

FOURTH: That your Oratrix has learned that The Farmers & Mechanics National Bank of Frederick has released its mortgage and that said Defendant, Helen R. Combs, has executed a mortgage in favor of the Defendant, Fairview Federal Savings & Loan Association, a body corporate, dated August 29, 1952, to secure a loan of Five Thousand Dollars (\$5,000.00), which said mortgage is recorded in Liber 505, folio 599, <sup>releasid</sup> one of the Land Records of Frederick County, as will more fully appear from the Exhibit Mortgage which is filed herewith and prayed to be considered as a part hereof.

FIFTH: That when your Oratrix, through her agent, Paul H. Ott, sought to plow under the cover crop of barley, she was informed by the Defendant, Helen R. Combs, of said Defendant's desire not to complete said contract and that said Defendant tendered to her the Five Dollar (\$5.00) deposit as aforesaid and stated that she was negotiating with a certain Helen Bell for the sale of the whole parcel of land described in the Exhibit Deed, which said tender was refused by your Oratrix.

SIXTH: That your Oratrix avers that she is without any adequate remedy at law; that the failure of the Defendant, Helen R. Combs, to comply with her Agreement of Sale has caused your Oratrix irreparable harm and that your Oratrix does hereby tender into Court the balance of said purchase price of Three Hundred Ninety-Five Dollars (\$395.00).

WHEREFORE, YOUR ORATRIX PRAYS:

- (1) That your Honorable Court may define the rights of the parties herein.
  - (2) That your Honorable Court may specifically enforce the agreements of the parties hereto and appoint a Trustee to convey said land to your Oratrix, free and clear of the rights of the Defendants, Fairview Federal Savings & Loan Association, a body corporate, and Helen Bell, the alleged Vendee of the Defendant, Helen R. Combs.
  - (3) And for such other and further relief as the nature of the case may require.
- And as in duty bound, etc.

C. Clifton Virts  
C. CLIFTON VIRTS

Benjamin B. Rosenstock  
BENJAMIN B. ROSENSTOCK  
SOLICITORS FOR ORATRIX

STATE OF MARYLAND, COUNTY OF FREDERICK, SCT: -

I HEREBY CERTIFY that on this 28th day of November, 1952, before me, the subscriber, a Notary Public, duly commissioned and qualified, in and for the State and County aforesaid, personally appeared June W. Ott and made oath in due form of law that the matters and facts set forth in the foregoing Bill of Complaint are true to the best of her information, knowledge and belief.

WITNESS MY HAND AND NOTARIAL SEAL.

Place of  
Notarial  
Seal

Elizabeth G. Heck  
Elizabeth G. Heck  
NOTARY PUBLIC

Filed November 28, 1952

EXHIBIT DEED

State of Md.  
\$.50  
Recordation Tax

At the request of Floyd G. Combs and wife the following  
Deed is received for record and recorded Feb. 8, 1946  
at 1:40 o'clock P. M. U. S. Internal  
\$1.10  
Test: Ellis C. Wachter, Clerk. Revenue Stamp

This DEED, made this 24th day of December, 1945, by us, Albert Nickel and Mary V. Nickel, his wife, of Frederick County, State of Maryland,

W I T N E S S E T H :

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, at and before the