

Lewis A. Kolb
ON.
PETITION.

No. 9348 EQUITY.
In the Circuit Court for
Frederick County, In Equity.

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To the Honorable, the Judges of said Court!

The Petition of Lewis A. Kolb respectfully shows!

1. That a certain Daniel Kolb, late of the District of Columbia, died in or about the month of November A.D. 1882, leaving a last will and testament and codicils thereto which were duly probated in the said District; copies whereof, duly certified, were recorded among the will Records of Frederick County, Maryland, in Liber J.P.P. No. 1, folio 329, &c; a duly certified copy of said will and codicils and the probates thereof being filed herewith marked Exhibit No. 1; and which, together with all other Exhibits filed herewith, is prayed to be taken and considered as part of this Petition.
2. That by said last will and testament the said Daniel Kolb devised to his sister Sophia M.A. Kolb certain tracts of land, being the farm mentioned therein as "The Homestead" situated in Frederick County, in the State of Maryland, for and during the term of her natural life, and did further give and devise all the rest and residue of his estate, not specifically devised and bequeathed, to his said Executrix in trust to sell and dispose of the same and divide and distribute the net proceeds among all his heirs at law, share and share alike, as will more fully appear by reference to said Exhibit No. 1; that the said residue included the said farm subject to the life estate therein of the said Sophia M.A. Kolb.
3. That said Daniel Kolb constituted and appointed as Executrix of said will a certain Mrs. Naomi Utermehle.
4. That the said Mrs. Naomi Utermehle died in or about the year 1914; and the said Sophia M.A. Kolb died lately, in the month of July A.D. 1915, being at the time of her death the wife of a certain Ralph L. Hall.
5. That said Daniel Kolb owned in his lifetime and at the time of his death the said farm, situated in Frederick County, Maryland, as aforesaid, which contains in the aggregate 157 acres, 3 rods and 29 square perches of land, more or less, and which was conveyed to him by David F. Kolb by deed dated October 17th, A.D. 1874, and Recorded in Liber T.G. No. 2, folio 205, one of the land records of said County; a certified copy of said deed being filed herewith as part hereof marked Exhibit No. 2.
6. That your Petitioner, Lewis A. Kolb, is a brother and one of the heirs at law of said Daniel Kolb deceased, as mentioned in his said will, and your Petitioner is interested in the sale of said property.
7. That said real estate has not been sold in pursuance of the power and directions contained in said will, and is now to be sold for the purposes therein specified, and there is no person now in existence authorized and empowered to execute said trust.
8. That your Petitioner, Lewis A. Kolb, is a residence of Frederick County, in the State of Maryland.

Wherefore your Petitioner prays for the following relief!

- (1) That your Honorable Court appoint a Trustee to sell and convey the said Real Estate and apply the money arising from the said sale to the purposes intended and specified in said will.
- (2) That your Petitioner may have all such other and further relief to which he may be entitled and the nature of the case may appear. And as in duty, &c.

Lewis A. Kolb.

Urner & Urner
Solicitors.

STATE OF MARYLAND,)
Frederick County,) TO@WIT:

I HEREBY CERTIFY, That on this 23rd, day of July A.D. 1915, before me, the subscriber, Clerk of the Circuit Court for Frederick County, personally appeared Lewis A. Kolb and made oath in due form of law that the matters and things stated in the foregoing Petition are true, to the best of his knowledge and belief.

Harry W. Bowers
Clerk of the Circuit Court for Frederick County

Filed July 23-1915.