among the Land Records of Somerset County, Maryland, or elsewhere, affecting the same. The improvements are being sold in an "as is" condition and without any warranty.

DIRECTIONS TO SALE: Subject property is located on the South side of Sackertown Road, Crisfield, Maryland 21817, approximately 0.3 miles from South Somerset Avenue.

TERMS OF PAYMENT: A deposit of Three Thousand Dollars ($3,000.00) in the form of cash or certified check will be required at the time and place of sale from the successful bidder. The balance of the purchase price shall be paid by the successful bidder, in cash or certified check, no later than twenty (20) days after final ratification of the within sale by the Circuit Court for Somerset County, Maryland, unless said period is extended by the undersigned, for good cause shown, time being of the essence. The said unpaid portion of the purchase money shall bear interest at the rate of ten percent (10%) per annum from the date of sale to the date of settlement and shall be secured to the satisfaction of the undersigned. Additional terms and conditions may be announced at the sale.

SETTLEMENT COSTS: All taxes, public and utility charges shall be adjusted to the date of sale. All costs of title examination, documentary stamps, transfer taxes and title paper shall be at the expense of the purchaser. This sale may be subject to the Maryland Agriculture Transfer Tax, the payment of which and responsibility therefore shall be borne by the purchaser.

JOHN C. NASON
and
JOHN R. SULLIVAN,
SUBSTITUTE TRUSTEES

Telephone: (301) 546-4644

AW OFFICES OF
JANKS, NASON &
HICKSON
FESSIONAL ASSOC.
16 EAST MAIN ST.
P.O BOX 44
SALISBURY, MD
21801

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | *<br>*<br>*<br>* | NO. 86 CA 00472 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | *<br>*<br>*<br>* | |
| Defendants | * | |

* * * * * * *

CERTIFICATE OF PUBLICATION
ADVERTISEMENT OF SALE

Dear Clerk:

Please file the enclosed Certificate of Publication Advertisement of Sale in the above captioned case.

JOHN C. NASON

JOHN R. SULLIVAN

BANKS, NASON & HICKSON, P.A.
216 East Main Street
P.O. Box 44
Salisbury, Maryland 21801
Telephone: (301) 546-4644

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

PAGE 050 PAGE 860

Under and by virtue of the power of sale contained in a Deed of Trust from John T. Handy, III and Patricia A. Handy, to Michael K. Bloxham and Jesse Schwartz, Trustees, dated April 13, 1984 and recorded among the Land Records of Somerset County, Maryland in Liber 343, Folio 622, and under and by virtue of a Consent Order Allowing Relief From Stay dated February 27, 1986 in the United States Bankruptcy Court for the District of Maryland, Bankruptcy Case No. 86-B-1070, the undersigned Substitute Trustees will offer for sale at public auction, on the premises, on

**May 16, 1986**
**AT**
**2:00 p.m.**

ALL that lot or parcel of land situate as aforesaid and being located on the South side of the State Road leading to Jenkins Creek and beginning at the Northeast corner of the land owned formerly owned by Betty Ward, marked by a shallow ditch, and the State Road; thence running by and with the State Road in an Easterly direction to the lands owned or formerly owned by Washington Tull; thence running in a Southerly direction by and with the lands of the said Washington Tull to the lands owned or formerly owned by L.D. Ward; thence by and with the said J.D. Ward property in a Westerly direction to the lands of the said Betty Ward; thence to the place of beginning, and containing one (1) acre, more or less: BEING in all respects the same property conveyed unto the said John T. Handy, III, by Deed from Carol Dryden & Co. by Deed dated April 13, 1984, and recorded among the Land Records of Somerset County, Maryland, in Liber I.T.P. No. 343, Folio 615 and conveyed by John T. Handy, III by deed of the same date to John T. Handy, III and Patricia A. Handy and recorded among the Land Records of Somerset County in Liber I.T.P. No. 343, Folio 620, et seq.

IMPROVEMENTS: This property is improved with a single story block (12") building that measures 34 feet by 80 feet and contains 2720 square feet and a two-story (12") block building measuring 100 feet by 31 feet with 3 attached rooms for a total of 4700 square feet on the first floor and 1900 square feet on the second floor.

CONDITIONS OF SALE: This property will be sold subject to all covenants, agreements, conditions, easements, liens, rights-of-way, and restrictions as may appear among the Land Records of Somerset County, Maryland, or elsewhere, affecting the same. The improvements are being sold in an "as is" condition and without any warranty.

DIRECTIONS TO SALE: Subject property is located on the South side of Sackertown Road, Crisfield, Maryland 21817, approximately 0.3 miles from South Somerset Avenue.

TERMS OF PAYMENT: A deposit of Three Thousand Dollars ($3,000.00) in the form of cash or certified check will be required at the time and place of sale from the successful bidder. The balance of the purchase price shall be paid by the successful bidder, in cash or certified check, no later than twenty (20) days after final ratification of the within sale by the Circuit Court for Somerset County, Maryland, unless said period is extended by the undersigned, for good cause shown, time being of the essence. The said unpaid portion of the purchase money shall bear interest at the rate of ten percent (10%) per annum from the date of sale to the date of settlement and shall be secured to the satisfaction of the undersigned. Additional terms and conditions may be announced at the sale.

SETTLEMENT COSTS: All taxes, public and utility charges shall be adjusted to the date of sale. All costs of title examination, documentary stamps, transfer taxes and title paper shall be at the expense of the purchaser. This sale may be subject to the Maryland Agriculture Transfer Tax, the payment of which and responsibility therefore shall be borne by the purchaser.

**JOHN C. NASON**
**and**
**JOHN R. SULLIVAN**
**SUBSTITUTE TRUSTEES**
**Telephone: (301) 546-4644**

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CRISFIELD, MD. 5-19- 19 86

THIS is to certify that the annexed Trustee's Sale
has been published in the CRISFIELD TIMES, a weekly newspaper published in
Somerset County, Maryland, according to the terms and requirements contained in
said Trustee's Sale for 3
weeks beginning with the issue of April 30 19 86
and ending May 14, 19 86

Laura C. Ritter
Editor

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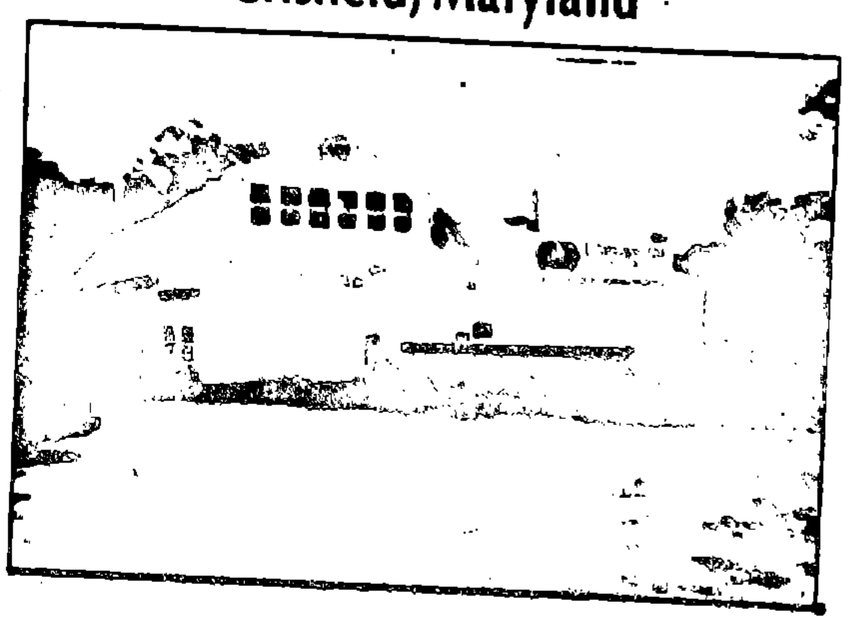
# JOHN C. NASON
# JOHN R. SULLIVAN
# SUBSTITUTE TRUSTEES
# BANKS, NASON & HICKSON, P.A.
# 216 East Main Street
# Salisbury, Maryland 21801

## SUBSTITUTE TRUSTEE'S SALE
## OF
## VALUABLE COMMERCIAL PROPERTY
## CHESAPEAKE ORIGINAL SEAFOOD COMPANY
## South side of Sackertown Road
## Crisfield, Maryland



| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | *<br>*<br>*<br>* | NO. 86 CA 00472 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | *<br>*<br>* | |
| Defendants | * | |
| * * * | * * * * | |

NOTICE

ORDERED, by the Circuit Court for Somerset County, this 22ND day of May, 1986, that the sale of the property mentioned in these proceedings to Maryland National Bank made and reported by John C. Nason and John R. Sullivan, Substitute Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 23RD day of June next;

Provided a copy of this Order be inserted in some newspaper published in Somerset County once each week for three (3) successive weeks before the 16th day of June next.

The Report Of Sale states the amount of the sale to be Seventy Thousand Dollars ($70,000.00).

I. Theodore Phoebus

I. THEODORE PHOEBUS, Clerk

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

MAY 22 3 41 AM '86

BOOK 050 PAGE 862

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | * | NO. 86 CA 00472 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | | |
| | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | *<br>*<br>* | |
| | * | |
| Defendants | | |
| | * | |

* * * * * * *

AFFIDAVIT OF PURCHASER

STATE OF MARYLAND, COUNTY OF Lancaster, TO WIT:

I, Hom. ? Nccu, make oath that the following facts are true:

1. That I am an authorized agent of Maryland National Bank and as agent for Maryland National Bank I was the successful bidder and purchaser at the judicial sale of property in the above-captioned case.

2. That no one other than Maryland National Bank is interested as principals in its purchase of the property which is the subject of this proceeding.

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

Purchaser

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

I HEREBY CERTIFY, that on this 30th day of June, 1986, before me, a Notary Public in and for the State and County aforesaid, personally appeared Harry E. McCreary, Affiant, and made oath in due form of law that the matters and facts hereinabove set forth are true to the best of his knowledge, information and belief.

Linda Marie Jones
NOTARY PUBLIC

My Commission Expires: 7/1/86

FILED

BOOK 050 PAGE 853

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

JOHN C. NASON
JOHN R. SULLIVAN
SUBSTITUTE TRUSTEES
for Maryland National Bank
216 East Main Street
P.O Box 44
Salisbury, MD 21801

Plaintiffs

V.

JOHN L HANDY, III
and
PATRICIA HANDY
Sackerton Road
Crisfield, MD 21817

Defendants

NO. 86 CA 00472 CIVIL

IN THE CIRCUIT COURT

FOR SOMERSET COUNTY

STATE OF MARYLAND

## NOTICE

ORDERED, by the Circuit Court for Somerset County, this 22nd day of May, 1986, that the sale of the property mentioned in these proceedings to Maryland National Bank made and reported by John C. Nason and John R. Sullivan, Substitute Trustees, be ratified and confirmed, unless cause to the contrary thereof be shown on or before the 23rd day of June next;

Provided a copy of this Order be inserted in some newspaper published in Somerset County once each week for three (3) successive weeks before the 23rd day of June next.

The Report Of Sale states the amount of the sale to be Seventy Thousand Dollars ($70,000.00).

I. THEODORE PHOEBUS, Clerk

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 3 weeks beginning with the issue of June 4, 19 86 and ending June 18, 19 86

Laura C. Ritter
Editor THE CRISFIELD TIMES

BOOK 050 PAGE 864

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br>216 East Main Street<br>P.O. Box 44<br>Salisbury, MD 21801 | *<br>*<br>*<br>* | NO. 86 CA 00472 CIVIL<br>IN THE CIRCUIT COURT<br>FOR SOMERSET COUNTY<br>STATE OF MARYLAND |
| Plaintiffs | * | |
| V. | * | |
| JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br>Sackerton Road<br>Crisfield, MD 21817 | *<br>*<br>*<br>* | |
| Defendants | * | |
| * * * * * * * | | |

FINAL ORDER

ORDERED, by the Circuit Court for Somerset County, this 10th day of July, 1986, that the sale made and reported by John C. Nason and John R. Sullivan, Substitute Trustees, herein be and the same is hereby finally ratified and confirmed, no cause to the contrary having been timely shown, although due notice appears to have been given as required by the Notice passed in said cause; and the John C. Nason and John R. Sullivan, Substitute Trustees, shall be allowed the usual commissions and such proper expenses as he shall produce vouchers for to the Auditor.

Lloyd L. Simpson
JUDGE

LAW OFFICES OF
BANKS, NASON &
HICKSON
PROFESSIONAL ASSOC.
216 EAST MAIN ST.
P.O. BOX 44
SALISBURY, MD
21801

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BOOK 050 PAGE 835

BOOK 050 PAGE 856

| | | |
|---|---|---|
| JOHN C. NASON<br>JOHN R. SULLIVAN<br>SUBSTITUTE TRUSTEES<br>for Maryland National Bank<br><br>Plaintiffs<br><br>vs.<br><br>JOHN T. HANDY, III<br>and<br>PATRICIA HANDY<br><br>Defendants | *<br>*<br>*<br>*<br>*<br>*<br>*<br>*<br>* | NO. 86 CA 00472 CIVIL<br><br>IN THE CIRCUIT COURT<br><br>FOR SOMERSET COUNTY<br><br>STATE OF MARYLAND |

## FIRST AND FINAL AUDITOR'S REPORT

Logan C. Widdowson, Auditor, duly appointed by this Court, reports that he 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 | | | $ 70,000.00 |
| Interest | | | 1,169.86 |
| | | | $ 71,169.86 |
| Fees, Costs, Expenses, etc.: | | | |
| T. Theodore Phoebus, costs | | $ 300.00 | |
| The Crisfield Times | | | |
| Advertising | 502.52 | | |
| Order Nisi | 67.65 | 570.17 | |
| Trustee's Commission | | 3,650.00 | |
| Circuit Court for photocopies | | 24.50 | |
| Auctioneer's fee | | 150.00 | |
| Logan C. Widdowson, Auditor | | 65.00 | |
| Ohio Casualty, Bond | | 360.00 | |
| Postage | | 9.20 | |
| Photocopies - Banks, Nason & Hickson | | 15.00 | |
| State and County Taxes - | | | |
| 1986-87 | $488.04 | | |
| 1985-86 | 521.98 | | |
| 1984-85 | 548.09 | 1,558.11 | |
| Total Fees, Costs, Expenses, etc. | | $6,701.98 | |
| Balance to be Distributed | | | $ 64,467.88 |
| Mortgage Debt | | | |
| Principal | | $151,426.86 | |
| Interest 10/1/85 - 8/9/86 | | 14,022.40 | |
| Total Mortgage Debt | | $165,449.26 | |

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3600

Deficit $100,981.38

ALL EXCEPTIONS to said report must be filed within ten 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:

John R. Sullivan, Esquire
John C. Nason, Esquire
216 East Main Street
P.O. Box 44
Salisbury, MD 21801

John T. Handy, III
P.O. Box 150
Crisfield, MD 21817

Patricia Handy
P.O. Box 150
Crisfield, MD 21817

Logan C. Widdowson, Auditor

Filing Date: July 30, 1986

LOGAN C. WIDDOWSON
PHILIP C. WIDDOWSON
EDMUND L. WIDDOWSON, JR.
ATTORNEYS AT LAW
47 NORTH SOMERSET AVENUE
PRINCESS ANNE, MD 21853
651-3800

LCW/gjb
7/30/86
86 # 199

BOOK 050 PAGE 857

No. 86CA00422 Civil Action ~~Chancery~~ Case

ORDERED by the Subscriber, Clerk of the Circuit Court for Somerset County, in Equity, this 30th day of July, 19 86 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 August, 19 86.

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 12th day of August, 19 86 that the within Report of the Auditor be and the same is hereby finally Ratified and Confirmed.

L. Theodore Phoebus
CLERK

JAN 08 1987
Eud.