No 8281. Equity.

payable Six months after date, and is recorded in Liber S.T.H. No. 268. folio 177. one of Said Land Records, a Certified Copy whereof is herewith filed as part hereof marked "Exhibit No. 4".

11. That your Petitioner as Executor of the will of Marie Kleibl, deceased, has partially administered her personal estate, which, as is now apparent, will be insufficient to the extent of probably several hundred dollars for the payment of her debts, and if the Said real estate were to be retained in Said trust, it would be necessary to mortgage it for an additional amount in order to meet Said deficiency in the personal estate.

12. That the buildings on the Said Church and Beatty Street properties are in need of repairs which require considerable expenditures and for which your Petitioner has no funds or any source from which they can be obtained.

13. That by reason of the facts and circumstances hereinbefore stated your Petitioner believes it to be to the interest and advantage of the life beneficiary and of the Said trust estate that the Said Church and Beatty Street properties be sold, and after Satisfying the Said mortage debt out of the proceeds of the Said Beatty Street property, as was evidently the intent of the Said Testatrix, and after Satisfying out of the remaining proceeds of Sale any deficiency in the personal estate as foresaid, that the residue be held and invested under Said trust for the benefit of the Said Katherine E. Kleibl for life with remainder under the limitations of Said will.

14. That your Petitioner in his individual Capacity is the only person interested in the Said Beatty Street property under the provision of Said will subject to the life estate of the Said Katherine E. Kleibl and to the Said mortgage indebtedness, and your Petitioner individually Consents to the Sale of the Said Beatty Street property and the application of the proceeds thereof as mentioned in the last preceding paragraph of this Petition.

15. That the Said Beatty Street property is approximately equal in Value to the amount of Said Mortgage indebtedness out of Said proceeds of Sale.

16. That the Said Church Street property was Conveyed to the Said Marie Kleibl by James H. Long, by deed dated December 29. 1898