Oden, his wife, the Complainants herein, by deed dated July 31, 1946, as aforesaid, and recorded in Liber No. 457, folio 17, also one of the Land Records of Frederick County, certified copies of which said deeds are filed herewith and marked Exhibits "B", "C" and "D", and which it is prayed may be taken and considered as a part hereof.

3. That the said Edward P. Oden and Russell H. Oden are plumbers and builders by occupation and not learned in the law, and that the said John J. Schmidt and Aubrey A. Nicodemus are likewise unlearned in the law and have heretofore considered that their respective deeds conveyed unto them good and marketable title to the real estate mentioned and referred to herein; that they have successively held and maintained title, ownership and possession of said four lots of ground from on or about September 27, 1927, the date of the original purchase of said four lots of ground by the said John J. Schmidt and Adelle B. Schmidt, his wife, from Oliver T. Wallace and Mary Borden Wallace, his wife, to the present time, and that during said period of time no question as to title to said property has arisen; that recently when the said Edward P. Oden, et. al., the Complainants herein, attempted to sell two of the aforesaid four lots of ground unto purchasers who wished to negotiate a mortgage on said two lots hereinbefore referred to, your Complainants herein first learned that title to said property was questioned by the prospective mortgagee, and that the situation and condition hereinbefore described raised a cloud upon the title to the real estate hereinbefore referred to which seriously impairs the right of said Complainants to sell and convey said real estate in fee simple.

4. That the said Oliver T. Wallace, formerly a resident of New Hanover County, State of North Carolina, departed this life on or about the 4th day of September, 1930, leaving surviving him a widow, Mary Borden Wallace, and two daughters, Mary Borden Wallace, Jr., who heretofore intermarried with E. Lawrence Lee, Jr., and Nancy W. Wallace, who intermarried with William M. Henderson, who has since died; that the said Oliver T. Wallace left a Last Will and Testament where he divised all of the rest and residue of his property, real, personal and mixed, unto his widow, Mary Borden Wallace a certified copy of which said Will is filed herewith as an exhibit hereto, that the said Mary Borden Wallace departed this life intestate on or about the 30th day of December, 1936, leaving as her only heirs-at-law the two daughters hereinbefore named, to-wit: Mary Borden Wallace Lee and Nancy Wallace Henderson; that the estates of the said Oliver T. Wallace and his widow, Mary Borden Wallace, were both solvent and that administration thereon has been long since completed in the Superior Court of New Hanover County, State of North Carolina, and that all debts of said decedents were duly paid; that the said Mary Borden Wallace Lee and E. Lawrence Lee, Jr., her husband, and Nancy Wallace Henderson, widow, in an effort to remove the cloud on the title to the four lots of ground referred to herein, have heretofore executed a quitclaim deed which has been duly recorded among the Land Records of Frederick County, a certified copy of which is filed herewith and marked Exhibit "E", and which it is prayed may be taken and considered as a part hereof.

5. That your Complainants have also had the said John J. Schmidt and Adelle B. Schmidt, his wife, and Aubrey A. Nicodemus, unmarried, execute a confirmatory deed in a further effort to remove the cloud on the title to the real estate hereinbefore referred to, conveying and confirming in your Complainants title to the real estate mentioned and described herein, which said deed has been duly recorded among the Land Records of Frederick County, a certified copy of which is filed herewith marked Exhibit "F", and which it is prayed may be taken and considered as a part hereof.

6. That notwithstanding the several steps hereinbefore enumerated by your Complainants to remove the cloud from the title to the real estate hereinbefore referred to, the marketability of the title thereto is still objected to and questioned.