

STATE OF MARYLAND, FREDERICK COUNTY, TO-WIT:

I hereby certify that the foregoing is a true copy of the original Deed from Francis R. Biser, Attorney in Fact to Frederick Trading Company, as recorded in Liber No. 454, Folio 198 &c., one of the Land Records of Frederick County, Maryland.

Place of
Court
Seal

In Testimony Whereof, I hereunto subscribe my name and affix the Seal of the Circuit Court for Frederick County, at Frederick, Maryland, this 28 day of August, A. D., 1952.

Ellis C. Wachter
Clerk of the Circuit Court for Frederick County, Maryland.

Filed August 28, 1952

EXHIBIT NO. 3

At the request of the City of Frederick the following Deed is received for record and recorded Feb. 14, 1952 at 12:10 o'clock P. M.

TEST: Ellis C. Wachter, Clerk.

THIS DEED, Made this 11th day of February, 1952, by me, FRANCIS R. BISER, Attorney in Fact, under a Power of Attorney from Cora B. Biser, unmarried, of Norfolk City, Virginia.

WHEREAS, a certain Cora B. Biser, unmarried, of Frederick City, Maryland, did, on the 28th day of November, 1938, execute a certain irrevocable Power of Attorney to Francis R. Biser, which is duly recorded among the Land Records of Frederick County, Maryland, in Liber 414, folio 393, etc., whereby she empowered the said Francis R. Biser as such Attorney, in her name, place and stead, to sell, exchange, grant and convey or lease -- any and all real estate or leasehold estate belonging to her -- and especially the following property and real estate, situate, lying and being in Frederick County, Maryland, containing two tracts and parcels of land containing 11 $\frac{1}{4}$ acres and 12 square perches of land, more or less, and the tract of land containing 5 acres and 28 perches of land, more or less, and said two tracts and parcels of land were conveyed to her (Cora B. Biser) by a deed from Edward S. Delaplaine, Trustee, bearing date December 9, 1935, and recorded in Liber 401, folios 107 and 108 etc., one of the Land Records for Frederick County, Maryland, and to execute and acknowledge according to law all deeds, conveyances-- which he may deem necessary to expedient-- etc., and,

WHEREAS, the said Francis R. Biser, by virtue of the power and authority contained in the aforesaid Power of Attorney, has agreed to permit The City of Frederick, a municipal corporation of the State of Maryland, to make a slope over and on a part of the lands described in the Deeds referred to in the aforesaid Power of Attorney.

NOW, THEREFORE, THIS DEED WITNESSETH:

That for and in consideration of the sum of One (\$1.00) Dollar, cash in hand paid, the receipt of which is hereby acknowledged, I, the said Francis R. Biser, Attorney in Fact, do hereby grant and convey unto The City of Frederick, a municipal corporation of the State of Maryland, its successors and assigns, the right, subject to the stipulation contained in the next paragraph hereof, to slope banks for the extension of East Street and the opening of East Ninth Street on Parcels "C" and "D" of the Cora B. Biser subdivision, being a part of the real estate described in the Power of Attorney obtained from Cora B. Biser dated November 28, 1938, to Francis R. Biser and recorded in Liber 414, folio 393, one of the Land Records of Frederick County, Maryland. The slope to be one foot vertical for each one and one-half feet horizontal distance measured from the established grade line on the West side of East Street and both sides of East Ninth Street, shown as Parcel No. 2 on Plat 1 of 2, Plan No. 510-113, recorded in Property Plat Book, Folio 63-A, one of the Plat Books in the Office of the City Engineer of Frederick, Maryland.

The Grantee herein, its successors and assigns, agrees to maintain the slope area over