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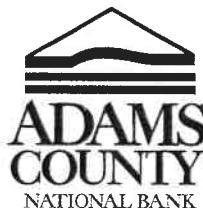
May 5, 2006

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Our Trust Department
makes a business of caring
for other people's property.



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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 04-S-400 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of May, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of ground situate on the West side of a public alley in the Borough of McSherrystown, Adams County, Pennsylvania, said public alley running parallel to the West side of North Second Street, more particularly bounded and described as follows:

BEGINNING at an iron pin on the West side of said public alley at lands now or formerly of Albert A. and Regina M. Groft; thence along said lands South sixty-four (64) degrees thirty (30) minutes West, seventy-one (71) feet to a stake at lands now or formerly of A. Edward Yarzobek and Edith R. Yarzobek; thence by said lands South fifty-eight (58) degrees thirty (30) minutes West, one hundred ten and seven hundredths (110.07) feet to a stake at lands now or formerly of Sisters of St. Joseph; thence by said lands North twenty-two (22) degrees thirty (30) minutes West sixty-five and five tenths (65.5) feet to an iron pin at lands now or formerly of Charles W. Rider; thence by said lands North sixty-four (64) degrees thirty (30) minutes East one hundred eighty and five-tenths (180.5) feet to an iron pin on the West side of the public alley aforesaid; thence along the West side of said public alley South twenty-three (23) degrees East, fifty-two (52) feet to an iron pin, the point and place of BEGINNING. The aforesaid description was taken from a draft of survey as prepared by Joseph B. O'Brien, R.S., dated April 19, 1957.

BEING the same property conveyed to Stephen A. Noel and Jamie L. Noel, husband and wife, and Stephen A. Noel and Kathy A. Noel, husband and wife, by deed from Brian E. Yost and Ursula Horn-Yost, husband and wife, recorded 09/08/1999 in Deed Book 1911, Page 0189, in the Office of the Recorder of Deeds of Adams County, Pennsylvania.

Tax Parcel (28) 002-0020

*Premises Being: 141 North Street Rear, McSherrystown, PA 17344

SEIZED and taken into execution as the property of **Stephen A. Noel & Jaime L. Noel a/k/a Jaime Noel** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on June 19, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

4/21, 28 & 5/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-39 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of May, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land situate, lying and being partly in Union Township and partly in the Borough of Littlestown, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a point along the Southwesterly right-of-way line of Wheaton Drive and Lot No. 110 of the hereinafter referred to subdivision plan; thence along said Lot No. 110, South forty-five (45) degrees two (02) minutes thirty-six (36) seconds West, one hundred thirty-nine and ninety-six hundredths (139.96) feet to a point at lands now or formerly of Donald Smith; thence along said lands now or formerly of Donald Smith, North forty-five (45) degrees seventeen (17) minutes forty-one (41) seconds West, one hundred and zero hundredths (100) feet to a point at Lot No. 112, thence along said Lot No. 112, North forty-four (44) degrees forty

and zero hundredths (140) feet to a point along the Southwesterly right-of-way line of Wheaton Drive, thence along the Southwesterly right-of-way line of Wheaton Drive, South forty-five (45) degrees seventeen (17) minutes forty-one (41) seconds East, eighty-six and thirty-three hundredths (86.33) feet to a point; thence continuing along same by a curve to the right which has a radius of two thousand four hundred fifty-six and sixty-one hundredths (2,456.61) feet, an arc distance of fourteen and forty-nine hundredths (14.49) feet, the long chord of which is South forty-five (45) degrees seven (07) minutes thirty-two (32) seconds East, fourteen and forty-nine hundredths (14.49) feet to a point, the place of BEGINNING. CONTAINING 14,056 square feet and being identified as Lot No. 111 on the final subdivision plan of Phase II, Meadowview Estates, which plan is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plot Book 60, page 50.

UNDER AND SUBJECT to the Declaration of Restrictions of Lynn Lee Construction Co., Inc. recorded May 12, 1992, in the Adams County Recorder of Deeds' Office in Record Book 626, page 797.

Tax Parcel # 003-0056

Premises Being: 133 Wheaton Drive, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Michelle C. Valentine & Timothy J. Valentine** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on June 19, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

4/21, 28 & 5/5

KOSEK VS. YETTER ET AL

1. Although the determination of whether to grant leave to amend is within the sound discretion of the trial court, leave should be granted at any stage of the proceedings, unless such an amendment violates the law or unfairly prejudices the right of the opposing party. Amendments which introduce a new cause of action after the statute of limitations has expired are not permitted.

2. Prejudice that would prevent the grant of an amendment must be something more than a detriment to the other party since any amendment almost certainly will be designed to strengthen the legal position of the amending party and correspondingly to weaken the position of the adverse party. The test, therefore, is whether the prejudice would go beyond that which would normally flow from the allowance of an amendment.

3. Appellate authority instructs that a trial court's refusal to allow amendment solely on the basis of unreasonable delay and nothing more is an abuse of discretion.

4. Earlier proceedings are not a proper reference point from which to consider the merits of the proposed amendment.

5. An amendment should be liberally granted absent prejudice regardless of the motivation of the amending party. The type of prejudice envisioned by our appellate courts which justifies the denial of an amendment is that which compromises the opposing party's ability to present its case.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, CIVIL ACTION NO. 04-S-622. JAMES T.
KOSEK AND MICHELLE KOSEK VS. SCOTT YETTER T/D/B/A
YETTER HOME IMPROVEMENTS.

Patrick W. Quinn, Esq., for Plaintiff
Matthew E. Teeter, Esq., for Defendant
George, J., August 30, 2005

OPINION

On June 16, 2004, James and Michelle Kosek ("Kosek") initiated a cause of action against Scott Yetter t/d/b/a Yetter Home Improvements ("Yetter") and Anthony Helfrick t/d/b/a Helfrick Heating and Cooling ("Helfrick"). Essentially, Kosek alleged that they hired Yetter as a general contractor to make certain improvements to their property at 19 Lakeview Drive, Gettysburg, Pennsylvania. The Complaint further alleges that Yetter selected Helfrick as a subcontractor to work on the HVAC system at Kosek's residence. In the initial Complaint, Kosek claims that the work was completed in an un-workmanlike manner thereby constituting a breach of contract.¹ Kosek, therefore, sought damages in the amount of \$5,300 relative to the alleged breach.

¹In the alternative, Kosek's Complaint alleged that the relationship with Helfrick was a prime contract between Kosek and Helfrick. These allegations in the Complaint appear to be alternative causes of action in that the allegations raise alternative factual backgrounds.

Kosek's initial Complaint was met by Preliminary Objections from Yetter challenging the lack of specificity of the pleading. Helfrick, however, failed to file a responsive pleading. On August 5, 2004, default judgment was entered against Helfrick in the amount of \$5,300.

Kosek responded to Yetter's Preliminary Objections by filing an Amended Complaint on October 22, 2004. The Amended Complaint once again alleged that Yetter verbally agreed to be the general contractor and, thereafter, breached that verbal agreement by having the contemplated work completed in an un-workmanlike manner. Kosek's claims for damages in the Amended Complaint increased to \$5,680.

Following the close of the pleadings, a hearing was held before a Board of Arbitration on February 17, 2005. That same day, the Board entered an award against Kosek and in favor of Yetter. A timely appeal was filed by Kosek. Following a pre-trial conference on June 16, 2005, this matter was scheduled for a one-day jury trial to be held during the Civil Trial Term beginning October 31, 2005. On July 8, 2005, Kosek filed a Motion to Amend the Complaint seeking to add counts of negligence, misrepresentation and violation of Pennsylvania's Unfair Trade Practices and Consumer Protection Law ("UTPCPL"), 73 P.S. § 201-1, et seq. Under these proposed amended counts, Kosek now seeks \$11,718.78 in damages plus punitive damages and attorney fees.

Generally, Pennsylvania jurisprudence is liberal in granting a party leave to amend their pleadings. *Frey v. Pennsylvania Electric Co.*, 607 A.2d 796, 797 (Pa.Super. 1992). "Although the determination of whether to grant leave to amend is within the sound discretion of the trial court, leave should be granted at any stage of the proceedings, unless such an amendment violates the law or unfairly prejudices the right of the opposing party." *Id.* Amendments which introduce a new cause of action after the statute of limitations has expired are not permitted. *Hodgen v. Summers*, 555 A.2d 214, 215 (Pa.Super. 1989).

Kosek's amended counts for negligence and misrepresentation are subject to a two-year statute of limitations. 42 Pa. C.S. § 5524. A review of the pleadings indicates that the conduct upon which Kosek bases his Complaint occurred in February or March of 2003 with all work completed in May of 2003. These causes of action clearly fall outside the statute of limitations and, therefore, an amendment to add these causes of action will not be permitted.

Kosek's argument that the amended counts are only clarifications of the original cause of action is not persuasive. While it is true that Pennsylvania authority recognizes that a proposed amendment, which does not change a cause of action but merely amplifies that which has already been averred, will be permitted even though the statute of limitations has run, see *Frey*, cited above, that principle has no application to Kosek's proposed amendment. Undoubtedly, the new tort claims alleged by Kosek are inherently different from the original cause of action filed in the breach of contract. See generally, *Phico Ins. Co. v. Presbyterian Med. Serv. Corp.*, 663 A.2d 753, 757 (Pa.Super. 1995). Accordingly, Kosek will not be permitted to amend the Complaint to allege causes of action for negligence and misrepresentation.

Kosek's request to amend the Complaint to add a cause of action under the UTPCPL merits further discussion. Unlike the negligence and misrepresentation causes of action, a cause of action under the UTPCPL is well within the statute of limitations. See *Keller v. Volkswagen of American, Inc.*, 733 A.2d 642, 646 (Pa.Super. 1999) (the UTPCPL is governed by a six-year statute of limitations). Therefore, it is necessary to examine whether the addition of a cause of action under the UTPCPL unfairly prejudices Yetter's rights or is otherwise contrary to the law.

Obviously, the addition of a distinct cause of action brings with it the inherent prejudice related to increased exposure on a different theory of liability. Pennsylvania Courts, however, have demanded more than this type of prejudice before an amendment is properly prohibited:

Prejudice that would prevent the grant of an amendment must be something more than a detriment to the other party 'since any amendment almost certainly will be designed to strengthen the legal position of the amending party and correspondingly to weaken the position of the adverse party. To make the advantage sought by an amendment operate as a bar to amendment would be to destroy the right to amend except in cases when a moving party would have no reason to amend.' The test, therefore, is whether the prejudice would go beyond 'that which would normally flow from the allowance of an amendment.'

Sands v. Forrest, 434 A.2d 122, 125 (Pa.Super. 1981) (quoting *Cellutron Products Corp. v. Stewart*, 300 A.2d 900, 901-02 (Pa.Super. 1972)).

Yetter suggests that additional prejudice arises from the delay in the requested amendment. Yetter's claim of unreasonable delay as a basis for a finding of prejudice is traceable to a line of Pennsylvania cases which have denied amendment where extensive delay is present. See *Commonwealth v. Bethlehem Steel Corp.*, 404 A.2d 692 (Pa. 1979); *Hightower v. Bekins Van Lines Co.*, 407 A.2d 397 (Pa.Super. 1979); and *Kenney v. SEPTA*, 551 A.2d 614 (Pa.Cmwth. 1988). That line of cases, however, is distinguishable in light of the extensive delay present in each case. More recent appellate authority instructs that a trial court's refusal to allow amendment solely on the basis of unreasonable delay and nothing more is an abuse of discretion. *Horowitz v. Universal Underwriters Ins. Co.*, 580 A.2d 395, 400 (Pa.Super. 1990) (citing *Stouffer v. Commonwealth*, 562 A.2d 922 (Pa.Cmwth. 1989)); *City of Philadelphia v. Spencer*, 591 A.2d 5, 7 (Pa.Cmwth. 1991). The original Complaint in this matter was filed on June 16, 2004. Kosek's Motion to Amend follows the original filing by a little less than thirteen months. I find this delay insufficient to trigger the *Bethlehem Steel Corp.* line of cases.

Yetter further claims that Kosek's use of amended pleadings is impermissibly punitive in nature. Yetter suggests that the proposed amendments are retaliatory as a result of adverse decisions in earlier litigation. While this argument is interesting, it must also be rejected.

Pennsylvania Rule of Civil Procedure 1311 grants litigants an unlimited right to a trial de novo in any appeal from the decision of a board of arbitration. In *Weber v. Lynch*, 375 A.2d 1278, 1283 (Pa. 1977), the Supreme Court put to rest any question about the parameters of such an appeal when it held that a right to proceed to trial was absolute without evidentiary limitations. Interestingly, the *Weber* Court found the absolute right to a de novo hearing on appeal despite claims that the appellant acted in bad faith by using the arbitration hearing for discovery without calling any witnesses on their own behalf. Thus, earlier proceedings are not a proper reference point from which to consider the merits of the proposed amendment.

I also recognize the wealth of appellate authority which has permitted amendment at various stages during the course of litigation.

For instance, amendment has been permitted during trial, *Laursen v. General Hospital of Monroe Co.*, 431 A.2d 237, 240 (Pa. 1981); after the close of testimony, *Ecksel v. Orleans Const. Co.*, 519 A.2d 1021, 1027 (Pa.Super. 1987); after verdict, *Standard Pipeline Coating Co., Inc., v. Solomon & Teslovich, Inc.*, 496 A.2d 840, 845 (Pa.Super. 1985); after judgment, *Euster v. Standard Acc. Ins. Co.*, 10 A.2d 877, 879 (Pa.Super. 1940); and on appeal, *Binswanger v. Levy*, 457 A.2d 103, 106-07 (Pa.Super. 1983). When this case law is coupled with the absolute right to a de novo hearing, it is clear that an amendment should be liberally granted absent prejudice regardless of the motivation of the amending party.² The type of prejudice envisioned by our appellate courts which justifies the denial of an amendment is that which compromises the opposing party's ability to present its case. See *Spencer*, cited above. Since prejudice of that magnitude has not been proffered by Yetter, Kosek will be granted permission to amend in regard to a cause of action under the UTPCPL.³

For the foregoing reasons, the attached Order is entered.⁴

ORDER OF COURT

AND NOW, this 30th day of August, 2005, the Plaintiffs' Motion to Amend is granted in part and denied in part. The Plaintiffs are granted permission to amend the Complaint to include a count for cause of action under 73 P.S. § 201-1 et. seq. in the substantial form set forth in the motion. The Plaintiffs' request to add additional counts for negligence and misrepresentation is denied. The Plaintiffs shall file an Amended Complaint as permitted by this Order within twenty (20) days of the date of this Order. Failure to do so will result in waiver of the amendment as requested.

² Although Yetter's claim of retaliation is circumstantially supported by the history of this matter, I note that Kosek changed representation following the adverse verdict by the Board of Arbitrators. It is equally plausible that new counsel brings a different prospective and strategy to the litigation thereby prompting the Motion to Amend.

³ In permitting this amendment, I render no opinion as to the merits of Kosek's additional claim. The probability of success, or lack thereof, is not a proper consideration in determining whether prejudice is present. *James A. Mann, Inc., v. Upper Darby School Dist.*, 513 A.2d 528, 531 (Pa.Cmwlth. 1986).

⁴ I note that Kosek's Motion to Amend seeks only to add three additional counts as discussed in this Opinion. In his brief, however, Kosek implicitly references requests to add additional claims for damages. Due to the nature of the proposed amendment presented to this Court, this Opinion addresses only Kosek's desire to add three additional counts.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-64 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of May, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground situate in Liberty Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of Legislative Route 01001 at corner of land of James W. Cool; thence by said land of James W. Cool and running through a steel pin located twenty-five (25) feet from the place of beginning; North seventy-six (76) degrees five (5) minutes thirty-four (34) seconds West two hundred three and thirty-eight hundredths (203.38) feet to a point; thence by land of James G. Angelaras and wife running through a steel pin located forty-nine and fifty-six hundredths (49.56) feet from the beginning of this line, North fifteen (15) degrees forty-five (45) minutes forty-one (41) seconds East one hundred ninety-six and sixteen hundredths (196.16) feet to a steel pin; thence by the same, and running through a steel pin located seventeen and thirty-eight hundredths (17.38) feet from the end of this line, South sixty-nine (69) degrees nine (9) minutes forty-one (41) seconds East two hundred thirty and seventy-four hundredths (230.74) feet to a point in the center of Legislative Route 01001; thence in the center of said Legislative Route 01001, South twenty-four (24) degrees forty-one (41) minutes two (2) seconds West one hundred seventy-one and twenty-three hundredths (171.23) feet to a point, the place of BEGINNING. CONTAINING 39,647 square feet.

The foregoing description was obtained from a draft of a survey made by Donald E. Worley, Registered Surveyor, on June 25, 1975.

Being Known As: 1891 Tract Road (Liberty Township) Fairfield, PA 17320

Property ID No.: D17-5B

TITLE TO SAID PREMISES IS VESTED IN Jon B. Stoner and Lillie J. Stoner, his wife by deed from Lawrence V. Young, trustee in Bankruptcy for Roger E. Oakes and Joyce J. Oakes, his wife dated 6/6/88 recorded 6/7/88 in Deed Book 491 Page 164.

SEIZED and taken into execution as the property of **Jon B. Stoner & Lillie J. Stoner** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a

schedule of distribution will be filed by the Sheriff in his office on June 19, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

4/21, 28 & 5/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1425 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of May, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain unit in the property known, named and identified in the declaration referred to below as "South Branch Estates", located in the Township of Oxford, Adams County, Pennsylvania, which has heretofore been submitted to the provisions of the Pennsylvania Uniform condominium act, 68 P.S.A. Section 3101, et seq., by the recording in the Office of the Recorder of Deeds in and for Adams County, PA, of a land development plan dated October 6, 1995, last revised December 14, 1995 and recorded in Books 69 Page 23 (together with all amendments and supplements thereto recorded on or before the date hereof) being all designated in such plan as Unit No. 1 as more fully bounded and described in such plan, together with a proportionate undivided interest in the Common Elements as defined in a Declaration Plan recorded in the Office of the Recorder of Deeds, in and for York County, PA in Record Book 1271 Page 34.

UNDER AND SUBJECT to any and all covenants, conditions, restrictions, rights of way, easements and agreements of record, including (but not limited to) those contained in the instruments recorded in the aforesaid Recorder's Office in Record Book 69, page 23.

TOGETHER with the limited common elements appurtenant as more fully shown of Plan 1271 Page 34.

TOGETHER with all buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and any reversions, remainders, rents, issues and profits thereof, and of every part and

parcel thereof, including any interest specifically set forth, if any. And also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the Grantor of, in and to the same.

TO HAVE AND TO HOLD the same premises, and the appurtenances, hereby granted to Grantees and Grantee's heirs, successors and assigns, to and for the only proper use, benefit and behoof of the said Grantee and Grantee's heirs, successors and assigns forever, under and subject to the conditions set forth, if any.

AND THE SAID GRANTOR hereby covenants and agrees that Grantor will warrant specially the property hereby conveyed.

UNDER AND SUBJECT, nevertheless to the same condition, restrictions, exceptions and reservations as exist by virtue of prior recorded instruments, deeds and conveyances.

IT BEING THE SAME PREMISES which J.A. Myers Building and Development, Inc., a Pennsylvania Corporation, by their deed dated May 25, 1996 and recorded in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Record Book 1218, Page 139, granted and conveyed unto Philip R. Garland v/d/b/a Garland Construction, Inc., Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Vincent Nieves, III and Nitza Nieves, husband and wife by Deed from Philip R. Garland, t/d/b/a, Garland Construction, Inc., dated 3-25-99, recorded 4-13-99 in Deed Book 1807, page 276.

Premises being: 2 Fiddler Drive, New Oxford, PA 17350

Tax Parcel No. 35-001-0052-001

SEIZED and taken into execution as the property of **Vincent M. Nieves, III a/k/a Vincent M. Miezec & Nitza Nieves** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on June 19, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

4/21, 28 & 5/5

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
CASE NO. 05-S-951
Action to Quiet Title

LAWRENCE E. McGLAUGHLIN & D.
JUENE McGLAUGHLIN, Plaintiffs

vs.

RAY NELSON & AUDREY T. NELSON,
their respective executors, heirs and/or
assigns, Defendants

ORDER OF COURT

AND NOW, this 19th day of April, 2006, it appearing that a Complaint with Notice to Defend was filed hereon on August 31, 2005, and that the same was served upon Defendants, Ray Nelson and Audrey T. Nelson, by publication pursuant to Order of Court dated December 7, 2005, on date set forth in the attached Motion; and it further appearing that no appearance of record nor answer or other pleading has been filed on behalf of Defendants within the time allotted by law for the same, and therefore, upon motion of John A. Wolfe, Esq., Wolfe and Rice, LLC, attorneys for Plaintiffs.

IT IS HEREBY ORDERED AND DIRECTED that judgment by default be and the same is hereby entered in favor of Plaintiffs, Lawrence E. McGlaughlin and D. Juene McGlaughlin, and against Defendants, Ray Nelson and Audrey T. Nelson, their respective executors, heirs and/or assigns.

AND IT IS FURTHER ORDERED AND DIRECTED that the said Defendants be and the same hereby are forever barred from asserting any right, title, interest or claim inconsistent with the right, title, interest and claim of Plaintiffs as set forth in the Complaint with respect to the land herein described:

ALL that tract of land situate, lying and being in Liberty Township, Adams County, Pennsylvania, being Lot No. 4 in Section O, bounded and described as follows:

BEGINNING at a point in the center of Apache Trail at Lot No. 3; thence by said lot North 52 degrees 38 minutes 54 seconds East, 225 feet to Parcel A; thence by said Parcel A South 37 degrees 21 minutes 6 seconds East, 100 feet to Lot No. 5; thence by said lot South 52 degrees 38 minutes 54 seconds West, 225 feet to a point in the center of said Apache Trail; thence in said Apache Trail North 37 degrees 21 minutes 6 seconds West, 100 feet to the place of BEGINNING.

The above description was taken from a plan of lots labeled "Section O, Charnita" dated October 21,

1969, prepared by Evans, Hagan & Holdrege, and recorded in Adams County Plat Book No. 1 at page 49.

Unless the same Defendants shall within thirty (30) days after publication of this Order commence an action in Ejectment or other appropriate action to assert any claim they may have against the Plaintiffs herein; and upon the failure of the Defendants to commence such action against the Plaintiffs within thirty (30) days after said publication, the Prothonotary of Adams County, Pennsylvania is directed upon praecipe of the Plaintiffs to enter final judgment herein in favor of Plaintiffs and against Defendants pursuant to Pa.R.C.P. No. 1066 (b) (1) and to cause a true and attested copy of this Order and such final judgment to be recorded in the Office of Recorder of Deeds of Adams County, Pennsylvania, the same to be indexed in the name of the Defendants, Ray Nelson and Audrey T. Nelson, their respective heirs, executors, administrators, successors and assigns, as GRANTORS and the names of the Plaintiffs, Lawrence E. McGlaughlin and D. Juene McGlaughlin, GRANTEES.

BY THE COURT,
/s/Michael A. George, Judge

5/5

NOTICE OF PUBLIC AUCTION

On Thursday, May 18, 2006, at 6:30 p.m., a public auction shall be held at 3610 Chambersburg Road (Franklin Township) Adams County, Pennsylvania. At the auction, the Gettysburg Area School District, owner, shall offer for sale a 2.121 acres, more or less, tract of real estate, with improvements thereon, with an address of 3610 Chambersburg Road, Biglerville, Pennsylvania, and as more particularly described in a Tax Claim Bureau Deed dated January 13, 2006, from the Tax Claim Bureau to the Gettysburg Area School District, which deed is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 4294 at page 211.

The public auction shall be conducted by Redding Auction Service. The property shall be offered with a reserve. The owner shall retain the right to reject any and all bids. The sale shall be subject to written conditions of sale which shall be read at the sale.

Any persons interested in bidding at the sale may contact Redding Auction Service (phone #717-334-6941).

Robert L. McQuaide,
Solicitor
(717) 337-1360

4/28, 5/5 & 12

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
CASE NO. 05-S-1410
Action to Quiet Title

RANDALL B. INSKIP, Plaintiff
vs.

ESTATE OF MAE E. OLINGER by and through her Executrix PAULA D. OLINGER, PAULA D. OLINGER individually, BARTON W. OLINGER, and CLARENCE E. EYLER *et al* and their respective executors, heirs and/or assigns, Defendants

TO: Clarence E. Eyler, et al. their respective executors, heirs and/or assigns.

DATE OF NOTICE: May 4, 2006

IMPORTANT NOTICE

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Court Administrator
Adams County Courthouse
Gettysburg, PA 17325
Telephone 717-337-9846

Christina M. Simpson, Esq.
250 York Street
Hanover, PA 17331
(717) 632-4971
Attorney ID #80139

5/5

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF GRACE M. EMLET, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executor: Robert L. Emler, 1174 Stone Jug Road, Biglerville, PA 17307

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF THELMA A. HERZIG, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Susan J. Bowman, P.O. Box 145, Biglerville, PA 17307

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

ESTATE OF HARRIET I. LAWVER, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Co-Executrices: Louise L. Garverick, 117 Artillery Drive, Gettysburg, PA 17325; Jane L. Feister, P.O. Box 94, Arendtsville, PA 17303

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF MARY E. LUCABAUGH, DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Executors: Nevin S. Lucabaugh, 1425 Abbottstown Pike, Hanover, PA 17331; Nathan J. Lucabaugh, 1448 Abbottstown Pike, Hanover, PA 17331

Attorney: James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF DIANE L. MURPHY, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Kate Murphy Kershner, 2700 Mummasburg Rd., Gettysburg, PA 17325

Attorney: Tracy M. Sheffer, Esq., Battersby & Sheffer, P.O. Box 215, Fairfield, PA 17320

ESTATE OF SARAH L. TAYLOR, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executrix: Cathleen A. Knorr, 505 Knorr Road, Gettysburg, PA 17325

Attorney: Chester G. Schultz, Esq., 145 Baltimore Street, Gettysburg, PA 17325

ESTATE OF GOLDIE C. ZEIGLER, DEC'D

Late of the Borough of York Springs, Adams County, Pennsylvania

Executors: Lovina Hoff, P.O. Box 5, York Springs, PA 17372; John Everhart, 2301 Cranberry Road, York Springs, PA 17372

Attorney: Ronald J. Hagarman, Esq., 110 Baltimore Street, Gettysburg, PA 17325

SECOND PUBLICATION

ESTATE OF CLAIR L. AMSPACHER, DEC'D

Late of Hamilton Township, Adams County, Pennsylvania

Executors: Emily J. Hubley, 22 Clearview Road, Malvern, PA 19355; Sally A. Staub, 1027 Savoy Drive, Hanover, PA 17331; John C. E. Amspacher, 6 Raymond Circle, Downingtown, PA 19335

Attorney: Donald W. Dorr, Esq., Buchen, Wise & Dorr, 846 Broadway, Hanover, PA 17331

ESTATE OF LAURA M. BARNES, DEC'D

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Executrix: Charlotte E. Matthias, c/o Thomas M. Shultz, Esq., Shultz Law Firm, 215 Baltimore Street, Hanover, PA 17331

Attorney: Thomas M. Shultz, Esq., Shultz Law Firm, LLC, 215 Baltimore Street, Hanover, PA 17331

ESTATE OF MARY JANE BLACK, DEC'D

Late of the Borough of Bendersville, Adams County, Pennsylvania

Executors: Joyce Melhorn, Gary Black, and Janice Black VanMetre, c/o Worley & Worley, 225 Latimore Valley Rd., York Springs, PA 17372

Attorney: Daniel D. Worley, Esq., 225 Latimore Valley Rd., York Springs, PA 17372

ESTATE OF MADOLYN C. HEINEY, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Personal Representative: Trudy A. Wishard, 115 West Middle Street, Gettysburg, PA 17325

Attorney: G. Steven McKonly, Esq., 119 Baltimore Street, Hanover, PA 17331

ESTATE OF THERESA I. RIDER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrices: Mary Ann Rider, 810 Taneytown Road, Gettysburg, PA 17325; Virginia R. Bowling, 2641 York Road, Gettysburg, PA 17325

Attorney: Barbara Jo Entwistle, Esq., Pyle and Entwistle, 66 West Middle Street, Gettysburg, PA 17325

THIRD PUBLICATION

ESTATE OF STEPHEN R. BICE, DEC'D

Late of Highland Township, Adams County, Pennsylvania

Executor: Richard A. Bice, 10501 Lagrima de Oro #4205, Albuquerque, NM 87111

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF RITA M. HALL, DEC'D

Late of Germany Township, Adams County, Pennsylvania

Executrix: Freja Claire Strausbaugh Fuller, 815 Mathias Road, Littlestown, PA 17340

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF ELISE K. SCHARF a/k/a ELISE SCHARF FOX, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Ralph Fox, Box 3338, Gettysburg, PA 17325

ESTATE OF MARY S. SCOTT, DEC'D

Late of the Borough of Fairfield, Adams County, Pennsylvania

Dawn L. Cool, 715 Water Street, Fairfield, PA 17320

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore Street, Gettysburg, PA 17325

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION
NO. OC-138-03

In re: Mary A. Baumgardner

NOTICE OF PUBLIC SALE

NOTICE IS HEREBY GIVEN that Adams County National Bank, guardian of the estate of Mary A. Baumgardner, will sell at public sale the real estate of Mary A. Baumgardner at 2454 Chambersburg Road, Biglerville (Franklin Township), Pennsylvania. The sale is scheduled for May 23, 2006 at 7:00 p.m., at the premises.

Richard E. Thrasher
Attorney for Adams County
National Bank

5/5, 12 & 19

IN THE COURT
OF COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
NO. 06-S-434

IN THE MATTER OF PETITION FOR
CHANGE OF NAME OF CHARLES
RUDOLPH PEARCE

NOTICE

NOTICE IS HEREBY GIVEN that, on April 19, 2006, the petition of Charles Rudolph Pearce was filed in the above-named court, requesting an Order to change the name Charles Rudolph Pearce to Laura R. Pearce.

The Court has fixed the day June 12, 2006, at 9:00 A.M., in Courtroom #2 of the Adams County Court House, 111-115 Baltimore Street, Gettysburg, PA 17325 as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

By the Court:
/s/Michael A. George
J.

5/5

IN THE COURT
OF COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
NO. 06-S-395

IN THE MATTER OF PETITION FOR
CHANGE OF NAME OF JORGE IGNA-
CIO DIAZ

NOTICE

NOTICE IS HEREBY GIVEN that, on April 6, 2006, the petition of Jorge Ignacio Diaz was filed in the above-named court, requesting an Order to change the name Jorge Ignacio Diaz to George Ignacio Diaz.

The Court has fixed the day June 12, 2006, at 9:00 A.M., in Courtroom #2 of the Adams County Court House, 111-115 Baltimore Street, Gettysburg, PA 17325 as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

5/5

FICTITIOUS NAME NOTICE

NOTICE IS GIVEN that an Application for Registration of Fictitious Name was filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on April 6, 2006, pursuant to the Fictitious Name Act, setting forth that Pamela M. Stambaugh, of 694 Grant Drive, Gettysburg, PA 17325, is the only person owning or interested in a business, the character of which is hand-made jewelry and artwork and that the name, style and designation under which said business is and will be conducted is VISIONS OF COLOR and the location where said business is and will be conducted is 694 Grant Drive, Gettysburg, PA 17325.

Guthrie, Nonemaker, Yingst & Hart
Solicitor

5/5

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN TO ALL persons interested or who may be affected, that HISTORY MEETS THE ARTS, INC., with its registered office at 27-1/2 Chambersburg Street, Gettysburg, Pennsylvania, a nonprofit corporation, has elected, pursuant to Resolution duly adopted at a meeting of the Board of Directors, to voluntarily dissolve the corporation and intends to file Articles of Dissolution with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania. The Board of Directors is now engaged in winding up and settling the affairs of said corporation so that its corporate existence shall be ended under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

Dated: April 28, 2006

Harold A. Eastman, Jr., Esq.
Puhl, Eastman & Thrasher
220 Baltimore Street
Gettysburg, PA 17325
(717) 334-2159

5/5

Adams County Legal Journal

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May 12, 2006

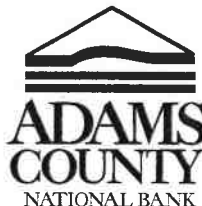
No. 51, pp. 309-314

IN THIS ISSUE

WOLLE VS. KENNIES MARKETS, INC.

Commitment:

The philosophy upon which
Adams County National Bank is
founded and upon which we are planning
for your future financial needs today.



Member FDIC

ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
CASE NO. 05-S-955
Action to Quiet Title

LAWRENCE E. McGLAUGHLIN & D.
JUENE McGLAUGHLIN, Plaintiffs

vs.

UNIVERSAL LIFE CHURCH, INC., its
successors and assigns, Defendant

ORDER OF COURT

AND NOW, this 19th day of April, 2006, it appearing that a Complaint with Notice to Defend was filed hereon on August 31, 2005, and that the same was served upon Defendant, Universal Life Church, Inc., by publication pursuant to Order of Court dated December 14, 2005, on date set forth in the attached Motion; and it further appearing that no appearance of record nor answer or other pleading has been filed on behalf of Defendant within the time allotted by law for the same, and therefore, upon motion of John A. Wolfe, Esq., Wolfe and Rice, LLC, attorneys for Plaintiffs.

IT IS HEREBY ORDERED AND DIRECTED that judgment by default be and the same is hereby entered in favor of Plaintiffs, Lawrence E. McGlaughlin and D. Juene McGlaughlin, and against Defendant, Universal Life Church, Inc., its respective executors, heirs and/or assigns.

AND IT IS FURTHER ORDERED AND DIRECTED that the said Defendant be and the same hereby are forever barred from asserting any right, title, interest or claim inconsistent with the right, title, interest and claim of Plaintiffs as set forth in the Complaint with respect to the land herein described:

ALL that tract of land situate, lying and being in Liberty Township, Adams County, Pennsylvania, being Lot No. 59 in Section O, bounded and described as follows:

Charnita Area Section O Lot 59 as shown on the record of the Adams County Mapping Department, Subdivision Plan Book 1 at page 49.

Unless the same Defendant shall within thirty (30) days after publication of this Order commence an action in Ejectment

or other appropriate action to assert any claim they may have against the Plaintiffs herein; and upon the failure of the Defendant to commence such action against the Plaintiffs within thirty (30) days after said publication, the Prothonotary of Adams County, Pennsylvania is directed upon praecipe of the Plaintiffs to enter final judgment herein in favor of Plaintiffs and against Defendant pursuant to Pa.R.C.P. No. 1066 (b) (1) and to cause a true and attested copy of this Order and such final judgment to be recorded in the Office of Recorder of Deeds of Adams County, Pennsylvania, the same to be indexed in the name of the Defendant, Universal Life Church, Inc., its respective heirs, executors, administrators, successors and assigns, as GRANTOR and the names of the Plaintiffs, Lawrence E. McGlaughlin and D. Juene McGlaughlin, GRANTEES.

BY THE COURT,
/s/Michael A. George, Judge

5/12

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-229 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of improved real estate located at 50 East Middle Street and situate in the Borough of Gettysburg, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a crack in the sidewalk set back North 5 degrees 01 minute 50 seconds East, 9.6 feet from the curb line on the North side of East Middle Street, at corner of lot now or formerly of Howard Kitzmiller; thence by said lot of Howard Kitzmiller, North 5 degrees 01 minutes 50 seconds East, 184.09 feet to an existing iron pin and pipe on line of a twelve foot wide public alley; thence by the Southern side of said alley, South 84 degrees 45 minutes 00 seconds East, 17 feet to a railroad spike at corner of lot now or formerly of Anna S. Bracey; thence by said lot of Anna S. Bracey,

South 5 degrees 00 minutes 00 seconds West, 184 feet to a concrete nail set back 9.6 feet from the aforesaid curb line on the North side of East Middle Street; thence North 85 degrees 03 minutes 00 seconds West, 17.10 feet to the above described place of BEGINNING, CONTAINING 3,138 square feet.

The above description was obtained from a draft of survey prepared by J. Riley Redding, R.S., of Adams County Surveyors, dated August 10, 1980.

IT BEING the same tract of land which Kenneth M. Brown, by his deed dated October 20, 1983 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, sold and conveyed unto Thomas H. Weiant and Roberta J. Weiant, his wife, Mortgages herein.

Tax Parcel: (16) 010-0052

SEIZED and taken into execution as the property of **Thomas H. Weiant & Roberta J. Weiant** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

WOLLE VS. KENNIES MARKETS, INC.

1. After filing the complaint, original process must be served within thirty days upon a defendant residing in the Commonwealth of Pennsylvania.

2. Although filing a complaint is sufficient to toll the statute of limitations, failure to exercise good faith to effectuate service allows the statute of limitations to continue running.

3. Plaintiff has the burden to demonstrate its efforts to effectuate service over the defendant were taken in good faith and its actions were reasonable.

4. Mere filing of a praecipe for writ of summons, without additional affirmative action to effect service of the writ does not constitute good faith to notify a defendant that he is being sued and therefore is not sufficient to toll the statute of limitation.

5. Neglect and mistake of fulfilling the service requirements, even if unintentional, work to delay the legal process of affording the defendant notice of the action and constitute a lack of good faith.

6. Counsel's failure to correct filing defects and inability to remember deadlines for service of process indicates a lack of good faith.

7. Even though a Defendant may have actual notice of a lawsuit, unless he is properly served, the court does not have jurisdiction over him.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, CIVIL ACTION NO. 04-S-791. CRYSTAL S.
WOLLE VS. KENNIES MARKETS, INC.

John A. Vengorski, III, Esq., for Plaintiff

Gregory E. Cassimatis, Esq., for Defendant

Bigham, J., August 31, 2005

OPINION

STATEMENT OF FACTS

Crystal S. Wolle¹ (hereinafter referred to as "Plaintiff") filed a complaint against Defendant, Kennies Market, Inc. (hereinafter referred to as "Defendant"), claiming the Defendant was negligent for failing to plow or salt the parking lot and providing inadequate warning of the parking lot's hazardous conditions on December 5, 2002. Allegedly as a result of the parking lot's conditions, Plaintiff slipped and fell in Defendant's parking lot sustaining severe injuries. Plaintiff filed a complaint to initiate this civil action on August 5, 2004. The complaint was not served upon the Defendant, nor is there any record of

¹ Plaintiff signed the verification to the complaint as "Crystal S. Wolle" on 06/22/04. It is noted that the verification was signed after the Complaint was filed on 08/05/02. In addition, the pleadings following the initial praecipe to reinstate the Complaint filed on 12/09/04 have changed the Plaintiff's name from "Crystal S. Wolle" to "Crystal L. Wolle".

any attempt to serve the defendant until June 21, 2005, 320 days after filing the original complaint. For the reasons more fully set forth below, this Court sustains Defendant's preliminary objection on the basis of improper service of the complaint because Plaintiff has failed to demonstrate a good faith effort to serve the Defendant.

Plaintiff's counsel alleges the original complaint was never served on the Defendant because the Prothonotary's Office complained of a missing first page, which prevented presentation to the sheriff for service. Plaintiff's attorney claims he made several phone calls to the Prothonotary's Office but failed to resolve the problem or determine its exact cause. Plaintiff's counsel filed a praecipe to reinstate the complaint on December 9, 2004², 126 days after filing the original complaint. Again, the reissued complaint was not served on the Defendant, allegedly due to the Prothonotary's Office failing to provide plaintiff's counsel with a copy of the reissued Complaint. Two months later, in February of 2005, Plaintiff's counsel left his law firm of Stahl & Block and transferred to a new office. Plaintiff's counsel claims he did not realize defendant had not been served until moving into his new law office.

Another Praecipe to Reinstate the Complaint was filed on June 15, 2005 by plaintiff's counsel, 126 days after filing the first Praecipe to Reissue the Complaint. The Defendants were served for the first time on June 21, 2005 by personal service, which was 320 days after the original filing of the complaint.³ The events giving rise to the cause of action had occurred 929 days prior to the date the Defendant was served. Plaintiff's counsel does mention that he believed the Defendant was aware of pending litigation because a letter dated April 7, 2003 by The Cincinnati Insurance Companies, as agents and insurers of Defendant, denied all liability for the injury.

Defendant filed preliminary objections and a supporting brief to plaintiff's complaint on June 29, 2005. This Court ordered on July 11, 2005 that the preliminary objections would be decided on the parties' briefs. Plaintiff filed a reply to Defendant's Preliminary Objections and a Brief in Opposition of Defendant's Preliminary

²The Court recognizes that the Plaintiff incorrectly cited the date the praecipe to reinstate the complaint was filed as "on or about 08/08/04" in his brief in opposition of Defendant's Preliminary Objections.

³The Affidavit of Service filed with the Court incorrectly lists the caption for the plaintiff's name as "Crystal S. Wolle" instead of "Crystal S. Wolle".

Objections on August 1, 2005. Defendant raised the following preliminary objections: 1) improper service of the complaint; 2) motion to strike; 3) demurrer; and 4) motion for a specific pleading. Both parties briefed the issues regarding improper service of the complaint and the motion for a more specific pleading. For the reasons more fully set below, this Court will sustain Defendant's preliminary objections on the basis of improper service of the complaint and this case will be dismissed with prejudice.

LEGAL DISCUSSION

Defendant claims that the plaintiff improperly served the complaint because the statute of limitations period had expired prior to the date service was completed on June 21, 2005. Plaintiff believes she put forth a good faith effort to serve the defendant pursuant to *Lamp v. Heyman*, 469 Pa. 465, 366 A.2d 882 (1976) and subsequent case law barring claims for failure to serve within the statute of limitations period.

At the outset, this Court notes that the statute of limitations defense should be raised as "new matter" in a responsive pleading, rather than being raised as a preliminary objection. **Pa.R.C.P. 1030(a)**. When the Defendant improperly raises the statute of limitations as a defense in a preliminary objection, then Plaintiff's proper response should be to object to the use of raising this defense as a preliminary objection. *Farinacci v. Beaver County Industrial Dev. Auth.*, 510 Pa. 589, 511 A.2d 757, 759 (1986) (citations omitted). However, this Court will determine the merits of the statute of limitations defense when raised as a preliminary objection because the issue has already been briefed and considered by the Court. See *Lamp v. Heyman*, 469 Pa. 465, 366 A.2d 882 (1976); *Farinacci v. Beaver County Industrial Dev. Auth.*, 510 Pa. 589, 511 A.2d 757 (1986); *Cooper v. Dowingtown School Dist.*, , 238 Pa. Super. 404, 407, 357 A.2d 619, 621 (1976).

In Pennsylvania, a personal injury action must be commenced within the two year statute of limitations period. **42 Pa.C.S.A. § 5524(7)**. An action is commenced by either filing a complaint or a praecipe for writ of summons with the Prothonotary. **Pa.R.C.P. 1007**. After filing the complaint, original process must be served within thirty days upon a defendant residing within the Commonwealth of Pennsylvania. **Pa.R.C.P. 401(a)**. A complaint may be reissued at

anytime and any number of times but the reissued complaint must be served within thirty days after reissuance. **Pa.R.C.P. 401(b)(2), (4)**. Although filing a complaint is sufficient to toll the statute of limitations, failure to exercise good faith to effectuate service allows the statute of limitations to continue running. *Ksanznak v. First National Leasing*, 20 Pa.D&C 3d. 763, 767 (1980) citing *Lamp*, 469 Pa. at 477, 366 A.2d at 889.

Both parties agree, along with the trial court, this case is governed by the Pennsylvania Supreme Court decision in *Lamp* and its progeny. The holding in *Lamp* sets forth an exception to be applied in cases of reissuances:

there is too much potential for abuse in a rule which permits a plaintiff to keep an action alive without proper notice to a defendant merely by filing a praecipe for a writ of summons and then having the writ reissued in a timely fashion without attempting to effectuate service. In addition, we find that such a rule is inconsistent with the policy underlying statutes of limitation of avoiding stale claims, and with that underlying our court rules of making the processes of justice as speedy and efficient as possible.

Lamp, 469 Pa. at 477, 366 A.2d at 888-889.

The purpose of the holding in *Lamp* is to ensure a plaintiff makes a good-faith effort to notify the defendant and to avoid allowing the plaintiff to retain control over the defendant for a period longer than that permitted by the statute of limitations. *Lamp*, 469 Pa. at 478, 366 A.2d at 889. The thrust of the good-faith inquiry is whether plaintiff has engaged in a course of conduct to stall the legal machinery set in motion by the plaintiff. *Leidich v. Franklin*, 394 Pa. Super. 302, 575 A.2d 914, 918 (1990), citing *Lamp*, 469 Pa. at 478, 366 A.2d at 889.

Plaintiff has the burden to demonstrate its efforts to effectuate service over the defendant were taken in good faith and its actions were reasonable. *Shackelford v. Chester County Hosp.*, 456 Pa. Super. 359, 690 A.2d 732, 737 (1997). There is no mechanical approach in determining what constitutes good faith. *Shackelford*, 456 Pa. Super. at 365, 690 A.2d at 738. However, courts have made it clear that the:

Mere filing of a praecipe for writ of summons, without additional affirmative action to effect service of the writ does not constitute good faith to notify a defendant that he is being sued and therefore is not sufficient to toll the statute of limitations.

Feher v. Altman, 357 Pa. Super. 50, 515 A.2d 317, 318 (1986) (citations omitted).

Neglect and mistake of fulfilling the service requirements, even if unintentional, work to delay the legal process of affording the defendant notice of the action and constitute a lack of good faith. *Shackelford v. Chester County Hosp.*, 456 Pa. Super. at 365, 690 A.2d at 736 (citations omitted). Case law has established a Plaintiff stalls the legal machinery “by instructing either the prothonotary or the sheriff to hold the writ, by personally retaining the writ and not delivering it to the sheriff for service, or by neglecting to pay the sheriff his fee”. *Cahill v. Schults*, 434 Pa. Super. 332, 643 A.2d 121 (1994), *citing Green v. Vinglas*, 431 Pa. Super. 58, 64, 635 A.2d 1070, 1073 (1993) (*quoting Farinacci*, 510 Pa. at 593-93, 511 A.2d at 759); *Lamp*, 469 Pa. at 472, 366 A.2d at 886.

Plaintiff has failed to establish his efforts to effectuate service were reasonable and taken in good faith. There is no record at the Prothonotary’s Office indicating Plaintiff attempted service until 320 days after filing the original complaint. Plaintiff’s counsel alleges his failure to effectuate service after the original filing and first reissuance were due to missing papers, missing copies and miscommunications with the Prothonotary’s Office. In any case, Plaintiff failed to instruct the sheriff’s office to serve the complaint on the Defendant. Plaintiff’s counsel failed to resolve any of the issues and/or defects in his filings. Plaintiff’s counsel admits to forgetting service of process had not been effectuated until after he had relocated from his former law firm. Plaintiff’s counsel’s failure to correct filing defects and inability to remember deadlines for service of process indicates a lack of good faith.

Plaintiff’s reliance on the fact that a letter was received from The Cincinnati Insurance Companies, as agents and insurers of Defendant, denying all liability on April 7, 2003 is misplaced. Even though a Defendant may have actual notice of a lawsuit, unless he is properly served, the court does not have jurisdiction over him.

Commonwealth v. Stewart, 374 Pa. Super. 479, 487, 543 A.2d 572, 576 (1988). Plaintiff was required to follow the Pennsylvania Rules of Civil Procedure when initiating its civil action. Plaintiff's failure to properly serve the Defendant within thirty days after filing the original complaint, and again, failing to serve within thirty days after filing the first reissued complaint violates the Pennsylvania Rules of Civil Procedure. **Pa.R.C.P. 401(a),(b)(2),(4)**.

Accordingly, the attached Order is entered.

ORDER OF COURT

AND NOW, this 31st day of August 2005, in consideration of Defendant's Preliminary Objections requesting dismissal with prejudice for improper service of the complaint IT IS ORDERED THAT Defendant's preliminary objection on this basis is sustained because Plaintiff's counsel failed to demonstrate a good faith effort to serve the Defendants.

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
CASE NO. 05-S-950
Action to Quiet Title

LAWRENCE E. McGLAUGHLIN & D.
JUENE McGLAUGHLIN, Plaintiffs

vs.

ROBERT LEE SPICER, JR. &
DOROTHY W. SPICER, their respective
executors, heirs and/or assigns,
Defendants

ORDER OF COURT

AND NOW, this 19th day of April, 2006, it appearing that a Complaint with Notice to Defend was filed hereon on August 31, 2005, and that the same was served upon Defendants, Robert Lee Spicer, Jr. and Dorothy W. Spicer, by publication pursuant to Order of Court dated December 13, 2005, on date set forth in the attached Motion; and it further appearing that no appearance of record nor answer or other pleading has been filed on behalf of Defendants within the time allotted by law for the same, and therefore, upon motion of John A. Wolfe, Esq., Wolfe and Rice, LLC, attorneys for Plaintiffs,

IT IS HEREBY ORDERED AND DIRECTED that judgment by default be and the same is hereby entered in favor of Plaintiffs, Lawrence E. McLaughlin and D. Juene McLaughlin, and against Defendants, Robert Lee Spicer, Jr. and Dorothy W. Spicer, their respective executors, heirs and/or assigns.

AND IT IS FURTHER ORDERED AND DIRECTED that the said Defendants be and the same hereby are forever barred from asserting any right, title, interest or claim inconsistent with the right, title, interest and claim of Plaintiffs as set forth in the Complaint with respect to the land herein described:

ALL that tract of land situate, lying and being in Liberty Township, Adams County, Pennsylvania, being Lot No. 93 in Section AA, bounded and described as follows:

BEGINNING at a point in the center of Strausbaugh Trail at Lot No. 94; thence by said lot South 36 degrees 36 minutes 4 seconds West, 225 feet to Lot No. 77; thence by said lot and by Lot No. 78 North 53 degrees 23 minutes 56 seconds West, 100 feet to Lot No. 92; thence by said lot North 36 degrees 36 minutes 4 seconds East, 225 feet to a point in the center of said Strausbaugh Trail; thence in said Strausbaugh Trail South 53 degrees 23 minutes 56 seconds East, 100 feet to the place of BEGINNING.

The above description was taken from a plan of lots labeled "Section AA, Charnita" dated October 21, 1969, prepared by Evans, Hagan & Holdefer, and recorded in Adams County Plat Book No. 1 at page 59.

Unless the same Defendants shall within thirty (30) days after publication of this Order commence an action in Ejectment or other appropriate action to assert any claim they may have against the Plaintiffs herein; and upon the failure of the Defendants to commence such action against the Plaintiffs within thirty (30) days after said publication, the Prothonotary of Adams County, Pennsylvania is directed upon praecipe of the Plaintiffs to enter final judgment herein in favor of Plaintiffs and against Defendants pursuant to Pa.R.C.P. No. 1066 (b) (1) and to cause a true and attested copy of this Order and such final judgment to be recorded in the Office of Recorder of Deeds of Adams County, Pennsylvania, the same to be indexed in the name of the Defendants, Robert Lee Spicer, Jr. and Dorothy W. Spicer, their respective heirs, executors, administrators, successors and assigns, as GRANTORS and the names of the Plaintiffs, Lawrence E. McLaughlin and D. Juene McLaughlin, GRANTEES.

BY THE COURT,
/s/Michael A. George, Judge
5/12

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-423 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that townhouse lot, situate on the East side of South High Street, in the Borough of Arendtsville, Adams County, Pennsylvania, and known as Townhouse Lot No. 1, as improved, and being more specifically described as follows:

BEGINNING, at a steel pin in said South High Street at corner of lands of Carl L. Hecht, said steel pin being established on the subdivision plan hereinafter referred to: thence leaving said South High Street and by lands of Carl L. Hecht and through an existing axle set back 8.87 feet from the beginning hereof, North 78 degrees 49 minutes 53 seconds East, 258.12 feet to an existing axle at lands of Elson C. Grim; thence by lands of Elson C. Grim, South 13 degrees 38 minutes 20 seconds West 31.60 feet to a steel pin at lands of Clair F. Ditzler, Lot No. 2; thence by lands of Clair F. Ditzler, Lot No. 2, and through

the center of a party wall between townhouse lots 1 and 2, South 77 degrees 5 minutes 10 seconds West, 243.87 feet to a steel pin in South High Street; thence in said South High Street, North 12 degrees 55 minutes 25 seconds West, 36.04 feet to a steel pin in said South High Street, the point and place of BEGINNING.

The description for the aforesaid lot of ground was taken from a draft of survey prepared by Boyer Surveys, Richard W. Boyer, Professional Land Surveyor, dated April 16, 1987, as approved by the various Municipal Subdivisions and Commissions of Adams County and duly recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 49, Page 5, said lot being identified as Lot No. 1 thereof.

Premises being: 12 South High Street, Arendtsville, PA 17303

Tax Parcel No. 02-006-0125

SEIZED and taken into execution as the property of **Scott A. Heller & Kimberly A. Heller a/k/a Kimberly A. Slonaker** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-165 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT tract of land, situate, lying and being in the Borough of Littlestown, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the intersection of the inside line of the sidewalk on the East side of North Queen Street with the inside line of the sidewalk on the North side of Locust Street; thence by the inside line of the sidewalk on the East side of North Queen Street, North 68 degrees 15 minutes West, 32.00 feet to a railroad spike at lands now or formerly of Roger Keefer; thence by said lands now or formerly of Roger Keefer, North 51 degrees 12 minutes East, 73.70 feet to an "X" cut in the top of a concrete wall at lands now or formerly of Richard E. Barnes; thence by said lands now or formerly of Richard E. Barnes, South 37 degrees 46 minutes East, 42.63 feet to a steel pin in the inside line of the sidewalk on the North side of Locust Street; thence by the inside line of the sidewalk on the North side of Locust Street, South 59 degrees 27 minutes West, 74.00 feet to a point, the place of BEGINNING, CONTAINING 2,744 square feet.

BEING THE SAME PREMISES which Betty L. Anzengruber, single woman, by Deed dated April 30, 2001 and recorded in the Office of the Recorder of Deeds of Adams County on June 1, 2001 in Deed Book Volume 2301, Page 67, granted and conveyed unto Gregory V. Strickhouser, single man.

Grenen & Birsic, P.C.
Kristine M. Anthou, Esq.
Attorney for Plaintiff
One Gateway Center, Ninth Floor
Pittsburgh, PA 15222
(412) 281-7650

DBV 2301

Page 67

Parcel 8-101

Premises being: 27 N. Queen Street, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Gregory Strickhouser a/k/a Gregory V. Strickhouser** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the

Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-537 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of ground situate in Union Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the center line of Township Road T-449 (Basehoar School Road) at corner of Lot No. 11 on the draft of survey hereinafter referred to; thence along Lot No. 11, North 25 degrees 50 minutes 00 seconds East, passing through an iron pin 30.0 feet back from the beginning of this course, 305.00 feet to an iron pipe at other land of Charles Millard LeRoy Basehoar, et ux.; thence along same (which is designated as Lot #1) on the draft of survey hereinafter referred to South 64 degrees 10 minutes 00 seconds East, 150.00 feet to an iron pin on the West side of a fifty (50) foot access strip which leads from Basehoar School Road to Lot No. 1 retained by Charles Millard LeRoy Basehoar, et ux; thence along the West side of such fifty (50) foot access strip, South 25 degrees 50 minutes 00 seconds West, 280.00 feet to an iron pipe; thence continuing along said access strip, South 70 degrees 50 minutes 00 seconds West, 35.36 feet to a railroad spike in the center line of Basehoar School Road, thence in the center line of Basehoar School Road North 64 degrees 10 minutes 00 seconds West, 125.00 feet to a point, the place of BEGINNING. CONTAINING 1.043 acres.

IT BEING the same tract of land which Charles Millard LeRoy Basehoar and Jacqueline L. Basehoar, husband and wife, by deed dated September 18, 1987, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 469, page

342, granted and conveyed unto Barry Allen Cluck and Loretta S. Cluck, husband and wife, Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Steven A. Corkum and Susan J. Corkum, husband and wife, by Deed from Barry Allen Cluck and Loretta S. Cluck, husband and wife, dated 9-15-00 and recorded 9-15-00, in Deed Book 2126, Page 0159.

Premises being: 34 Basehoar School Road, Littlestown, PA 17340

Tax Parcel No. 41-J-16-0045

SEIZED and taken into execution as the property of **Steven A. Corkum a/k/a Steven A. Corkum, Sr. & Susan J. Corkum a/k/a Susan A. Corkum a/k/a Susan Joan Corkum** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION
NO. OC-138-03

In re: Mary A. Baumgardner

NOTICE OF PUBLIC SALE

NOTICE IS HEREBY GIVEN that Adams County National Bank, guardian of the estate of Mary A. Baumgardner, will sell at public sale the real estate of Mary A. Baumgardner at 2454 Chambersburg Road, Biglerville (Franklin Township), Pennsylvania. The sale is scheduled for May 23, 2006 at 7:00 p.m., at the premises.

Richard E. Thrasher
Attorney for Adams County
National Bank

5/5, 12 & 19

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF CLARENCE G. NACE, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executors: Carl H. Nace and Myrtle A. Satterfield, c/o Thomas M. Shultz, Esq., Shultz Law Firm, LLC, 215 Baltimore St., Hanover, PA 17331

Attorney: Thomas M. Shultz, Esq., Shultz Law Firm, LLC, 215 Baltimore Street, Hanover, PA 17331

ESTATE OF JEANNETTE LILLIAN STAMBAUGH, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executors: Anna Mae Cook, 321 Trolley Rd., York Springs, PA 17372; Spencer S. Stambaugh, P.O. Box 96, Aspers, PA 17304

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

SECOND PUBLICATION

ESTATE OF GRACE M. EMLET, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executor: Robert L. Emlet, 1174 Stone Jug Road, Biglerville, PA 17307

Attorney: Teeter, Teeter & Teeter, 108 W Middle St., Gettysburg, PA 17325

ESTATE OF THELMA A. HERZIG, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Susan J. Bowman, P.O. Box 145, Biglerville, PA 17307

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

ESTATE OF HARRIET I. LAWVER, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Co-Executrices: Louise L. Garverick, 117 Artillery Drive, Gettysburg, PA 17325; Jane L. Feister, P.O. Box 94, Arendtsville, PA 17303

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF MARY E. LUCABAUGH, DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Executors: Nevin S. Lucabaugh, 1425 Abbottstown Pike, Hanover, PA 17331; Nathan J. Lucabaugh, 1448 Abbottstown Pike, Hanover, PA 17331

Attorney: James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF DIANE L. MURPHY, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Kate Murphy Kershner, 2700 Mummasburg Rd., Gettysburg, PA 17325

Attorney: Tracy M. Sheffer, Esq., Battersby & Sheffer, P.O. Box 215, Fairfield, PA 17320

ESTATE OF SARAH L. TAYLOR, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executrix: Cathleen A. Knorr, 505 Knorr Road, Gettysburg, PA 17325

Attorney: Chester G. Schultz, Esq., 145 Baltimore Street, Gettysburg, PA 17325

ESTATE OF GOLDIE C. ZEIGLER, DEC'D

Late of the Borough of York Springs, Adams County, Pennsylvania

Executors: Lovina Hoff, P.O. Box 5, York Springs, PA 17372; John Everhart, 2301 Cranberry Road, York Springs, PA 17372

Attorney: Ronald J. Hagarman, Esq., 110 Baltimore Street, Gettysburg, PA 17325

THIRD PUBLICATION

ESTATE OF CLAIR L. AMSPACHER, DEC'D

Late of Hamilton Township, Adams County, Pennsylvania

Executors: Emily J. Hubley, 22 Clearview Road, Malvern, PA 19355; Sally A. Staub, 1027 Savoy Drive, Hanover, PA 17331; John C. E. Amspacher, 6 Raymond Circle, Downingtown, PA 19335

Attorney: Donald W. Dorr, Esq., Buchen, Wise & Dorr, 846 Broadway, Hanover, PA 17331

ESTATE OF LAURAM BARNES, DEC'D
Late of Mt. Pleasant Township, Adams County, Pennsylvania

Executrix: Charlotte E. Matthias, c/o Thomas M. Shultz, Esq., Shultz Law Firm, 215 Baltimore Street, Hanover, PA 17331

Attorney: Thomas M. Shultz, Esq., Shultz Law Firm, LLC, 215 Baltimore Street, Hanover, PA 17331

ESTATE OF MARY JANE BLACK, DEC'D

Late of the Borough of Bendersville, Adams County, Pennsylvania

Executors: Joyce Melhorn, Gary Black, and Janice Black VanMetre, c/o Worley & Worley, 225 Latimore Valley Rd., York Springs, PA 17372

Attorney: Daniel D. Worley, Esq., 225 Latimore Valley Rd., York Springs, PA 17372

ESTATE OF MADOLYN C. HEINEY, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Personal Representative: Trudy A. Wishard, 115 West Middle Street, Gettysburg, PA 17325

Attorney: G. Steven McKonly, Esq., 119 Baltimore Street, Hanover, PA 17331

ESTATE OF THERESA I. RIDER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrices: Mary Ann Rider, 810 Taneytown Road, Gettysburg, PA 17325; Virginia R. Bowling, 2641 York Road, Gettysburg, PA 17325

Attorney: Barbara Jo Entwistle, Esq., Pyle and Entwistle, 66 West Middle Street, Gettysburg, PA 17325

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1170 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those two (2) tracts of land situate lying and being in Union Township, Adams County, Pennsylvania more particularly bounded and described as follows:

Tract 1: BEGINNING at an iron stake on the Easterly edge of a public road leading to Route 194 South 3 degrees 15 minutes East 151 feet to an iron stake at lands now or formerly of Ernest D. Barnes thence by lands now or formerly of Barnes North 80 degrees 45 minutes East 208.50 feet to an iron stake at lands of same thence by same North 7 degrees 45 minutes West 149.8 feet to an iron stake thence South 83 degrees 45 minutes West 199.5 feet to an iron stake the place of BEGINNING. CONTAINING 0.70 acres more or less.

Tract 2: BEGINNING at a point on the Eastern side of Township Road T-452 at corner of other land now or formerly of Roger L. Holland and wife running through a flange axle located 25 feet from the place of beginning. North 82 degrees 22 minutes 14 seconds East 199.71 feet to a steel pin thence by the same and by land now or formerly of Myriad Matland South 7 degrees 44 minutes 16 seconds East (264.60) feet to a steel pin thence by land now or formerly of Harry H. Myers North 79 degrees 45 minutes East 538.35 feet to a steel pin thence by the same North 24 degrees 20 minutes 35 seconds West 286.98 feet to a steel pin; thence by land now or formerly of Donald K. Collins South 70 degrees 33 minutes 26 seconds West 226.79 feet to a steel pin; thence by the same and running through a flange axle located 19 feet from the end of this line North 26 degrees 33 minutes 53 seconds West 191.06 feet to a point in the center of a lane thence in the center of aid lane and by land now or formerly of Bernard N. Bathon et al, trustees South 70 degrees 31 minutes 52 seconds West 369.08 feet to a point along the Eastern side of Township Road T-452 South 1 degree 22 minutes 15 seconds East 94.00 feet to a point along the Eastern side of said Township Road at corner of land now or formerly of Roger L. Holland and wife the place of BEGINNING.

Tax Parcel #: J17-132

Premises being: 414 Mehring Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Susan G. Aldinger & Randolph R. Aldinger** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

NOTICE OF PUBLIC AUCTION

On Thursday, May 18, 2006, at 6:30 p.m., a public auction shall be held at 3610 Chambersburg Road (Franklin Township) Adams County, Pennsylvania. At the auction, the Gettysburg Area School District, owner, shall offer for sale a 2.121 acres, more or less, tract of real estate, with improvements thereon, with an address of 3610 Chambersburg Road, Biglerville, Pennsylvania, and as more particularly described in a Tax Claim Bureau Deed dated January 13, 2006, from the Tax Claim Bureau to the Gettysburg Area School District, which deed is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 4294 at page 211.

The public auction shall be conducted by Redding Auction Service. The property shall be offered with a reserve. The owner shall retain the right to reject any and all bids. The sale shall be subject to written conditions of sale which shall be read at the sale.

Any persons interested in bidding at the sale may contact Redding Auction Service (phone #717-334-6941).

Robert L. McQuaide,
Solicitor
(717) 337-1360

4/28, 5/5 & 12

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN of the filing in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, of the application for registration under the Fictitious Name act. The name of the business is GETTYSBURG BATTLE THEATER, with its principal place of business at 571 Steinwehr Avenue, Gettysburg, Pennsylvania 17325. The owner of the business is Ozenbaugh, LLC, a limited liability company with an address of 571 Steinwehr Avenue, Gettysburg, Pennsylvania 17325.

Wolfe & Rice, LLC
47 West High Street
Gettysburg, PA 17325
(717) 337-3754

5/12

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on or about April 5, 2006, for the incorporation of JACKSON AGOSTA, INC. under the Pennsylvania Corporation Law of 1988. The initial registered office of the corporation is 40 Fawn Trail, Fairfield, PA 17320.

Bernard A. Yannetti, Jr., Esq.
Hartman & Yannetti
Solicitors

5/12

Adams County Legal Journal

Vol. 47

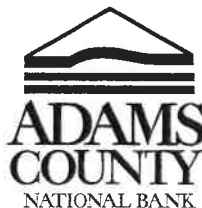
May 19, 2006

No. 52, pp. 315-319

IN THIS ISSUE

WOOD VS. WOOD

In times like these,
you and your clients need
the experience and expertise
provided by a trust professional.



Member FDIC

ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-423 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that townhouse lot, situate on the East side of South High Street, in the Borough of Arendtsville, Adams County, Pennsylvania, and known as Townhouse Lot No. 1, as improved, and being more specifically described as follows:

BEGINNING, at a steel pin in said South High Street at corner of lands of Carl L. Hecht, said steel pin being established on the subdivision plan hereinafter referred to, thence leaving said South High Street and by lands of Carl L. Hecht and through an existing axle set back 8.87 feet from the beginning hereof, North 78 degrees 49 minutes 53 seconds East, 258.12 feet to an existing axle at lands of Elson C. Grim; thence by lands of Elson C. Grim, South 13 degrees 38 minutes 20 seconds West 31.60 feet to a steel pin at lands of Clair F. Ditzler, Lot No. 2; thence by lands of Clair F. Ditzler, Lot No. 2, and through the center of a party wall between townhouse lots 1 and 2, South 77 degrees 5 minutes 10 seconds West, 243.87 feet to a steel pin in South High Street; thence in said South High Street, North 12 degrees 55 minutes 25 seconds West, 36.04 feet to a steel pin in said South High Street, the point and place of BEGINNING.

THE description for the aforesaid lot of ground was taken from a draft of survey prepared by Boyer Surveys, Richard W. Boyer, Professional Land Surveyor, dated April 16, 1987, as approved by the various Municipal Subdivisions and Commissions of Adams County and duly recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 49, Page 5, said lot being identified as Lot No. 1 thereof.

Premises being: 12 South High Street, Arendtsville, PA 17303

Tax Parcel No. 02-006-0125

SEIZED and taken into execution as the property of **Scott A. Heller &**

Kimberly A. Heller a/k/a Kimberly A. Slonaker and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-229 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of improved real estate located at 50 East Middle Street and situate in the Borough of Gettysburg, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a crack in the sidewalk set back North 5 degrees 01 minute 50 seconds East, 9.6 feet from the curb line on the North side of East Middle Street, at corner of lot now or formerly of Howard Kitzmiller; thence by said lot of Howard Kitzmiller, North 5 degrees 01 minutes 50 seconds East, 184.09 feet to an existing iron pin and pipe on line of a twelve foot wide public alley; thence by the Southern side of said alley, South 84 degrees 45 minutes 00 seconds East, 17 feet to a railroad spike at corner of lot now or formerly of Anna S. Bracey; thence by said lot of Anna S. Bracey, South 5 degrees 00 minutes 00 seconds West, 184 feet to a concrete nail set back 9.6 feet from the aforesaid curb line on

the North side of East Middle Street; thence North 85 degrees 03 minutes 00 seconds West, 17.10 feet to the above described place of BEGINNING. CONTAINING 3,138 square feet.

The above description was obtained from a draft of survey prepared by J. Riley Redding, R.S., of Adams County Surveyors, dated August 10, 1980.

IT BEING the same tract of land which Kenneth M. Brown, by his deed dated October 20, 1983 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, sold and conveyed unto Thomas H. Weiant and Roberta J. Weiant, his wife, Mortgagors herein.

Tax Parcel: (16) 010-0052

SEIZED and taken into execution as the property of **Thomas H. Weiant & Roberta J. Weiant** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

WOOD VS. WOOD

1. The party seeking a protective order must show good cause to protect them from unreasonable annoyance, embarrassment, oppression, burden or expense.
2. A particular need for the order must be shown by the moving party; merely alleging harm, unsubstantiated by specific examples of articulated reasoning is not sufficient.
3. Courts will presume full and fair disclosure had been made by the parties when the language of their agreement specifically provides that such disclosure has been made. However, the opposing party can rebut the presumption by presenting clear and convincing evidence of fraud or misrepresentation.
4. A party may obtain information regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, CIVIL ACTION NO. 05-S-321. HUGH E.
WOOD VS. NANCY GALE WOOD.

Rosemary A. McDermott, Esq., for Plaintiff
Timothy J. Shultis, Esq., for Defendant
Bigham, J., September 8, 2005

OPINION

STATEMENT OF FACTS

The parties to this action are proceeding with a divorce under Section 3301(c) of the Divorce Code. Prior to their marriage, both parties entered into a Premarital Agreement on February 10, 1990 in Virginia. Both parties entered into a Property Settlement Agreement and Agreement of Separation (hereinafter "Property Settlement Agreement") on February 18, 2005 in Pennsylvania.

Hugh E. Wood (hereinafter "Plaintiff") filed a divorce complaint on March 21, 2005. Nancy G. Wood (hereinafter "Defendant") filed a Petition to Overturn the Premarital Agreement and Post Separation Agreement on May 6, 2005. Defendant essentially claims the agreements should be void because they were entered into under misrepresentation and duress. Plaintiff filed a Response on June 8, 2005 and a Memorandum Opposing the Petition to Overturn Agreements on June 13, 2005. Plaintiff argues the agreements are binding on the parties because there was a full and fair disclosure of assets and Defendant had an opportunity to review the agreements.

A Pre-Trial Conference was held on June 13, 2005, at which time, this Court ordered the parties to complete discovery before a determination of the enforceability of either of the agreements would be made

in this matter. On June 24, 2005, Plaintiff served a set of interrogatories requesting information regarding Defendant's assets. Plaintiff filed a Motion for Protective Order on July 13, 2005 to prevent disclosure of Plaintiff's financial worth claiming it was irrelevant, beyond the scope of discovery, and an impermissible intrusion of privacy. On August 2, 2005, this Court requested the parties to file a Memorandum of Law and allowed either party to request oral argument. Neither party requested oral argument to be conducted on this matter.

Plaintiff filed a Brief Supporting his Motion for a Protective Order on August 10, 2005 arguing the financial worth of the parties at the time they signed the Premarital Agreement is irrelevant to the issues in this case. According to Plaintiff, the issues in this case are:

- 1) Is there a continuing fraud and misrepresentation in the Premarital Agreement since it defines as "separate property" what could be "marital property" under Pennsylvania law?
- 2) Was there full and fair disclosure of the parties' assets at the time of signing the Premarital Agreement?
- 3) Did wife sign the Premarital Agreement under duress?

Defendant filed a Brief in Opposition of the Motion for Protective Order on August 17, 2005 arguing the financial worth of the Plaintiff is relevant to determining whether there has been full and fair disclosure of assets at the time the parties entered into both agreements.

For the reasons more fully set below, this Court overrules Plaintiff's Motion for Protective Order because Plaintiff has failed to demonstrate good cause to limit discovery of Plaintiff's financial worth.

LEGAL DISCUSSION

Neither party cited in their briefs *Nigro v. Nigro*, 371 Pa. Super. 625, 538 A.2d 910 (1988), however, this Court finds it noteworthy. In *Nigro*, the husband filed a Motion for Protective Order in order to prevent his wife from discovering his "worth" at the time property settlement agreement was signed. *See Nigro*, 371 Pa. Super. at 627, 538 A.2d at 911. The wife argued their Property Settlement Agreement should be set aside because there was not full and fair disclosure of husband's worth and that she should be entitled to pursue discovery through interrogatories prior to the trial court ruling on the validity of the agreement. *Id.*, 317 Pa. Super. at 631, 538 A.2d at 914. The trial court in *Nigro* conducted a hearing on the petitions on

two separate occasions. *Id.*, 317 Pa. Super. at 627-628, 538 A.2d at 911-912. Since the trial court had all the information it needed to make a determination concerning the validity of the property settlement agreement, the trial court ruled on its validity without first allowing the wife to pursue discovery through interrogatories. *Id.*, 317 Pa. Super. at 631, 538 A.2d at 914.

The present case is distinguishable from *Nigro* because this Court has not conducted any hearing to take testimony of the parties.¹ Both parties have filed briefs, in support of or in opposition to the Motion for the Protective Order. Therefore, we must determine if Plaintiff's request to prevent disclosure of his financial worth should be granted in light of the evidence submitted in the briefs.

Plaintiff is seeking a Protective Order to prevent disclosure of his financial worth pursuant to Rule 4012 of Pennsylvania Rules of Civil Procedure. **Pa.R.C.P. 4012.** The party seeking a protective order must show good cause to protect them from "unreasonable annoyance, embarrassment, oppression, burden or expense". **Pa.R.C.P. 4012**; *See Christy v. Pennsylvania Turnpike Comm'n*, 157 F.R.D. 338 (E.D. Pa. 1994), *citing to Cipollena v. Liggett Group, Inc.*, 785 F.2d 1108, 1121 (3d Cir. 1986), *cert denied*, 484 U.S. 976, 108 S.Ct. 487, 98 L.Ed.2d 485 (1998). A particular need for the order must be shown by the moving party; merely alleging harm, "unsubstantiated by specific examples of articulated reasoning" is not sufficient. *Christy*, 157 F.R.D. at 339, *quoting Panola Land Buyers Ass'n. v. Shuman*, 762 F.2d 1550, 1559 (11th Cir. 1985).

Plaintiff has failed to demonstrate a "particular need" or "good cause" for this Court to prevent discovery into matters concerning his financial worth. Plaintiff has not argued the discovery request is unreasonable, annoying, embarrassing, oppressive, burdensome or expensive. *See Pa.R.C.P. 4012.* Instead, Plaintiff argues the financial worth of the parties at the time they entered into the agreements is irrelevant to the issue of whether there was full and fair disclosure of the parties' assets. Plaintiff believes his financial information is irrelevant because the court should presume that full and fair disclosure had been made because the language in the Premarital Agreement provides:

¹Unlike the trial court in *Nigro* which had the benefit of two hearings to develop the facts, this Court is not deciding whether the parties are bound by the agreement in question, but rather is deciding the issue of whether discovery is permitted.

Each party was provided with a fair and reasonable disclosure of all the property and financial obligations of the other party; Each is satisfied with all property and financial disclosures heretofore made by each to the other. Each party voluntarily and expressly waives any right to a disclosure of the property or financial obligations of the other party beyond the disclosure provided by this Agreement. The right to any disclosure not made by this Agreement is deemed waived by each party.

It is true that courts will presume full and fair disclosure had been made by the parties when the language of their agreement specifically provides that such disclosure has been made. However, the opposing party can rebut the presumption by presenting clear and convincing evidence of fraud or misrepresentation. *Sabad v. Fessenden*, 825 A.2d 682, 692, 2003 Pa. Super. 202 (2003). Information regarding the Plaintiff's financial worth at the time of the agreements is relevant to prove whether the amount of assets disclosed in the agreements is accurate. Defendant could not meet his burden of proof to show fraud, misrepresentation or duress without allowing discovery of Plaintiff's financial worth.

"Relevant evidence" is defined as "evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence". **Pa.R.E. 401**. A party may obtain information regarding "any matter, not privileged, which is relevant to the subject matter involved in the pending action". **Pa.R.C.P. 4003.1(a)**. Even when the information sought would be inadmissible at trial; it is relevant if the evidence is reasonably calculated to lead to the discovery of admissible evidence. **Pa.R.C.P. 4003.1(b)**.

Clearly, Plaintiff's financial worth at the time he entered into both the Premarital Agreement and the Property Settlement Agreement is relevant to the issue of whether full and fair disclosure of assets had been made by the parties. Even if the courts would presume full and fair disclosure had been made, the opposing party can present clear and convincing evidence of fraud, misrepresentation or duress. Defendant should not be denied his right to discovery because a rebuttable presumption of law applies to the facts. The argument advanced by the Plaintiff that his financial worth is irrelevant fails to

demonstrate good cause for this court to grant the Motion for Protective Order.

Accordingly, the attached Order is entered.

ORDER

AND NOW, this 8th day of September 2005, in consideration of Plaintiff's Motion for a Protective Order seeking to limit discovery regarding Plaintiff's financial worth IT IS ORDERED THAT the motion is overruled because Plaintiff failed to demonstrate good cause for the motion to be granted.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-165 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT tract of land, situate, lying and being in the Borough of Littlestown, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the intersection of the inside line of the sidewalk on the East side of North Queen Street with the inside line of the sidewalk on the North side of Locust Street; thence by the inside line of the sidewalk on the East side of North Queen Street, North 38 degrees 15 minutes West, 32.00 feet to a railroad spike at lands now or formerly of Roger Keefer; thence by said lands now or formerly of Roger Keefer, North 51 degrees 12 minutes East, 73.70 feet to an "X" cut in the top of a concrete wall at lands now or formerly of Richard E. Barnes; thence by said lands now or formerly of Richard E. Barnes, South 37 degrees 46 minutes East, 42.63 feet to a steel pin in the inside line of the sidewalk on the North side of Locust Street; thence by the inside line of the sidewalk on the North side of Locust Street, South 59 degrees 27 minutes West, 74.00 feet to a point, the place of BEGINNING. CONTAINING 2,744 square feet.

BEING THE SAME PREMISES which Betty L. Anzengruber, single woman, by Deed dated April 30, 2001 and recorded in the Office of the Recorder of Deeds of Adams County on June 1, 2001 in Deed Book Volume 2301, Page 67, granted and conveyed unto Gregory V. Strickhouser, single man.

Grenen & Birsic, P.C.
Kristine M. Anthou, Esq.
Attorney for Plaintiff
One Gateway Center, Ninth Floor
Pittsburgh, PA 15222
(412) 281-7650

DBV 2301

Page 67

Parcel 8-101

Premises being: 27 N. Queen Street, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Gregory Strickhouser a/k/a Gregory V. Strickhouser** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the

Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-537 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of ground situate in Union Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the center line of Township Road T-449 (Basehoar School Road) at corner of Lot No. 11 on the draft of survey hereinafter referred to; thence along Lot No. 11, North 25 degrees 50 minutes 00 seconds East, passing through an iron pin 30.0 feet back from the beginning of this course, 305.00 feet to an iron pipe at other land of Charles Millard LeRoy Basehoar, et ux.; thence along same (which is designated as Lot #1) on the draft of survey hereinafter referred to South 64 degrees 10 minutes 00 seconds East, 150.00 feet to an iron pin on the West side of a fifty (50) foot access strip which leads from Basehoar School Road to Lot No. 1 retained by Charles Millard LeRoy Basehoar, et ux; thence along the West side of such fifty (50) foot access strip, South 25 degrees 50 minutes 00 seconds West, 280.00 feet to an iron pipe; thence continuing along said access strip, South 70 degrees 50 minutes 00 seconds West, 35.36 feet to a railroad spike in the center line of Basehoar School Road; thence in the center line of Basehoar School Road North 64 degrees 10 minutes 00 seconds West, 125.00 feet to a point, the place of BEGINNING. CONTAINING 1.043 acres.

IT BEING the same tract of land which Charles Millard LeRoy Basehoar and Jacqueline L. Basehoar, husband and wife, by deed dated September 18, 1987, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 469, page

342, granted and conveyed unto Barry Allen Cluck and Loretta S. Cluck, husband and wife. Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Steven A. Corkum and Susan J. Corkum, husband and wife, by Deed from Barry Allen Cluck and Loretta S. Cluck, husband and wife, dated 9-15-00 and recorded 9-15-00, in Deed Book 2126, Page 0159.

Premises being: 34 Basehoar School Road, Littlestown, PA 17340

Tax Parcel No. 41-J-16-0045

SEIZED and taken into execution as the property of **Steven A. Corkum a/k/a Steven A. Corkum, Sr. & Susan J. Corkum a/k/a Susan A. Corkum a/k/a Susan Joan Corkum** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION
NO. OC-138-03

In re: Mary A. Baumgardner

NOTICE OF PUBLIC SALE

NOTICE IS HEREBY GIVEN that Adams County National Bank, guardian of the estate of Mary A. Baumgardner, will sell at public sale the real estate of Mary A. Baumgardner at 2454 Chambersburg Road, Biglerville (Franklin Township), Pennsylvania. The sale is scheduled for May 23, 2006 at 7:00 p.m., at the premises.

Richard E. Thrasher
Attorney for Adams County
National Bank

5/5, 12 & 19

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-117 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land lying and being in Mount Pleasant Township, Adams County, Pennsylvania, more fully and completely described as follows:

BEGINNING at a spike in the center of a public road known as Township Road No. T-467; thence along lands now or formerly of Dennis Bolin and through a steel pin at lands now or formerly of C. N. Gebhart; thence along same, North 19 degrees 24 minutes 30 seconds East, 104.62 feet to a steel pin near the Southerly edge of a lane; thence along and in the said land, North 72 degrees 54 minutes 36 seconds East, 149.41 feet to a spike in the intersection of the land and Township Road No. T-467; thence along and in the said Township Road No. T-467, South 13 degrees 00 minutes 20 seconds West, 161.56 feet to the place of BEGINNING.

The above description is taken from a draft of survey by Donald E. Worley, R.S., dated February 1, 1971.

IT BEING the same tract of land which LaSalle National Bank, by deed dated January 30, 2002, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 2554, page 270, granted and conveyed unto Roy E. Geisler, Jr. and Pearl T. Geisler, husband and wife, Grantors herein.

Being Parcel # 32-J14-0014-000

Premises: 474 Smoketown Road, Hanover, PA 17331, Adams County, Pennsylvania

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Jerry M. Geisler, by Deed from Roy E. Geisler, Jr. and Pearl T. Geisler, husband and wife, dated 03-31-04, recorded 04-06-04 in Deed Book 3518, page 123.

SEIZED and taken into execution as the property of Jerry M. Geisler and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing

thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/19, 26 & 6/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1170 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those two (2) tracts of land situate lying and being in Union Township, Adams County, Pennsylvania more particularly bounded and described as follows:

Tract 1: BEGINNING at an iron stake on the Easterly edge of a public road leading to Route 194 South 3 degrees 15 minutes East 151 feet to an iron stake at lands now or formerly of Ernest D. Barnes thence by lands now or formerly of Barnes North 80 degrees 45 minutes East 208.50 feet to an iron stake at lands of same thence by same North 7 degrees 45 minutes West 149.8 feet to an iron stake thence South 83 degrees 45 minutes West 199.5 feet to an iron stake the place of BEGINNING. CONTAINING 0.70 acres more or less.

Tract 2: BEGINNING at a point on the Eastern side of Township Road T-452 at corner of other land now or formerly of Roger L. Holland and wife running through a flange axle located 25 feet from the place of beginning. North 82 degrees 22 minutes 14 seconds East 199.71 feet to a steel pin thence by the same and by land now or formerly of Myriad Maitland South 7 degrees 44 minutes 16 seconds East (264.60) feet to a steel pin thence by land now or formerly of Harry H. Myers North 79 degrees 45 minutes East 538.35 feet to a steel pin thence by the same North 24 degrees 20 minutes 35 seconds West 286.98 feet to a steel pin; thence by land now or formerly of Donald K. Collins South 70 degrees 33 minutes 26 seconds West 226.79 feet to a steel pin; thence by the same and running through a flange axle located 19 feet from the end of this line North 26 degrees 33 minutes 53 seconds West 191.06 feet to a point in the center of a lane thence in the center of said lane and by land now or formerly of Bernard N. Bathon et al,

trustees South 70 degrees 31 minutes 52 seconds West 369.08 feet to a point along the Eastern side of Township Road T-452 South 1 degree 22 minutes 15 seconds East 94.00 feet to a point along the Eastern side of said Township Road at corner of land now or formerly of Roger L. Holland and wife the place of BEGINNING.

Tax Parcel #: J17-132

Premises being: 414 Mehring Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of Susan G. Aldinger & Randolph R. Aldinger and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

FICTITIOUS NAME NOTICE

NOTICE IS GIVEN that an Application for Registration of Fictitious Name was filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on April 26, 2006, pursuant to the Fictitious Name Act, setting forth that Miluza, LLC, of 340 Ridge Avenue, McSherrystown, PA 17344, is the only entity owning or interested in a business, the character of which is the sale of cell phones and cell phone service and that the name, style and designation under which said business is and will be conducted is PINNACLE WIRELESS and the location where said business is and will be conducted is 340 Ridge Avenue, McSherrystown, PA 17344.

Guthrie, Nonemaker, Yingst & Hart
Solicitor

5/19

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF SUSIE A. COLLINS a/k/a SUE A. COLLINS, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: G. Lawrence Hartman, Jr., 158 Georgetown Road, Littlestown, PA 17340

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF VERNAD. DENISAR, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Co-Executrices: Evelyn E. Hess, 1267 Locust Lane, Littlestown, PA 17340; Shirley M. Denisar, Box 104, McKnightstown, PA 17343

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF EDNA M. HAINES, DEC'D

Late of Hamilton Township, Adams County, Pennsylvania

Executrix: Doris L. Haines, 19 Courier Drive, Taneytown, MD 21787

Attorney: James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF HELEN FRANCES HOOPER a/k/a HELEN FRANCIS HOOPER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Administrator c.t.a.: Patrick B. Cullison, 18911 Brickstore Road, Hampstead, MD 21074

Attorney: Arthur J. Becker, Jr., Esq., Arthur J. Becker, Jr., P.C., 544 Carlisle Street, Hanover, PA 17331

ESTATE OF SARA H. KELLER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Emma S. Carey, 1370 Coon Road, Aspers, PA 17304

Attorney: Wendy Weikal-Beauchat, Esq., 63 West High St., Gettysburg, PA 17325

SECOND PUBLICATION

ESTATE OF CLARENCE G. NACE, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executors: Carl H. Nace and Myrtle A. Satterfield, c/o Thomas M. Shultz, Esq., Shultz Law Firm, LLC, 215 Baltimore St., Hanover, PA 17331

Attorney: Thomas M. Shultz, Esq., Shultz Law Firm, LLC, 215 Baltimore Street, Hanover, PA 17331

ESTATE OF JEANNETTE LILLIAN STAMBAUGH, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executors: Anna Mae Cook, 321 Trolley Rd., York Springs, PA 17372; Spencer S. Stambaugh, P.O. Box 96, Aspers, PA 17304

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

THIRD PUBLICATION

ESTATE OF GRACE M. EMLET, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executor: Robert L. Emllet, 1174 Stone Jug Road, Biglerville, PA 17307

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF THELMA A. HERZIG, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Susan J. Bowman, P.O. Box 145, Biglerville, PA 17307

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

ESTATE OF HARRIET I. LAWVER, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Co-Executrices: Louise L. Garverick, 117 Artillery Drive, Gettysburg, PA 17325; Jane L. Feister, P.O. Box 94, Arendtsville, PA 17303

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF MARY E. LUCABAUGH, DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Executors: Nevin S. Lucabaugh, 1425 Abbottstown Pike, Hanover, PA 17331; Nathan J. Lucabaugh, 1448 Abbottstown Pike, Hanover, PA 17331

Attorney: James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF DIANE L. MURPHY, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Kate Murphy Kershner, 2700 Mummasburg Rd., Gettysburg, PA 17325

Attorney: Tracy M. Sheffer, Esq., Battersby & Sheffer, P.O. Box 215, Fairfield, PA 17320

ESTATE OF SARAH L. TAYLOR, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executrix: Cathleen A. Knorr, 505 Knorr Road, Gettysburg, PA 17325

Attorney: Chester G. Schultz, Esq., 145 Baltimore Street, Gettysburg, PA 17325

ESTATE OF GOLDIE C. ZEIGLER, DEC'D

Late of the Borough of York Springs, Adams County, Pennsylvania

Executors: Lovina Hoff, P.O. Box 5, York Springs, PA 17372; John Everhart, 2301 Cranberry Road, York Springs, PA 17372

Attorney: Ronald J. Hagarman, Esq., 110 Baltimore Street, Gettysburg, PA 17325

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania for the purpose of obtaining a Certificate of Incorporation. The name of the corporation is SCHOOL EXPRESS, INC. with its principal office at 500 Herrs Ridge Rd., Gettysburg, PA 17325.

The corporation has been incorporated under the provisions of the Pennsylvania Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177.

Beauchat & Beauchat, L.L.C.
63 W. High Street
Gettysburg, PA 17325
Attorneys for the Corporation

5/19

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION
DOCKET NO. RT-6

IN RE: BRIAN ALEJANDRO ESTRADA,
A Minor

TO: MIGUEL ANGEL MARTINEZ

NOTICE

A Petition has been filed asking the Court to put an end to all rights you have to your child, Brian Alejandro Estrada. The Court has set a hearing to consider ending your rights to your child. That hearing will be held at the Adams County Court of Common Pleas, 111-117 Baltimore Street, Gettysburg, Pennsylvania 17325, in a Conference Room on the Second Floor on June 26, 2006 at 8:30 a.m. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you, and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

County Referral Office
Adams County Courthouse
111-117 Baltimore Street
Gettysburg, PA 17325
(717) 334-6781

Thomas E. Miller, Esq.
Miller & Shultis, P.C.
249 York Street
Hanover, PA 17331
(717) 630-8282
Attorney for Petitioners

5/19

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT
RT-6-06

IN RE: ADOPTION OF BRIAN ALEJANDRO ESTRADA

ORDER OF COURT

AND NOW, this 25th day of April, 2006, upon presentation of the within Petition for Involuntary Termination of Parental Rights, and in consideration thereof, IT IS ORDERED that a hearing on the matters set forth in said petition be held on the 26th day of June, 2006 at 8:30 a.m., in a conference room on the second floor of the Adams County Courthouse, 111 Baltimore Street, Gettysburg, Pennsylvania, at which time, date and place the petitioner and all interested parties shall appear and be heard.

Notice of said hearing shall be given to all parties whose rights are to be terminated at least (10) days prior to the hearing in accordance with Section 2513 of the Adoption Act and Rules of Court.

Christina M. Simpson, Esquire IS HEREBY APPOINTED and shall represent the child, Brian Alejandro Estrada, during the involuntary termination proceedings.

BY THE COURT,
/s/Robert G. Bigham
Judge

Thomas E. Miller, Esq.
Christina M. Simpson, Esq.

5/19

NOTICE

The BIGLERVILLE BOROUGH AUTHORITY, located at 33 Musselman Avenue, Biglerville, Pennsylvania, intends to file its Second Amendment to Articles of Incorporation under 53 Pa. C.S.A. §5605 with the Secretary of the Commonwealth. The Second Amendment extends the term of the Authority to December 31, 2055. The Second Amendment will be filed with the Secretary of the Commonwealth on or after May 26, 2006.

Robert L. McQuaide
Solicitor for the
Biglerville Borough Authority

5/19

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed in the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on the eighteenth day of April, 2006, for the purpose of incorporating a nonprofit corporation under the Pennsylvania Nonprofit Corporation Law of 1988.

The name of the corporation is: FIRST REGIMENT UNITED STATES SHARP-SHOOTERS COMPANY B, INC.

The purposes for which it has been organized are: exclusively for charitable, literary and educational purposes permitted within the scope of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. Without limiting the generality of the foregoing, the purposes of the Corporation shall be: (a) to educate the public about the First and Second Regiments of United States Sharpshooters during the American Civil War; (b) to stimulate and facilitate research initiatives that provide additional insight on the First and Second Regiments and the American Civil War in general; to locate, conserve and protect those resources associated with the men who served in the First and Second Regiments; and (d) to do all things which may be necessary, appropriate or convenient to the achievement of the foregoing purposes and which may lawfully be done by a nonprofit corporation under and pursuant to the laws of the Commonwealth of Pennsylvania and which are not otherwise prohibited by its Articles of Incorporation or Bylaws.

/s/Davis Lee Wright, Esq.
Solicitor
2207 Concord Pike #213
Wilmington, DE 19803-2908

5/19

Adams County Legal Journal

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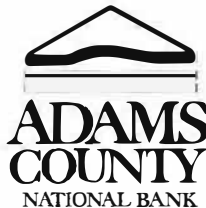
May 26, 2006

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-423 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that townhouse lot, situate on the East side of South High Street, in the Borough of Arendtsville, Adams County, Pennsylvania, and known as Townhouse Lot No. 1, as improved, and being more specifically described as follows:

BEGINNING, at a steel pin in said South High Street at corner of lands of Carl L. Hecht, said steel pin being established on the subdivision plan hereinafter referred to; thence leaving said South High Street and by lands of Carl L. Hecht and through an existing axle set back 8.87 feet from the beginning hereof, North 78 degrees 49 minutes 53 seconds East, 258.12 feet to an existing axle at lands of Elson C. Grim; thence by lands of Elson C. Grim, South 13 degrees 38 minutes 20 seconds West 31.60 feet to a steel pin at lands of Clair F. Ditzler, Lot No. 2; thence by lands of Clair F. Ditzler, Lot No. 2, and through the center of a party wall between townhouse lots 1 and 2, South 77 degrees 5 minutes 10 seconds West, 243.87 feet to a steel pin in South High Street; thence in said South High Street, North 12 degrees 55 minutes 25 seconds West, 36.04 feet to a steel pin in said South High Street, the point and place of BEGINNING.

The description for the aforesaid lot of ground was taken from a draft of survey prepared by Boyer Surveys, Richard W. Boyer, Professional Land Surveyor, dated April 16, 1987, as approved by the various Municipal Subdivisions and Commissions of Adams County and duly recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 49, Page 5, said lot being identified as Lot No. 1 thereof.

Premises being: 12 South High Street, Arendtsville, PA 17303

Tax Parcel No. 02-006-0125

SEIZED and taken into execution the property of **Scott A. Heller &**

Kimberly A. Heller a/k/a Kimberly A. Slonaker and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for proper ty on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-229 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of improved real estate located at 50 East Middle Street and situate in the Borough of Gettysburg, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a crack in the sidewalk set back North 5 degrees 01 minute 50 seconds East, 9.6 feet from the curb line on the North side of East Middle Street, at corner of lot now or formerly of Howard Kitzmiller; thence by said lot of Howard Kitzmiller, North 5 degrees 01 minutes 50 seconds East, 184.09 feet to an existing iron pin and pipe on line of a twelve foot wide public alley; thence by the Southern side of said alley, South 84 degrees 45 minutes 00 seconds East, 17 feet to a railroad spike at corner of lot now or formerly of Anna S. Bracey; thence by said lot of Anna S. Bracey, South 5 degrees 00 minutes 00 seconds West, 184 feet to a concrete nail set back 9.6 feet from the aforesaid curb line on

the North side of East Middle Street; thence North 85 degrees 03 minutes 00 seconds West, 17.10 feet to the above described place of BEGINNING. CONTAINING 3,138 square feet.

The above description was obtained from a draft of survey prepared by J. Riley Redding, R.S., of Adams County Surveyors, dated August 10, 1980.

IT BEING the same tract of land which Kenneth M. Brown, by his deed dated October 20, 1983 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, sold and conveyed unto Thomas H. Weiant and Roberta J. Weiant, his wife, Mortgagors herein.

Tax Parcel: (16) 010-0052

SEIZED and taken into execution as the property of **Thomas H. Weiant & Roberta J. Weiant** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for proper ty on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

MOYER VS. PENNDOT

1. The aim of a court in statutory construction is to ascertain and effectuate the legislature's intent.

2. Critically, verbal inaccuracies or clerical misprints may be corrected by a court in the construction of a statute whenever the same is necessary to carryout the intention of the legislature. When a plain clerical error represents a probable absurdity, a court may correct the error if it can do so without doing violence to the clear intention of the legislature.

3. The provisions of the Vehicle Code are remedial in nature. As such, they must be liberally construed to affect their objects and to promote justice.

4. A review of the historical evolution of current Section 1532 of 75 Pa.C.S.A. clearly reveals the grammatical error in the enactment of this Section.

5. Review of the original language of Section 1532 (c) reflects that the clear legislative intent was to make subsection (c) applicable to both convictions and adjudications of delinquency notwithstanding the typographical error referencing paragraph (1).

6. Clearly, interpreting Section 1532 as being applicable to both convictions and adjudications related to violations of the Drug Act is consistent with the legislative goal. Moreover, a broad interpretation of this Section is consistent with the Department's historical interpretation of the provisions of Section 1532(c).

7. An agency's interpretation of its regulatory statutory is to be given considerable weight and deference by a reviewing court.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, CIVIL ACTION NO. 05-S-422. TINA MARIE
MOYER VS. COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF TRANSPORTATION.

Plaintiff *pro se*

George H. Kabusk, Esq., for Defendant

George, J., September 13, 2005

OPINION

The issue before the Court is whether the Pennsylvania Department of Transportation is authorized by the Pennsylvania Motor Vehicle Code to suspend the operating privileges of a person who has been adjudicated delinquent for delivering a controlled substance in violation of Section 13(a)(30) of the Controlled Substance, Drug, Device and Cosmetic Act. There are no factual issues in dispute as the record reveals that an adjudication of delinquency occurred on October 13, 2004. Rather, the issue is purely legal and involves whether the Department acted within the grant of its

statutory authority.¹ Specifically, the issue involves the interpretation of the enabling legislation.

The Department justifies the suspension of the Appellant's operating privileges based upon the authority set forth at 75 Pa.C.S.A. § 1532. Section 1532(c) provides:

(c) **SUSPENSION.** --The department shall suspend the operating privilege of any person upon receiving a certified record of the person's conviction of any offense involving the possession, sale, delivery, offering for sale, holding for sale or giving away of any controlled substance under the laws of the United States, this Commonwealth or any other state, or any person 21 years of age or younger upon receiving a certified record of the person's conviction or adjudication of delinquency under 18 Pa.C.S. § 2706 (relating to terroristic threats) committed on any school property, including any public school grounds, during any school-sponsored activity or on any conveyance providing transportation to a school entity or school-sponsored activity.

(1) The period of suspension shall be as follows:

- (i) For a first offense, a period of six months from the date of the suspension.
- (ii) For a second offense, a period of one year from the date of the suspension.
- (iii) For a third and any subsequent offense thereafter, a period of two years from the date of the suspension.

(2) For the purposes of this subsection, the term "conviction" shall include any conviction or adjudication of delinquency for any of the offenses listed in paragraph (1), whether in this Commonwealth or any other Federal or state court.

¹ Where the Department's suspension of an operator's driving privilege is based upon statutory authority permitting suspension subsequent to a conviction, the only issues to be considered on appeal are: (1) whether the licensee was in fact convicted and (2) whether the Department acted in accordance with the Vehicle Code. *Dep't of Transp., Bureau of Driver Licensing v. Zavodsky*, 637 A.2d 673 (Pa.Cmwlth. 1994).

The precise issue before the Court concerns the meaning of “conviction” as used in subsection (c). Although that subsection discusses both convictions and adjudications of delinquency, the latter is linked only to violations under 18 Pa. C.S. § 2706 (relating to terroristic threats). An attempt in subsection (c)(23) to provide clarification defines “conviction” as “offenses listed in paragraph (1).” The crux of the problem is apparent in that paragraph (1) does not list any offenses. It becomes necessary, therefore, to consider the rules of statutory construction in interpreting this poorly written and ambiguous legislation.

The aim of a court in statutory construction is to ascertain and effectuate the legislature’s intent. 1 Pa.C.S.A. § 1921(a); *Kmonk-Sullivan v. State Farm Mut. Auto Ins. Co.*, 746 A.2d 1118, 1120-21 (Pa.Super. 1999). When words in a statute are ambiguous, courts may consider, among other matters:

[T]he occasion and necessity for the statute, the circumstances under which it was enacted, the mischief to be remedied, the object to be attained, the former law, if any, including other statutes upon the same or similar subjects, the consequences of a particular interpretation, the contemporaneous legislative history and legislative administrative interpretations of the statute.

Meier v. Maleski, 670 A.2d 755, 759 (Pa.Cmwlth. 1996) (citing 1 Pa.C.S. § 1921(c)(1-8)). Critically, verbal inaccuracies or clerical misprints may be corrected by a court in the construction of a statute whenever the same is necessary to carry out the intention of the legislature. 1 Pa.C.S.A. § 1923. When a plain clerical error presents a probable absurdity, a court may correct the error if it can do so without doing violence to the clear intention of the legislature. *Lancaster County v. City of Lancaster*, 32 A. 567, 568 (Pa. 1895).

Interpretation of 75 Pa.C.S.A. § 1532 is further guided by our appellate courts’ instruction that the provisions of the Vehicle Code are remedial in nature. *Harrington v. Dep’t of Transp., Bureau of Driver Licensing*, 763 A.2d 386, 391 (Pa. 2000); *Occhibone v. Dep’t of Transp., Bureau of Driver Licensing*, 645 A.2d 327, 331 (Pa.Cmwlth. 1994) (en banc), aff’d, 669 A.2d 326 (Pa. 1995). As such, they must be liberally construed to affect their objects and to promote justice. See generally 1 Pa.C.S.A. § 1928.

A review of the historical evolution of current Section 1532 clearly reveals the grammatical error in the enactment of this Section. The original legislation was enacted in 1976; however, did not include any language concerning the subject matter currently before the Court. Despite numerous amendments over the years, the language encompassed under subsection (c) was not added until 1993. P.L. 408, No. 58, July 2, 1993. This 1993 Amendment did not include any language related to a violation under Section 18 Pa.C.S. § 2706 (relating to terroristic threats) nor did the language of subsection (c) distinguish between a conviction or an adjudication of delinquency. Rather, the original enabling legislation relied upon the definition set forth currently in subsection (c)(2).² This review of the original language of Section 1532(c) reflects that the clear legislative intent was to make subsection (c) applicable to both convictions and adjudications of delinquency notwithstanding the typographical error referencing paragraph (1).

A relevant amendment to Section 1532 occurred in 1999 when the legislature added the language to subsection (c) which redundantly refers to an adjudication of delinquency under 18 Pa.C.S. § 2706 (relating to terroristic threats). Although, upon cursory review, this language appears to have significance in specifying the need for adjudication under a recklessly endangerment violation, a review of the evolution of this section reveals nothing more than poor draftsmanship.

² Act 58 of 1993 amended Section 1532 as follows:

(c) **SUSPENSION.** --The department shall suspend the operating privilege of any person upon receiving a certified record of the person's conviction of any offense involving the possession, sale, delivery, offering for sale, holding for sale or giving away of any controlled substance under the laws of the United States, this Commonwealth or any other state.

(1) the period of suspension shall be as follows:

(i) For a first offense, a period of six months from the date of the suspension.

(ii) For a second offense, a period of one year from the date of the suspension.

(iii) For a third and any subsequent offense, a period of two years from the date of the suspension.

(2) for the purpose of this subsection, the term "conviction" shall include any conviction or adjudication of delinquency for any of the offenses listed in paragraph (1), whether in this Commonwealth or in any other federal or state court.

Undoubtedly, the goal of this legislation is to prevent the proliferation of drug abuse. See *Plowman v. Dep't of Transp., Bureau of Driver Licensing*, 635 A.2d 124, 127 (Pa. 1993). Clearly, interpreting this section as being applicable to both convictions and adjudications related to violations of the Drug Act is consistent with the legislative goal. Moreover, a broad interpretation of this Section is consistent with the Department's historical interpretation of the provisions of Section 1532(c). See *Highway News, Inc. v. Dep't of Transp.*, 789 A.2d 802 (Pa.Cmwlth. 2002) (an agency's interpretation of its regulatory statute is to be given considerable weight and deference by a reviewing court). On the other hand, a narrow interpretation based upon the error in draftsmanship would act only to frustrate the obvious intent of the legislature and the remedial effect of the legislation.

For the foregoing reasons, the attached Order is entered.

ORDER OF COURT

AND NOW, this 13th day of September, 2005, the appeal in this matter is dismissed. The action of the Department of Transportation is affirmed.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-165 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT tract of land, situate, lying and being in the Borough of Littlestown, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the intersection of the inside line of the sidewalk on the East side of North Queen Street with the inside line of the sidewalk on the North side of Locust Street; thence by the inside line of the sidewalk on the East side of North Queen Street, North 38 degrees 15 minutes West, 32.00 feet to a railroad spike at lands now or formerly of Roger Keefer; thence by said lands now or formerly of Roger Keefer, North 51 degrees 12 minutes East, 73.70 feet to an "X" cut in the top of a concrete wall at lands now or formerly of Richard E. Barnes; thence by said lands now or formerly of Richard E. Barnes, South 37 degrees 46 minutes East, 42.63 feet to a steel pin in the inside line of the sidewalk on the North side of Locust Street; thence by the inside line of the sidewalk on the North side of Locust Street, South 59 degrees 27 minutes West, 74.00 feet to a point, the place of BEGINNING. CONTAINING 2,744 square feet.

BEING THE SAME PREMISES which Betty L. Anzengruber, single woman, by Deed dated April 30, 2001 and recorded in the Office of the Recorder of Deeds of Adams County on June 1, 2001 in Deed Book Volume 2301, Page 67, granted and conveyed unto Gregory V. Strickhouser, single man.

Grenen & Birsic, P.C.
Kristine M. Anthou, Esq.
Attorney for Plaintiff
One Gateway Center, Ninth Floor
Pittsburgh, PA 15222
(412) 281-7650

DBV 2301

Page 67

Parcel 8-101

Premises being: 27 N. Queen Street, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Gregory Strickhouser a/k/a Gregory V. Strickhouser** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the

Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-537 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of ground situate in Union Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the center line of Township Road T-449 (Basehoar School Road) at corner of Lot No. 11 on the draft of survey hereinafter referred to; thence along Lot No. 11, North 25 degrees 50 minutes 00 seconds East, passing through an iron pin 30.0 feet back from the beginning of this course, 305.00 feet to an iron pipe at other land of Charles Millard LeRoy Basehoar, et ux.; thence along same (which is designated as Lot #1) on the draft of survey hereinafter referred to South 64 degrees 10 minutes 00 seconds East, 150.00 feet to an iron pin on the West side of a fifty (50) foot access strip which leads from Basehoar School Road to Lot No. 1 retained by Charles Millard LeRoy Basehoar, et ux; thence along the West side of such fifty (50) foot access strip, South 25 degrees 50 minutes 00 seconds West, 280.00 feet to an iron pipe; thence continuing along said access strip, South 70 degrees 50 minutes 00 seconds West, 35.36 feet to a railroad spike in the center line of Basehoar School Road; thence in the center line of Basehoar School Road North 64 degrees 10 minutes 00 seconds West, 125.00 feet to a point, the place of BEGINNING. CONTAINING 1.043 acres.

IT BEING the same tract of land which Charles Millard LeRoy Basehoar and Jacqueline L. Basehoar, husband and wife, by deed dated September 18, 1987, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 469, page

342, granted and conveyed unto Barry Allen Cluck and Loretta S. Cluck, husband and wife, Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Steven A. Corkum and Susan J. Corkum, husband and wife, by Deed from Barry Allen Cluck and Loretta S. Cluck, husband and wife, dated 9-15-00 and recorded 9-15-00, in Deed Book 2126, Page 0159.

Premises being: 34 Basehoar School Road, Littlestown, PA 17340

Tax Parcel No. 41-J-16-0045

SEIZED and taken into execution as the property of **Steven A. Corkum a/k/a Steven A. Corkum, Sr. & Susan J. Corkum a/k/a Susan A. Corkum a/k/a Susan Joan Corkum** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Pennsylvania Department of State on April 10, 2006 for the purpose of obtaining a Certificate of Incorporation of a proposed non-profit corporation, to be organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is GETTYSBURG AREA EDUCATION FOUNDATION and its purpose is to promote charitable, educational and athletic purposes and goals.

Robert L. McQuaide
Attorney for the Corporation
Suite 204, 18 Carlisle Street
Gettysburg, PA 17325

5/26

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-117 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land lying and being in Mount Pleasant Township, Adams County, Pennsylvania, more fully and completely described as follows:

BEGINNING at a spike in the center of a public road known as Township Road No. T-467; thence along lands now or formerly of Dennis Bolin and through a steel pin at lands now or formerly of C. N. Gebhart; thence along same, North 19 degrees 24 minutes 30 seconds East, 104.62 feet to a steel pin near the Southerly edge of a lane; thence along and in the said land, North 72 degrees 54 minutes 36 seconds East, 149.41 feet to a spike in the intersection of the land and Township Road No. T-467; thence along and in the said Township Road No. T-467, South 13 degrees 00 minutes 20 seconds West, 161.56 feet to the place of BEGINNING.

The above description is taken from a draft of survey by Donald E. Worley, R.S., dated February 1, 1971.

IT BEING the same tract of land which LaSalle National Bank, by deed dated January 30, 2002, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 2554, page 270, granted and conveyed unto Roy E. Geisler, Jr. and Pearl T. Geisler, husband and wife, Grantors herein.

Being Parcel # 32-J14-0014-000

Premises: 474 Smoketown Road, Hanover, PA 17331, Adams County, Pennsylvania

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Jerry M. Geisler, by Deed from Roy E. Geisler, Jr. and Pearl T. Geisler, husband and wife, dated 03-31-04, recorded 04-06-04 in Deed Book 3518, page 123.

SEIZED and taken into execution as the property of **Jerry M. Geisler** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing

thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/19, 26 & 6/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1170 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 23rd day of June, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those two (2) tracts of land situate lying and being in Union Township, Adams County, Pennsylvania more particularly bounded and described as follows:

Tract 1: BEGINNING at an iron stake on the Easterly edge of a public road leading to Route 194 South 3 degrees 15 minutes East 151 feet to an iron stake at lands now or formerly of Ernest D. Barnes thence by lands now or formerly of Barnes North 80 degrees 45 minutes East 208.50 feet to an iron stake at lands of same thence by same North 7 degrees 45 minutes West 149.8 feet to an iron stake thence South 83 degrees 45 minutes West 199.5 feet to an iron stake the place of BEGINNING. CONTAINING 0.70 acres more or less.

Tract 2: BEGINNING at a point on the Eastern side of Township Road T-452 at corner of other land now or formerly of Roger L. Holland and wife running through a flange axle located 25 feet from the place of beginning. North 82 degrees 22 minutes 14 seconds East 199.71 feet to a steel pin thence by the same and by land now or formerly of Myriad Maitland South 7 degrees 44 minutes 16 seconds East (264.60) feet to a steel pin thence by land now or formerly of Harry H. Myers North 79 degrees 45 minutes East 538.35 feet to a steel pin thence by the same North 24 degrees 20 minutes 35 seconds West 286.98 feet to a steel pin; thence by land now or formerly of Donald K. Collins South 70 degrees 33 minutes 26 seconds West 226.79 feet to a steel pin; thence by the same and running through a flange axle located 19 feet from the end of this line North 26 degrees 33 minutes 53 seconds West 191.06 feet to a point in the center of a lane thence in the center of said lane and by land now or formerly of Bernard N. Bathon et al. trustees South 70 degrees 31 minutes 52 seconds West 369.08 feet to a point along the Eastern

side of Township Road T-452 South 1 degree 22 minutes 15 seconds East 94.00 feet to a point along the Eastern side of said Township Road at corner of land now or formerly of Roger L. Holland and wife the place of BEGINNING.

Tax Parcel #: J17-132

Premises being: 414 Mehring Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Susan G. Aldinger & Randolph R. Aldinger** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/12, 19 & 26

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
No. 06-S-524

In Re: Thomas B. Scheivert and Judith E. Smith, Petitioners

NOTICE

NOTICE IS HEREBY GIVEN that on May 11, 2006, the petition of Thomas B. Scheivert and Judith E. Smith was filed in the above-named court, requesting an order to determine ownership of their 1989 DeRose "Amherst" mobile home, bearing Serial No. 29452, Model No. A76F2FB2B.

The Court has fixed the 20th day of June, 2006, at 8:30 A.M., in Courtroom No. 1 of the Adams County Courthouse, Gettysburg, Pennsylvania, as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any, why the request of the Petitioners should not be granted.

/s/Edward G. Puhl, Esq.
Attorney for Petitioners
220 Baltimore Street
Gettysburg, PA 17325
(717) 334-2159

5/26

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-222 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of July, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land, together with improvements thereon erected, lying and being and situate in the Borough of Abbottstown, Adams County, Pennsylvania, more particularly described as follows:

BEGINNING at a point at High Street at Lot No. 3 now or formerly of George Hoffeirs; thence by the same North fourteen and one-fourth (14-1/4) degrees West one hundred eighty-one and five-tenths (181.5) feet to a point at fourteen (14) foot wide alley; thence along said alley North seventy-five and three-fourths (75-3/4) degrees East sixty-six (66) feet to a stone at another fourteen (14) foot wide alley; thence along the last mentioned alley South fourteen and one-fourth (14-1/4) degrees East one hundred eighty-one and five-tenths (181.5) feet to a stone at High Street aforesaid; thence along High Street South seventy-five and three-fourths (75-3/4) degrees to a point, the place of BEGINNING.

IT BEING known as Lot No. 4 on a plan of lots as laid out by Z. E. Craumer, Surveyor, on January 14, 1928, as the land of Grant Freed.

IT BEING the same tract of land which Carol M. Drenzo, Administratrix of the Estate of Adriana N. Drenzo, by deed dated April 30, 1997 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania in Record Book 1365, page 305, granted and conveyed unto David R. Kirby and Sandra L. Kirby, husband and wife, Grantors herein.

This is a conveyance between husband and wife.

AND the said grantors hereby covenant and agree that they and each of them will warrant specially the property hereby conveyed.

Being known as: 249 High Street, Abbottstown, PA 17301

Property ID No.: 1-3-20

TITLE TO SAID PREMISES IS VESTED IN David R. Kirby by Deed from David R. Kirby and Sandra L. Kirby, husband and wife dated 6/23/00 recorded 6/29/00 in Deed Book 2078 Page 20.

SEIZED and taken into execution as the property of **David R. Kirby** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 21, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/26, 6/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-280 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of July, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

BEGINNING at a point in the Frederick Pike, Pennsylvania Route 194, at corner of lands now or formerly of William A. Parsons; thence by said lands now or formerly of William A. Parsons, South 55 degrees 19 minutes 52 seconds East, 182.48 feet to a steel pin; thence by same, South 45 degrees 24 minutes 18 seconds East, 203.04 feet to a steel pin at corner of lands now or formerly of the Township of Germany; thence by said lands now or formerly of the Township of Germany, South 34 degrees 40 minutes 08 seconds West, 255.00 feet to an existing steel pin along line of lands now or formerly of the Township of Germany and at corner of lands now or formerly of Jerry L. Stambaugh; thence by said lands now or formerly of Jerry L. Stambaugh and lands now or formerly of Kenneth L. Stambaugh, North 55 degrees 19 minutes 52 seconds West, 200 feet to an existing steel pin at corner of Lot No. 4; thence by said Lot No. 4 North 34 degrees 40 minutes 08 seconds East, 141.32 feet to a steel pin set; thence by same, North 55 degrees 19 minutes 52 seconds West, 214.98 feet to a point in the right of way line of Frederick Pike, Pennsylvania Route 194, thence in said Frederick Pike, Pennsylvania Route 194, North 49 degrees 41 minutes 22 seconds East, 84.06 feet to a point; thence by same, North 43 degrees 41 minutes 39 seconds East, 68.34 feet to a point at corner of other lands now or formerly of William A. Parsons, the point and place of BEGINNING. CONTAINING 1.923 Acres.

BEING Lot No. 3 on the plan of lots entitled "Final Subdivision Plan for: William A. & Sandra S. Parsons", prepared by Mort, Brown and Associates, dated February 12, 1990 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 55 at page 33.

This conveyance is made subject to coal, oil, gas, mineral and mining rights and all rights and privileges incident to the mining of coal heretofore conveyed or reserved of record. Further subject to all restrictions, reservations, rights of way, easements for public utilities and building line as may be shown on the recorded plan in prior instruments of record.

Being known as: 1360 Frederick Pike, Littlestown, PA 17340

Property ID No.: 15-118-16L

TITLE TO SAID PREMISES IS VESTED IN Mary L. Garrison and William Garrison, mother and son, as joint tenants with the right of survivorship by deed from Mary L. Garrison dated 11/21/02 recorded 12/2/02 in Deed Book 2893 Page 97.

SEIZED and taken into execution as the property of **Mary L. Garrison & William Garrison** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 21, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/26, 6/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-68 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of July, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that improved tract of land situate in Straban Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of the York Road, being U.S. Route 30, at the Northwest corner of land now or formerly of Earl Leatherman; thence along said Leatherman land and through an existing reference pipe set back along the line 42.20 feet from the point of beginning, South 7 degrees 18 minutes 50 seconds East, 305 feet to an existing steel rod; thence by land now or formerly of Earl Leatherman and land now or formerly of Charles Scamack, North 77 degrees 35 minutes 00 seconds East, 272.44 feet to an existing steel rod; thence by land now or formerly of Jo Ann Gastley, South 13 degrees 23 minutes 50 seconds East, 356 feet to a point along said Gastley boundary; thence by land now or formerly of Clarence E. Boyd and wife, designated as Lot No. 3 on the plan from which this description is taken, South 80 degrees 39 minutes 00 seconds West, 435.83 feet to a point; thence by the same through a steel rod 315.33 feet from the beginning point, and through a reference steel rod set back 27 feet from the end of this line, North 10 degrees 52 minutes 00 seconds West, 645.57 feet to a point in the center of the Gettysburg-York Road (U.S. Route 30); thence in the center of said road, North 80 degrees 39 minutes 00 seconds East, 166.58 feet to a point in the center of said road, the place of BEGINNING. CONTAINING 4.493 acres.

Premises being: 1875 York Rd., Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Gettysburg Pretzel Company, Inc.** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on August 14, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/26, 6/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 03-S-1136 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of July, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT tract of land situate on the Northeast side of Legislative Route A-6810, in Village of Irishtown, Oxford Township, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at a point in the State Highway, Legislative Route A-6810, in the Village aforesaid at other land now or formerly of Richard A. Shrader and Doris M. Shrader, husband and wife; thence by said lands and through a steel pin set back 25 feet along the line North 19 degrees 41 minutes East, 180 feet to a steel pin at lands now or formerly of William Elmer Shradér and Marie Elizabeth Shrader, his wife; thence by said lands South 49 degrees East 60 feet to a steel pin; thence by said lands South 39 degrees 41 minutes West, 180 feet through a steel pin set back 25 feet from the end of course to a point in the State Highway aforesaid; thence in said State Highway, North 49 degrees West 60 feet to a point, the place of BEGINNING.

CONTAINING 0.2479 Acres, more or less.

Tax Map #J12, Parcel #89 A

TITLE TO SAID PREMISES IS VESTED IN Mark A. Stapleton and Sharon L. Stapleton, his wife by Deed from Dennis G. Strickhouser and Veda J. Strickhouser, his wife dated 7/23/1997 and recorded 7/29/1997 in Record Book 1414 Page 155.

Premises being: 1071 Irishtown Rd., New Oxford, PA

SEIZED and taken into execution as the property of **Mark A. Stapleton & Sharon L. Stapleton** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on August 14, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after

the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/26, 6/2 & 9

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION
NO. RT-7-06(A)

NOTICE

TO: JUAN GARCIA LOPEZ

YOU ARE HEREBY NOTIFIED that a Petition for Involuntary Termination of Parental Rights to Child has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for July 27, 2006, at 9:00 a.m., prevailing time, in the Conference Room on the 4th Floor of the Adams County Courthouse, at Gettysburg, Adams County, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the involuntary termination of your parental rights with respect to your child.

You should contact your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Court Administrator
Adams County Courthouse
111-117 Baltimore Street
Gettysburg, PA 17325

Telephone number: (717) 337-9846

Chester G. Schultz, Attorney at Law
145 Baltimore Street
Gettysburg, PA 17325

5/26, 6/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-242 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of July, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land, situate, lying and being in the Borough of East Berlin, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a point along the Southerly right-of-way line of Lodge Lane and Lot No. 55 of the hereinafter referred to Subdivision Plan; thence along said Lot No. 55, South forty-six (46) zero (00) minutes eight (08) seconds East, one hundred twenty-five and zero hundredths (125.00) feet to a point at other lands now or formerly of the grantors herein; thence along said other lands now or formerly of the grantors herein, South forty-three (43) degrees fifty-nine (59) minutes fifty-two (52) seconds West, one hundred and zero hundredths (100.00) feet to a point at Lot No. 57; thence along said Lot No. 57, North forty-six (46) degrees zero (00) minutes eight (08) seconds West, one hundred twenty-five and zero hundredths (125.00) feet to a point along the Southerly right-of-way line of Lodge Lane, thence along the Southerly right-of-way line of Lodge Lane; North forty-three (43) degrees fifty-nine (59) minutes fifty-two (52) seconds East, one hundred and zero hundredths (100.00) feet to a point, the place of BEGINNING. CONTAINING 12,500 square feet and being identified as Lot No. 56 on the final subdivision plan of Beaver Colony Estates, Phase 1, which plan is recorded in the Adams County Recorder of Deeds' Office in Plat Book 67, Page 83.

SAID tract of land is subject to the protective covenants for Beaver Colony Estates dated July 28, 1995 and recorded in the Adams County Recorder of Deeds' Office in Record Book 1061, Page 205, which protective covenants were subsequently amended by protective covenants dated September 20, 1995 and recorded in the Recorder of Deeds' Office in Record Book 1091, Page 289.

Being known as: 134 Lodge Lane, East Berlin, PA 17316

Property ID No.: 9-5

TITLE TO SAID PREMISES IS VESTED IN Donald E. Myers, Jr., and Roxey A. Myers, husband and wife, as tenants by the entireties by deed from John J. Grim and Todd E. Grim, owners of an undivided one-half (1/2) interest, and James J. Kopenhaver and Elizabeth R.

Kopenhaver, husband and wife, James A. Kopenhaver and Helen L. Kopenhaver, husband and wife, and Michael J. Kopenhaver and Lou Ann Kopenhaver, husband and wife, owners of an undivided one-half (1/2) interest, by John J. Grim and Todd E. Grim, their Attorneys-in-fact, by Power of Attorney dated September 20, 1995, and recorded on October 4, 1995, in Record Book 1091, at Page 296, in the Office of the Recorder of Deeds of Adams County, Pennsylvania, and S & A Custom Built Homes, Inc. dated 4/13/1999 recorded 5/7/1999 in Deed Book 1826 Page 318.

SEIZED and taken into execution as the property of **Donald E. Myers, Jr. & Roxey A. Myers** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on August 14, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost; whichever may be the higher, shall be paid forthwith to the Sheriff.

5/26, 6/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 03-S-746 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of July, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT TRACT of land situate, lying and being in the Borough of Bendersville, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a post along the South side of an alley at corner of land now or formerly of Arch Reed; thence by the South side of said alley North 89-1/2 degrees East, 242.5 feet to an iron pin at the Southwest corner of the intersection of said alley and a 20 foot public alley; thence along the West side of the said last mentioned public alley South 24-1/2 degrees East, 61 feet to an iron pin along the West side of said last mentioned 20 foot public alley; thence along the West side of land now or formerly of Romayne Blocher South 3 degrees West, 329.5

feet to an iron pin at land now or formerly of Arch Reed; thence by land now or formerly of Arch Reed North 89-1/2 degrees West, 275 feet to an iron pin; thence by land now or formerly of Arch Reed North 3 degrees East 386 feet to a post, the place of BEGINNING.

CONTAINING 2 acres, 66 perches and 14 square feet.

Map 1, Parcel 2

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Shawn M. Beaman and Shelly J. Beaman by Deed from The Secretary of Housing and Urban Development dated 12/8/2000 and recorded 12/21/2000, in Record Book 2184, Page 105.

Premises being: 102 Rice Lane, Bendersville, PA (a/k/a 102 Apple Lane)

SEIZED and taken into execution as the property of **Shawn M. Beaman & Shelly J. Beaman** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on August 14, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost; whichever may be the higher, shall be paid forthwith to the Sheriff.

5/26, 6/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-286 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of July, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain unimproved tract of land situate, lying and being in Hamilton Township, Adams County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING for a point in the middle of a public road identified as Pennsylvania Legislative Route #01023, known as Dicks Dam Road, and at Lot #4; thence along the centerline of Dicks Dam Road, North sixty-four (64) degrees twenty-five (25) minutes fifty-nine (59) seconds West, one hundred four and sixty-four hundredths (104.64) feet to a point in the middle of Dicks Dam Road; thence along the middle of Dicks Dam Road, North fifty-four (54) degrees forty-six (46) minutes forty-three (43) seconds West, one hundred (100.00) feet to a point in the middle of said Dicks Dam Road and at Lot #2; thence along Lot #2, North thirty-nine (39) degrees fifty-one (51) minutes thirty-eight (38) seconds East, four hundred six and ninety-two hundredths (406.92) feet to a point at Lot #5; thence along Lot #5, South twenty-four (24) degrees forty-eight (48) minutes twenty-five (25) seconds East, fifty-seven (57.00) feet to a point at Lot #4; thence along Lot #4 and across one-half of Dicks Dam Road, South sixteen (16) degrees thirty-eight (38) minutes twenty-eight (28) seconds West, three hundred seventy-nine and thirty-three hundredths (379.33) feet to a point in the middle of the aforementioned public road identified as Pennsylvania Legislative Route #01023, known as Dicks Dam Road, the place of BEGINNING.

CONTAINING 1.1236 acres.

THE above described tract of land has been designated as Lot #3 on a plan of lots identified as "Subdivision for Gary L. Dull" as prepared by Dean R. Hemphing, registered surveyor, dated January 16, 1979, and identified as Drawing #A-253-80-D2A, said subdivision plan having been approved in keeping with the subdivision ordinance of Hamilton Township and the Adams County Planning Commission, and said plan having been recorded in the Recorder of Deeds Office in and for Adams County, Pennsylvania, in Plan Book 34 at Page 26.

THE above described lot is a part of a larger tract of land identified as Tract #2 of two (2) tracts of land which Gary L. Dull and Shirley J. Dull, his wife, by their deed dated May 2, 1973, which deed is recorded in the Recorder of Deeds Office in and for Adams County, Pennsylvania, in Deed Book Volume 307 at Page 439, granted and conveyed unto Gary L. Dull.

THE above described Lot #3 is subject to the Declaration of Protective Covenants and Conditions, dated August 28, 1980, which covenants and conditions are recorded in the Recorder of Deeds Office for Adams County, Pennsylvania, in Miscellaneous Book Volume 35 at Page 1051, said Declaration of Protective Covenants and Conditions were amended on July 2, 1981, and said amendment is recorded in the Recorder of Deeds Office in and for Adams County, Pennsylvania, in Miscellaneous Book Volume 38 at page 293.

Property being sold as subject to a first mortgage.

Being known as: 884 Dicks Dam Road (Hamilton Township), New Oxford, PA 17350

Property ID No.: 17-J9-130

TITLE TO SAID PREMISES IS VESTED IN William J. Smith, Jr. and Sherry Smith, husband and wife, as tenants by the entireties by deed from Gary L. Dull and Frances H. Dull, husband and wife dated 5/30/1985 recorded 5/31/1985 in Deed Book 401 Page 381.

SEIZED and taken into execution as the property of **William J. Smith, Jr. & Sherry L. Smith a/k/a Sherry Smith** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on August 14, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/26, 6/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-323 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of July, 2006, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or ground situated in Reading Township, Adams County, Pennsylvania, being more particularly described as Lot No. 195 on the Plan of Lots of Lake Meade Subdivision, duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County in Plat Book 1 Page 1, and subject to all legal highways, easements, rights of way and restrictions of record.

TOGETHER with and subject to restrictions, easements, set back lines, conditions, etc., as may be of record.

AND the said grantor hereby covenants and agrees that it will warrant specially the property hereby conveyed.

Map and Parcel ID: (37) 11-44

Being Known As: 37 Pemberton Drive, East Berlin, PA 17316

To Be Sold As the Property of: Gary Carr

SEIZED and taken into execution as the property of **Gary Carr** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on August 14, 2006, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 10 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/26, 6/2 & 9

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF JOHN W. BREAM, JR., DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Ruth Jeanne Bream, 170 Bingaman Road, Orrtanna, PA 17353

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore Street, Gettysburg, PA 17325

ESTATE OF CHARLES E. FALK, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Ellen H. Falk, 246 High St., P.O. Box 7, Cashtown, PA 17310

Attorney: Andrea M. Singley, Esq., 63 West High St., Gettysburg, PA 17325

ESTATE OF BETTY J. MALONE, DEC'D

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Executor: Adams County National Bank, Attn: Karen B. Arthur, Trust Officer, P.O. Box 4566, Gettysburg, PA 17325

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF PAUL C. MAXWELL, JR., DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Clara L. Newell-Maxwell, 85 West Mountain Top Drive, Orrtanna, PA 17353

Attorney: Wendy Weikal-Beauchat, Esq., 63 West High St., Gettysburg, PA 17325

ESTATE OF HENRY R. SCHAEFER, DEC'D

Late of Mt. Joy Township, Adams County, Pennsylvania

Winifred S. Chesley, 495 Thayer Pond Road, Wilton, CT 06897

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF HARRY J. TOMS, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Charlotte M. Toms, 50 W. King Street, Littlestown, PA 17340

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore Street, Gettysburg, PA 17325

ESTATE OF RHODA VIRGINIA WOLF, DEC'D

Late of Germany Township, Adams County, Pennsylvania

Executor: Roger L. Green, 1116 Muller Road, Westminster, MD 21157

Attorney: Robert L. McQuaide, Esq., Suite 204, 18 Carlisle Street, Gettysburg, PA 17325

SECOND PUBLICATION

ESTATE OF SUSIE A. COLLINS a/k/a SUE A. COLLINS, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: G. Lawrence Hartman, Jr., 158 Georgetown Road, Littlestown, PA 17340

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF VERNAD. DENISAR, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Co-Executrices: Evelyn E. Hess, 1267 Locust Lane, Littlestown, PA 17340; Shirley M. Denisar, Box 104, McKnightstown, PA 17343

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF EDNA M. HAINES, DEC'D

Late of Hamilton Township, Adams County, Pennsylvania

Executrix: Doris L. Haines, 19 Courier Drive, Taneytown, MD 21787

Attorney: James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF HELEN FRANCES HOOPER a/k/a HELEN FRANCIS HOOPER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Administrator c.t.a.: Patrick B. Cullison, 18911 Brickstore Road, Hampstead, MD 21074

Attorney: Arthur J. Becker, Jr., Esq., Arthur J. Becker, Jr., P.C., 544 Carlisle Street, Hanover, PA 17331

ESTATE OF SARA H. KELLER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Emma S. Carey, 1370 Coon Road, Aspers, PA 17304

Attorney: Wendy Weikal-Beauchat, Esq., 63 West High St., Gettysburg, PA 17325

THIRD PUBLICATION

ESTATE OF CLARENCE G. NACE, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executors: Carl H. Nace and Myrtle A. Satterfield, c/o Thomas M. Shultz, Esq., Shultz Law Firm, LLC, 215 Baltimore St., Hanover, PA 17331

Attorney: Thomas M. Shultz, Esq., Shultz Law Firm, LLC, 215 Baltimore Street, Hanover, PA 17331

ESTATE OF JEANNETTE LILLIAN STAMBAUGH, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executors: Anna Mae Cook, 321 Trolley Rd., York Springs, PA 17372; Spencer S. Stambaugh, P.O. Box 96, Aspers, PA 17304

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

