

Ninth, and tenth parts, Witnesses, that whereas they the said John, Jacob, George, Frederick, Joseph, Benjamin, Elizabeth, Appolonia and Mary Heffner, and Ann Bartgis are seized in fee simple, and have and hold as tenants in common, equal shares of in and to all that piece or parcel of land, situate lying and being in Frederick County and State of Maryland aforesaid, being part of a tract of land called "The Recovery on Havener's Fancy", and which is part of the estate devised to them by the last will and testament of their father, Jacob Frederick Heffner, late of Frederick County aforesaid, deceased, bearing date the ___ day of August Eighteen hundred and ten excepting that part of said land which was laid off and allotted as the dower of Susanna Heffner the widow of the said Jacob Frederick Heffner, and whereas the said parties have made partition of the aforesaid piece or parcel of land, being part of "The Recovery on Havener's Fancy" (except as before excepted) and have concluded to hold and enjoy their respective parts thereof in severality: It is therefore covenanted, granted and agreed by and between all and every of the said parties, for himself and herself, and for his her and their heirs, executors and Administrators, and they do hereby severally and respectively, covenant, grant and agree, to and with the others, their several and respective heirs and assigns, that a partition of the same shall be and is hereby made and determined in manner following, that is to say. First; That the said Mary Heffner her heirs and assigns shall and may from henceforth have, hold and possess and enjoy in severality all that piece or parcel of land, designated by Lot No 1, situate lying and being in Frederick County aforesaid, being part of the aforesaid "Recovery on Havener's Fancy", Beginning for said Lot Number One at a stone planted at the end of the thirteenth line off thirty and three quarter acres, part of the said "Recovery on Havener's Fancy", conveyed by Michael Heffner to Peter Engle by deed dated the twenty eighth day of July Seventeen hundred and ninety four, and running thence with said thirty and three quarters acres, two courses, North sixty one degrees West twenty eight perches to a stone, South fifty six degrees West one and a quarter perches to a stone at the end of the ninth and last line of fifteen and one quarter acres, part of a tract of land called "Fancy" conveyed by Peter Surook to Frederick Heffner by deed dated the eighth day of October Seventeen hundred and ninety five, thence with it reversed four courses North sixty one and a half degrees West twenty four perches to a stone, North sixty and a half degrees East fifty five perches to a stone, North seven degrees East thirty perches to a stone, North fifty and a half degrees West seventy two perches to a stone at the end of the tenth line of a tract of land called "Benedict's Rest" thence with said land three courses, North fifty degrees West twelve perches to a stone, North four perches to a stone, North seventy degrees East eleven and three quarters perches to a stone, then South fifty and three quarter degrees East, one hundred and twenty and one quarter perches to a stone; South forty three and a quarter degrees West thirty three and a half perches to a stone, South seven degrees West forty nine and one half perches to the beginning, containing twenty six acres of land more or less. And the said John Heffner, Jacob Heffner, George Heffner, Frederick Heffner, Joseph Heffner, Benjamin Heffner, Elizabeth Heffner & Appolonia Heffner for themselves, their heirs, executors and administrators, do by these presents grant, release and confirm the same to the said Mary Heffner her heirs and assigns forever, as and for the said Mary Heffner's full share part and proportion of in and to the land hereinbefore described (except as heretofore excepted) To have and to hold the same with all the privileges and appurtenances thereof to her the said Mary Heffner her heirs and assigns forever, in severality as aforesaid, and to her and their only use and behoof forever, and the said