one of the Land Records of Frederick County, Maryland, (2) by Deed dated August 13, 1954, from Raymond W. Wiles, divorced, to Lewis S. Rice, and recorded in Liber No. 535, folio 243, one of the Land Records of Frederick County, Maryland, a copy of said Deeds is filed herewith and prayed to be taken as a part hereof and marked Exhibits "A" and "B".

SECOND That being so seized and possessed of said tracts or parcels of land, the said Lewis Spencer Rice died intestate in Frederick County, Maryland, on or about the 23rd day of April, 1963, survived by the following named heirs at law and next of kin a son, Melvin Oliver Rice, whose wife's name is Helen V. Rice, whose address is 29 Maple Avenue, Walkersville, Maryland, a daughter, Evelyn L. Green, whose husband's name is Clifford E. Green, whose address is Route #1, Thurmont, Maryland, a daughter, Ethel E. Smith, whose husband's name is Joseph D. Smith, whose address is Route #1, Thurmont, Maryland, a daughter, Elva C. Sweeney, whose husband's name is William F. Sweeney, whose address is Route #1, Thurmont, Maryland, a daughter, Edna M. Hontz, widowed, whose address is 320 North Market Street, Frederick, Maryland, a son, Donald W. Rice, whose wife's name is Carrie M. Rice, whose address if Route #1, Thurmont, Maryland, a son, Elmer C. Rice, whose wife's name is Alice H. Rice, whose address is 244 Valley Road, Clifton, New Jersey, a son, Glenn F. Rice, whose wife's name is Christine Rice, whose address is 5802 North Park, Gladstone, Missouri, a son, Harvey E. Rice, whose wife's name is Hazel Rice, whose address is Route #1, Thurmont, Maryland, Kathleen M. Rice, widow of a son, Austin L. Rice, deceased, whose address is Route #1, Thurmont, Maryland, a grandson, Warren A. Rice, infant, whose address is Route #1, Thurmont, Maryland, a grandson, Douglas F. Rice, infant, whose address is Route #1, Thurmont, Maryland, both sons of the aforesaid Austin L. Rice, deceased, and a daughter, Deloies Usry, whose husband's name is Douglas Usry, whose address is Sp-5, R.A. 24777477, Support Co., Box 201, U.S.A. - S.T.R.A.T., Com. Facility, Saran, A.P.O. 58, New York, New York, 10000.

THIRD That the said real estate is not susceptible of partition without material loss and injury to the parties entitled to interests therein