

sidered a part hereof.

(2) All those lots or parcels of land being lots Nos. 40 and 41 on the plat of the building lots of the Braddock Heights Improvement Company, and located on the east side of Maryland Avenue, Braddock Heights, Frederick County, Maryland, improved with a dwelling house. It being the same parcels of land that was devised to the said Mattie E. Kefauver by the last Will and Testament of W. Scott Kefauver, recorded in Liber G. E. S. No. 1, folio 274, one of the Will Records in the office of the Register of Wills for Frederick County, certified copy of which is filed herewith marked Exhibit No. 2 to this Bill of Complaint. The said parcels of land having been acquired by W. Scott Kefauver by the following deeds:

(a) Deed from Braddock Heights Improvement Company of Frederick County to W. Scott Kefauver, dated September 20, 1905, and recorded in Liber No. 271, folio 543, a certified copy of which is filed herewith marked Exhibit 3 to this Bill of Complaint.

(b) Deed from Eva N. Whalen, et. al. to W. Scott Kefauver, dated May 8, 1922, and recorded in Liber No. 338, folio 516, certified copy of which is filed herewith marked Exhibit No. 4.

THIRD: That the interest of the said Stephen E. Horine in the above described parcels of land are subject to the following judgments:

Judgment in favor of Florence M. Maught, being No. 286 Trials, May Term, 1932, for \$6516.00, with interest from August 9, 1932, less \$3804.25 credit

Judgment in favor of Martin L. Horine, being No. 285 Trials, May Term, 1932, for \$1795.00, debt, with interest from August 9, 1932, less \$1047.89 credit

Judgment of Baxter T. Horine, being No. 284 Trials, May Term, 1932, for \$1795.00 debt, with interest from August 9, 1932, less a credit of \$1049.89

certified copies of said judgments being filed herewith marked Exhibits "A", "B", and "C", respectively.

FOURTH: That the above mentioned real estate is not susceptible of division or partition among the parties entitled thereto without loss and damage, and it would be to the best interest of all the parties that same be sold and the proceeds arising therefrom<sup>be</sup> distributed to the parties entitled according to their respective interests.

TO THE END, THEREFORE,