Being part of the same real estate which was conveyed unto the said decedent by Mortimer P. Trayer, Trustee, by deed dated December 22, 1885, and recorded in Liber W. I. P. No. 1, Folio 34, one of the Land Records of the County aforesaid.

EXCEPTING THEREOUT AND THEREFROM all that piece or parcel of land described in a deed from the said Anna A. Trayer to the Commissioners of the Town of New Market, Frederick County, Maryland, dated May 4, 1922, recorded in Liber No. 338, Folio 500, one of the Land Records of the County aforesaid.

Certified copies of which said deeds are filed herewith as Exhibits "Nos. 1" and "2", respectively, and which are prayed may be taken and considered a part hereof.

2. That the said Anna A. Trayer by her Last Will and Testament, dated March 9, 1922, and recorded in Liber G. E. S. No. 2, Folio 284, one of the Will Records of Frederick County, a certified copy of which said Will is filed herewith as Exhibit "No. 3", and which is prayed may be taken and considered a part hereof, provided as follows:

"I give to my daughter, Lelia Simpson, my house and lot in the Town of New Market for and during the period of her natural life, and at her death the property is to be sold and the proceeds are to be divided among her children then living, share and share alike."

3. That the said Lelia Simpson departed this life on or about the 15th day of March, 1942, leaving surviving the following children, all of whom are adults, to-wit:

(a) Arthur D. Simpson, a son, whose wife's name is Beulah Simpson, who reside at Toledo, Ohio.

(b) John H. Simpson, a son, whose wife's name is Olive Simpson, who reside at Baltimore, Maryland.

(c) Magdalene Cram, a daughter, whose husband's name is Cleon F. Cram, who reside at Claremont, New Hampshire.

(d) Austin A. Simpson, a son, whose wife's name is Ethel Simpson, who reside at Mt. Airy, Frederick County, Maryland.

(e) Paul Simpson, a son, whose wife's name is Charlotte Simpson, who reside at Lime Kiln, Frederick County, Maryland.

(f) Richard Simpson, a son, whose wife's name is Hazel Simpson, who reside at Frederick, Maryland.

(g) Catherine A. Stevens, a daughter, whose husband's name is C. Lewis Stevens, who reside at 6 West Twenty-fourth Street, Baltimore, Maryland.

(h) Mary J. Bowers, a daughter, whose husband's name is John V. Bowers, who reside at Frederick, Maryland.

4. That the interest of the aforenamed children of Lelia Simpson, deceased, being personalty as bequeathed by the terms of the Last Will and Testament of Anna A. Trayer, deceased, was converted into realty by the terms and provisions of an "Election of the Parties in Interest to Take Realty in Lieu of Personalty", dated April 18, 1942, and recorded in Liber R. L. L. No. 1, Folio 344, one of the Minute Books of the Office of the Register of Wills of Frederick County, a certified copy of which said election is filed herewith as Exhibit "No. 4" and which is prayed may be taken and considered a part hereof, and that the real estate hereinbefore described is now held by the parties to these proceedings as tenants in common.

5. That the real estate hereinbefore described cannot be divided without loss or injury to the parties interested therein and that it would be to the best interest and advantage of all the said parties in interest that the property be sold under a decree of your Honorable Court, and that the money accruing from said sale be divided among the said parties in interest according to their respective rights.

TO THE END, THEREFORE,