

# York Legal Record

A Record of Cases Argued and Determined in the Various Courts of York County

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Vol. 132

YORK, PA, THURSDAY, APRIL 19, 2018

No. 3

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## CASES REPORTED

DEUTSCHE BANK NATIONAL TRUST COMPANY V. PATRICIA E. TURK, ET AL

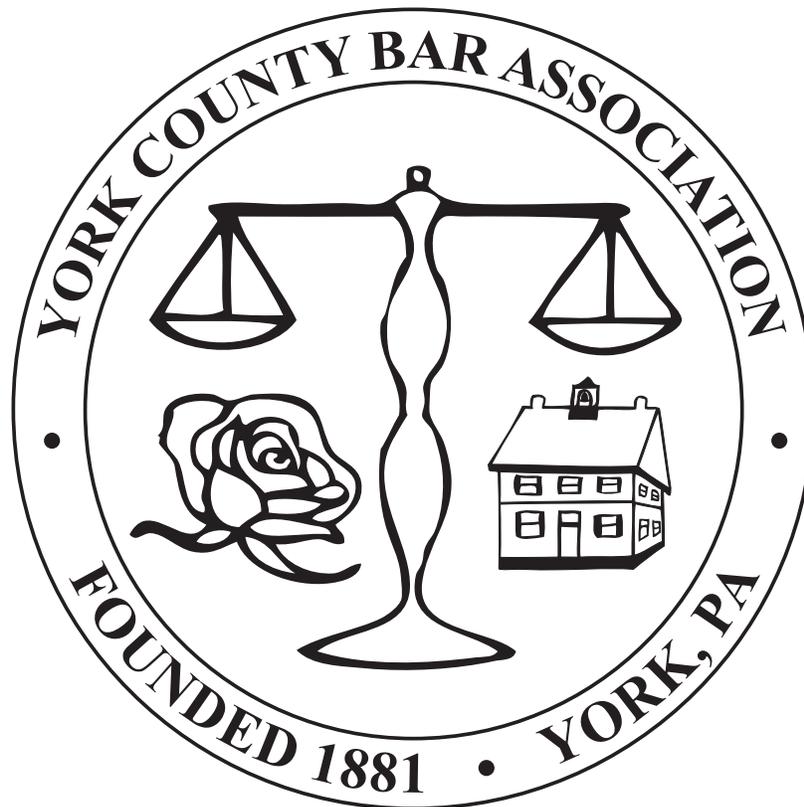
NO. 2017-SU-002616

Preliminary Objections – Mortgage Foreclosure - Res Judicata

Page 1

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DEUTSCHE BANK NATIONAL TRUST COMPANY v.  
PATRICIA E. TURK, et al

## MEMORANDUM OPINION AND ORDER

No. 2017-SU-002616

Preliminary Objections – Mortgage Foreclosure - *Res Judicata*

1. Defendants filed timely preliminary objections on the theory of *res judicata*.
2. The Court dismissed the preliminary objections, finding that, in the absence of controlling precedent, and in the spirit of the equitable approach of the Florida decisions as described in Malenfant, this Court will decline to award “Free Houses.”

IN THE COURT OF COMMON PLEAS  
YORK COUNTY PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY	:	No. 2017-SU-002616
	:	
Plaintiff	:	
	:	
v.	:	
	:	
PATRICIA E. TURK, et al	:	CIVIL ACTION-LAW
	:	
Defendants	:	

For the Plaintiff: Brandon R. Gamble, Esquire

For the Defendant: John N. Elliot, Esquire

ORDER DENYING DEFENDANT'S  
PRELIMINARY OBJECTIONS

AND NOW this 7th day of February 2018, upon consideration of Defendants Patricia E Turk et al.'s Preliminary Objections to Complaint in Mortgage Foreclosure and Brief in Support thereof, and Plaintiff Deutsche Bank National Trust Company's Brief in Opposition thereto, and Defendants' Reply Brief in Support thereof, and after hearing oral arguments from the Parties, the Court hereby **DENIES** Defendants Patricia E. Turk et al.'s Preliminary Objections.

The Prothonotary shall provide Notice of the entry of this Order as required by law.

BY THE COURT:

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 N. Christopher Menges, Judge
IN THE COURT OF COMMON PLEAS  
YORK COUNTY PENNSYLVANIA

DEUTSCHE BANK NATIONAL TRUST COMPANY	:	No. 2017-SU-002616
	:	
Plaintiff	:	
	:	
v.	:	
	:	
PATRICIA E. TURK, et al	:	CIVIL ACTION-LAW
	:	
Defendants	:	

For the Plaintiff: Brandon R. Gamble, Esquire

For the Defendant: John N. Elliot, Esquire

Before the Court for disposition are Defendants Patricia E. Turk, et al.'s Preliminary Objections to Plaintiff Deutsche Bank National Trust Company's (DBNTC) Complaint in Mortgage Foreclosure. The Objections seek to dismiss the complaint on the grounds of *res judicata*. For the reasons discussed below, Defendants' Preliminary Objections are hereby denied.

## BACKGROUND

Defendant Patricia Turk executed a mortgage on the property located at 3765 Compton Lane, York PA 17402, on December 13, 2006, along with the now deceased Larry I. Turk. Patricia is also the Administratrix of Larry's estate. Plaintiff DBNTC originally filed a suit in Mortgage Foreclosure against the Defendants on December 24, 2008, in the York County Court of Common Pleas. Plaintiffs alleged that that the mortgage in question entered into default for lack of payment April 1, 2008. The 2008 Complaint is docketed at 2008-SU-006282-06. Defendants offered no proof that mortgage payments had been made, nor that the mortgage ought not to be in default. The Turks, in their Requests for Admissions, admitted not paying on the Note after April 2008. The Turks only defense was that DBNTC lacked standing to foreclose.

Ultimately, after hearing testimony, the trial judge found in the Turks' favor. After appeal the trial court stated in its remand opinion:

Essentially, the bottom line is [sic] reviewing all the evidence, I cannot conclude Plaintiff has established either ownership of the note or its entitlement to enforce the note while holding an assignment of the mortgage. As confirmed by the Superior Court, in order to be the real party in interest in a mortgage foreclosure action, Plaintiff must own both the note and the mortgage. *US Bank NA v. Mallory*, 982, A.2d 986 994 (Pa Super. 2009). *Deutsche Bank National Trust Company v. Larry Turk, et al.* (Ct. Com. Pl 2011).

Thus, because DBNTC did not hold both the mortgage and the note, the trial court affirmed its finding for the defendant. Now, the Turks would like to invoke the doctrine of *res judicata* to prevent, as they say in their Brief in Support of Preliminary Objections, DBNTC having a “second bite at the apple.”

## DISCUSSION

“Preliminary objections, the end result of which would be dismissal of a cause of action, should be sustained only in cases that are clear and free from doubt.” *Bourke v. Kazaras*, 746 A.2d 642, 643 (Pa.Super. 2000) (citing *Bower v. Bower*, 611 A.2d 181, 182 (Pa. 1992)). The Defendants' Preliminary Objections currently before the Court would indeed end in dismissal of the cause of action, but they are not clear and free from doubt. As stated, the Turks would argue that the doctrine of *res judicata* prevents DBNTC from ever bringing suit to foreclose on the property in question. As they point out in their Brief in Support of Preliminary Objections, *res judicata* applies where an earlier and present case share four common elements 1) the thing sued upon; 2) the cause of action 3) identity of the parties to the action and 4) the identity of the capacity of the parties suing or being sued. Defs.' Br. Supp. Prelim Objections at 3, Deutsche Bank National Trust Company v. Patricia E. Turk et al. No. 2017-SU-002616 (Ct. Com. Pl. 2017). Here, the first three elements may be met, but the Defendants fail to recognize that the identity of the capacity of the parties has indeed changed. As the trial judge in the original recognized, DBNTC did not, at that time have the right to sue. The Plaintiffs allege in their Brief in Opposition that a Corrective Assignment of Mortgage was recorded, following the close of the record in the first action, on November 1, 2011. Br. of Pl. in Opp'n Prelim. Objections of Defs. At 2, Deutsche Bank National Trust Company v. Patricia E. Turk et al. No. 2017-SU-002616 (Ct. Com. Pl. 2017). Taking that statement as true, it would seem that the Plaintiff's capacity has indeed changed. Thus the fourth element fails, and the doctrine of *res judicata* is not a bar.

Also in their brief, the Defendants quote *Chada*: “The essential inquiry is whether the ultimate and controlling issues have been decided in a prior proceeding in which the present parties had an opportunity to appear and assert their rights.” *Chada v. Chada*, 756 A.2d 39, 42 (Pa Super, 2000) quoted in Defs.' Br. Supp. Prelim Objections at 3, Deutsche Bank National Trust Company v. Patricia E. Turk et al. No. 2017-SU-002616 (Ct. Com. Pl. 2017). The Court is not convinced that the “ultimate and

controlling issues have been decided in a prior proceeding.” Indeed, the only thing that seems to have been settled in the prior proceeding is that DBNTC did not hold both the note and the mortgage.

As both parties seem to recognize, the concept of *res judicata* as applied to mortgage foreclosures is not a well-settled area of law in this jurisdiction. Appropriately, both parties then cite *Hoffman v. Wells Fargo Bank, NA*, which discusses three alternative approaches taken by sister states in considering the application of *res judicata* to mortgage foreclosures. *Hoffman v. Wells Fargo Bank, NA*, 031717 PAEDC, C.A. 16-4230 (U.S. Dist. E.D. PA. 2017) quoted in *Defs.’ Br. in Supp.* at 5. Naturally, the Parties offer opposing views of which, if any, of the competing approaches ought to be adopted. On one end of the spectrum, and most favorable to Defendants, is the approach adopted by Ohio and Maine. In Ohio, the Supreme Court has acknowledged that generally, each missed payment due under a contract gives rise to a separate cause of action, but recognized an exception for suits brought under the acceleration clause of a contract, whether due to nonpayment or not. *Censlar FSB v. Malenfant*, 151 A.3d 778, 787 (Vt. 2016). Maine has been equally harsh, stating that a case dismissed with prejudice in favor of the borrower invalidates the attempted acceleration as though the case had been decided on the merits, and precludes future attempts by the lender to collect. *Id.* At 788. Thus, in Maine and Ohio, a strict interpretation of *res judicata* is applied to foreclosure cases.

On the opposite end of the spectrum, and most favorable to Plaintiff, is the approach taken by Florida courts. There, the Supreme Court recognized the unique problem that arises from imposing *res judicata* upon mortgage foreclosures, and allowed a plaintiff’s action to collect for ongoing nonpayment following an unsuccessful attempt to foreclose:

This seeming variance from the traditional law of *res judicata* rests upon a recognition of the unique nature of the mortgage obligation and the continuing obligations of the parties in that relationship. For example, we can envision many instances in which the application of the [contrary view] would result in unjust enrichment or other inequitable results. If *res judicata* prevented a mortgagee from acting on a subsequent default even after an earlier claimed default could not be established, the mortgagor would have no incentive to make future timely payments on the note.

*Singleton v. Greymar Assocs.*, 882 So.2d 1004 (Fla. 2004) quoted in *Malenfant*, 151 A.3d at 787. The concern is clear: that a borrower who continues to default or subsequently defaults following an unsuccessful attempt by a lender to foreclose is awarded a free house. Vermont carved out a middle path, allowing a lender to bring suit to recover real estate taxes which lender paid in order to protect its interest in the property. *Malenfant*, 151 A.3d at 792. The *Malenfant* Court, however, specifically pointed out that this path was not an equitable approach, but was based on specific provisions in the contract’s acceleration clause. *Id.* at 792

Defendants offer the *Malenfant* dissent, which cites extensively from a Yale Law Journal comment titled *In Defense of “Free House,”* in support of their *res judicata* argument. *Defs.’ Br. in Supp.* at 6. The segment of the article sampled seems to be more concerned with punishing lazy lawyers and lenders, than in justly and equitably settling the dispute between lender and borrower.

In short, this Court is persuaded by Plaintiff’s argument that the *Hoffman* Court was rightly persuaded by the *Dimou* and *Milligan* decisions, which approvingly cite the Florida approach taken in *Singleton*, discussed above, despite their non-precedential status. *Mortg. Elec. Registration Sys., Inc v. Dimou*, No. 911 EDA 2013, 2014 WL 10965798 (Pa. Super Ct. Apr. 28, 2014), *Fairbank’s Capital Corp. v. Milligan*, 234 FedAppx. 21 (3d Cir. 2007). Accordingly, in the absence of controlling precedent, and in the spirit of the equitable approach of the Florida decisions as described in *Malenfant*, this Court will decline to award “Free Houses.” The Preliminary Objections are hereby denied.

BY THE COURT:

N. Christopher Menges, Judge

## 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 required to make known the same, and all persons indebted to said estate are requested to make payment without delay to the executors or administrators or their attorneys named below.**

## FIRST PUBLICATION

- ESTATE OF HELEN L. ADAMS, DECEASED  
Late of York Twp., York County, PA.  
Executrix: Catherine L. Nace, c/o 1434 W. Market Street, York, PA 17404  
Attorney: John W. Stitt, Esquire, 1434 W. Market Street, York, PA 17404 04.19-3t
- ESTATE OF CHARLES H. DOUGLASS, DECEASED  
Late of Spring Grove, York County, PA.  
Co-Executors: Brenda Lee Motter and Chad J. Douglass, c/o Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362  
Attorney: Craig A. Diehl, Esquire, CPA, Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362 04.19-3t
- ESTATE OF JOHN F. ECKERT, SR. a/k/a JOHN F. ECKERT, DECEASED  
Late of Windsor Twp., York County, PA.  
Co-Executrices: Tammie S. Brown and Debbie A. Smith, c/o Andrea S. Anderson, Esq., 901 Delta Road, Red Lion, PA 17356  
Attorney: Andrea S. Anderson, Esquire, 901 Delta Road, Red Lion, PA 17356 04.19-3t
- ESTATE OF LINDA J. FELTCH, DECEASED  
Late of Hanover Borough, York County, PA.  
Administratrix: Nicole M. Bowlin, c/o Samuel A. Gates, Esq., Gates & Gates, P.C., 250 York Street, Hanover, PA 17331  
Attorney: Samuel A. Gates, Esquire, Gates & Gates, P.C., 250 York Street, Hanover, PA 17331 04.19-3t
- ESTATE OF MARY L. FILLMORE, DECEASED  
Late of West Manchester Twp., York County, PA.  
Administrator-Executor: Christina L. Dugan, 3033 Glenmere Ct., Kettering, OH 45440 04.19-3t
- ESTATE OF DAVID G. GETTYS, DECEASED  
Late of Glen Rock Borough, York County, PA.  
Administrator-Executor: Terry L. Gettys, 1800 North Hills Rd., APT 308, York, PA 17406  
Attorney: David Turocy, Esquire, Ream, Carr, Markey, Woloshin & Hunter LLP, 53 East Canal St., Dover, PA 17315 04.19-3t
- ESTATE OF MICHAEL E. GREGORY, a/k/a MICHAEL GREGORY, MIKE GREGORY, DECEASED  
Late of Springettsbury Twp., York County, PA.  
Administratrix: Betsy M. Gregory, c/o 2675 Eastern Boulevard, York, PA 17402  
Attorney: Edward A. Paskey, Esquire, 2675 Eastern Boulevard, York, PA 17402 04.19-3t
- ESTATE OF ROSEMARY C. HUNTSBERGER, DECEASED  
Late of Newberry Twp., York County, PA.  
Executors: James R. Huntsberger and Geary J. Huntsberger, c/o 340 Pine Grove Commons, York, PA 17403  
Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403 04.19-3t
- ESTATE OF BONNIE ROSE KOHLBUS a/k/a BONNIE R. KOHLBUS, DECEASED  
Late of Lower Windsor Twp., York County, PA.  
Co-Executors: Yvonne S. Royer and Marvin F. Kohlbus, Jr., c/o Edward A. Stankoski, Jr., MPL Law Firm, 137 East Philadelphia Street, York, PA 17401  
Attorney: Edward A. Stankoski, Jr., Esquire, MPL Law Firm, 137 East Philadelphia Street, York, PA 17401 04.19-3t
- ESTATE OF VIVIAN H. MANIFOLD a/k/a, VIVIAN MANIFOLD DECEASED  
Late of East Hopewell Twp., York County, PA.  
Executor: Sharon E. Minor, c/o 25 North Duke Street, Suite 202, York, PA 17401  
Attorney: Charles J. Long, Esquire, 25 North Duke Street, Suite 202, York, PA 17401 04.19-3t
- ESTATE OF DENNIS L. MESSERSMITH, SR., DECEASED  
Late of West Manchester Twp., York County, PA.  
Co-Executors: Kendra Crone and Dennis L. Messersmith, Jr., c/o Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362  
Attorney: Craig A. Diehl, Esquire, CPA, Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362 04.19-3t
- ESTATE OF MARY E. MOUL, a/k/a MARY EVELYN MOUL a/k/a MARY T. MOUL, DECEASED  
Late of Penn Twp., York County, PA.  
Executrix: Louise E. Jira, 589 Cawley Drive, #1-C, Frederick, MD 21703  
Attorney: Clayton A. Lingg, Esquire, MOONEY & ASSOCIATES, 230 York Street, Hanover, PA 17331 04.19-3t
- ESTATE OF HARRY O. PERRY, DECEASED  
Late of North Hopewell Twp., York County, PA.  
Administrator-Executor: Mark B. Hindle, c/o Law Office of Andrew H. Shaw, P.C., 2011 W. Trindle Road, Carlisle, PA 17013  
Attorney: Andrew Shaw, Esquire, Law Office of Andrew H. Shaw, P.C., 2011 W. Trindle Road, Carlisle, PA 17013 04.19-3t
- ESTATE OF DONNA M. RETTALIATA, DECEASED  
Late of York County, PA.  
Executrix: Diane Berry, 7117 Brompton Rd., Baltimore, MD, 21207  
Attorney: William F. Hoffmeyer, Esquire, HOFFMEYER & SEMMELMAN, LLP, 30 North George Street, York, PA 17401 04.19-3t
- ESTATE OF NED L. SEITZ, DECEASED  
Late of Windsor Twp., York County, PA.  
Executor: Stephen L. Seitz, c/o Eveler & DeArment LLP, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356  
Attorney: Eveler & DeArment LLP, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356 04.19-3t
- ESTATE OF KAY L. STAMBAUGH, DECEASED  
Late of Warrington Twp., York County, PA.  
Co-Executors: Eric E. Stambaugh and Stacey L. Stambaugh, c/o P.O. BOX 606, East Berlin, PA 17316  
Attorney: Sharon E. Myers, Esquire, CGA Law Firm, PC, P.O. BOX 606, East Berlin, PA 17316 04.19-3t
- ESTATE OF LORN D. STRICKLER, DECEASED  
Late of Hanover Borough, York County, PA.  
Executor: Scott L. Kelley, Esquire, c/o Stonesifer and Kelley, a division of Barley Snyder, 14 Center Square, Hanover, PA 17331  
Attorney: Stonesifer and Kelley, a division of Barley Snyder, 14 Center Square, Hanover, PA 17331 04.19-3t
- ESTATE OF HANNAH M. SUMMERS, DECEASED  
Late of Jackson Twp., York County, PA.  
Executor: Donald E. Summers, c/o 1434 W. Market Street, York, PA 17404  
Attorney: John W. Stitt, Esquire, 1434 W. Market Street, York, PA 17404 04.19-3t
- ESTATE OF MARTHA W. TRONE, DECEASED  
Late of Jackson Twp., York County, PA.  
Executor: John W. Trone, c/o Katherman, Heim & Perry, 345 East Market Street, York, PA 17403  
Attorney: J. Robert Katherman, Esquire, Katherman, Heim & Perry, 345 East Market Street, York, PA 17403 04.19-3t
- ESTATE OF SHIRLEY I. WAGNER, DECEASED  
Late of Manchester Twp., York County, PA.  
Executor: Michelle J. Holt, c/o 135 North George Street, York, PA 17401  
Attorney: Sharon E. Myers, Esquire, CGA Law Firm, PC, 135 North George Street, York, PA 17401 04.19-3t
- ESTATE OF STANLEY R. WITMAN a/k/a STANLEY RAY WITMAN, DECEASED  
Late of Hellam Twp., York County, PA.  
Executor: Anthony Spickler, 553 Locust Street, Columbia, PA 17512  
Attorney: Karl Kreiser, Esquire, Mountz & Kreiser Law Offices, 553 Locust Street, Columbia, PA 17512 04.19-3t
- ESTATE OF JOANNE L. YOUNG, DECEASED  
Late of Hanover Borough, York County, PA.  
Executor: Gerald E. Wagner, II, c/o Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331  
Attorney: Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331 04.19-3t

**SECOND PUBLICATION****ESTATE OF MYRTLE EUNICE ANDERSON, DECEASED**

Late of Red Lion Borough, York County, PA.  
 Administrator: Craig A. Hatch, Esq.,  
 Halbruner, Hatch & Guise, LLP, 2109  
 Market Street, Camp Hill, PA 17011  
 Attorney: Craig A. Hatch, Esquire,  
 Halbruner, Hatch & Guise, LLP, 2109  
 Market Street, Camp Hill, PA 17011  
 04.12-3t

**ESTATE OF ROBERT BAHAJAK a/k/a ROBERT J. BAHAJAK, DECEASED**

Late of Fairview Twp., York County, PA.  
 Administratrix: Francine M. Forsyth, c/o  
 Neil W. Yahn, Esquire, JSDC Law Offices  
 Suite 300, 11 East Chocolate Avenue  
 Hershey, PA 17033  
 Attorney: Neil W. Yahn, Esquire, JSDC  
 Law Offices Suite 300, 11 East Chocolate  
 Avenue Hershey, PA 17033 04.12-3t

**ESTATE OF MARY ELLEN BAILEY, DECEASED**

Late of Springfield Twp., York County, PA.  
 Executors: Stewart M. Bailey II, 100 Albright  
 Drive, Hanover, PA 17331 and Edward A.  
 Bailey, 3275 Walker Road, Glen Rock, PA  
 17327  
 Attorney: Keith R. Nonemaker, Esquire,  
 Guthrie, Nonemaker, Yingst & Hart, LLP,  
 40 York Street, Hanover, PA 17331  
 04.12-3t

**ESTATE OF DARLENE ELIZABETH BARTON, DECEASED**

Late of Peach Bottom Twp., York County, PA.  
 Administrator: Edwin C. Barton, 1443  
 Graceton Road, Fawn Grove, PA 17321  
 Attorney: Gilbert G. Malone, Esquire, 42  
 South Duke Street, York, PA 17401  
 04.12-3t

**ESTATE OF JEFFREY R. BOYER, DECEASED**

Late of Dover Twp., York County, PA.  
 Administrator-Executor: Jonathan K. Boyer,  
 c/o Bellomo & Associates, LLC, 3198  
 East Market Street, York, PA 17402  
 Attorney: William H. Poole, Jr., Esquire,  
 Bellomo & Associates, LLC, 3198 East  
 Market Street, York, PA 17402 04.12-3t

**ESTATE OF NONA G. BROWN, DECEASED**

Late of Loganville Borough, York County, PA.  
 Executrix: Linda C. Krupa, c/o 135 North  
 George Street, York, PA 17401  
 Attorney: Timothy Bupp, Esquire, CGA Law  
 Firm, PC, 135 North George Street, York,  
 PA 17401 04.12-3t

**ESTATE OF LARRY L. BURCHELL, DECEASED**

Late of Manchester Twp., York County, PA.  
 Executor: Andrea G. Dunlap, c/o 135 North  
 George Street, York, PA 17401  
 Attorney: Craig S. Sharnetzka, Esquire, CGA  
 Law Firm, PC, 135 North George Street,  
 York, PA 17401 04.12-3t

**ESTATE OF MICHAEL S. CROWLEY a/k/a MICHAEL SCOTT CROWLEY, DECEASED**

Late of Spring Garden Twp., York County, PA.  
 Executor: Jeffery B. Crowley, c/o Morris &  
 Vedder, 32 N. Duke St., P.O. Box 149,

York, PA 17405  
 Attorney: Christopher M. Vedder, Esquire,  
 Morris & Vedder, 32 N. Duke St., P.O.  
 Box 149, York, PA 17405 04.12-3t

**ESTATE OF MAE C. FROCK, DECEASED**

Late of Penn Twp., York County, PA.  
 Administrator: Dale E. Frock, c/o Barley  
 Snyder, 14 Center Square, Hanover, PA  
 17331  
 Attorney: Stonesifer and Kelley, a division of  
 Barley Snyder, 14 Center Square, Hanover,  
 PA 17331 04.12-3t

**ESTATE OF RONALD E. GUISE, DECEASED**

Late of Manchester Twp., York County, PA.  
 Executor: Byron Guise, c/o Richard R.  
 Reilly, Esquire, 54 N. Duke Street, York,  
 PA 17401-1210  
 Attorney: Richard R. Reilly, Esquire, 54 N.  
 Duke Street, York, PA 17401-1210  
 04.12-3t

**ESTATE OF JEANNINE E. ILYES, a/k/a JEANNINE ELDORA ILYES, DECEASED**

Late of North Codorus Twp., York County, PA.  
 Executor: Dennis K. Ilyes, c/o MPL LAW  
 FIRM, LLP, 137 East Philadelphia Street,  
 York, PA 17401-2424  
 Attorney: John D. Miller, Jr., Esquire, MPL  
 LAW FIRM, LLP, 137 East Philadelphia  
 Street, York, PA 17401-2424 04.12-3t

**ESTATE OF JOHN A. LARKIN, DECEASED**

Late of Springettsbury Twp., York County, PA.  
 Executrix: Margaret M. Keller, c/o 340 Pine  
 Grove Commons, York, PA 17403  
 Attorney: Robert Clofine, Esquire, Elder Law  
 Firm of Robert Clofine, 340 Pine Grove  
 Commons, York, PA 17403  
 04.12-3t

**ESTATE OF MAE L. LIGHTNER, DECEASED**

Late of North Codorus Twp., York County, PA.  
 Co-Executors: Donna Start & Dawson  
 Stump, c/o Richard R. Reilly, Esquire, 54  
 N. Duke Street, York, PA 17401-1210  
 Attorney: Richard R. Reilly, Esquire, 54 N.  
 Duke Street, York, PA 17401-1210  
 04.12-3t

**ESTATE OF ANN MARIE LINCOLN, a/k/a ANN M. LINCOLN, DECEASED**

Late of Springettsbury Twp., York County, PA.  
 Executrix: Lisa Lincoln, c/o Kurt A. Blake,  
 Esquire of Blake & Schanbacher Law,  
 LLC, 29 East Philadelphia Street, York,  
 PA 17401  
 Attorney: Kurt A. Blake, Esquire, Blake  
 & Schanbacher Law, LLC, 29 East  
 Philadelphia Street, York, PA 17401  
 04.12-3t

**ESTATE OF LOIS L. LITSINGER, DECEASED**

Late of Springettsbury Twp., York County, PA.  
 Executrix: Karen M. Gossert, c/o Stock and  
 Leader, 221 West Philadelphia Street,  
 Suite 600, York, PA 17401  
 Attorney: J. Ross McGinnis, Esquire,  
 STOCK AND LEADER, Susquehanna  
 Commerce Center East, 221 West  
 Philadelphia Street, Suite E600,  
 York, PA 17401-2994 04.12-3t

**ESTATE OF ROBERT E. LONG, DECEASED**

Late of Hellam Borough, York County, PA.  
 Co-Executrices: Sharon S. Ilgenfritz &  
 Suzanne M. Williams, c/o Richard R.  
 Reilly, Esquire, 54 N. Duke Street, York,  
 PA 17401-1210  
 Attorney: Richard R. Reilly, Esquire, 54 N.  
 Duke Street, York, PA 17401-1210  
 04.12-3t

**ESTATE OF JUNE S. LUTZ, DECEASED**

Late of Springettsbury Twp., York County, PA.  
 Administrator-Executor: Richard A. Lutz, c/o  
 50 East Market Street, Hellam, PA 17406  
 Attorney: Alexis K. Sipe, Esquire, 50 East  
 Market Street, Hellam, PA 17406  
 04.12-3t

**ESTATE OF BETTY RUTH MARRS, DECEASED**

Late of Dallastown Borough, York County, PA.  
 Executrix: Judy Mitchell, c/o Stock and  
 Leader, 221 West Philadelphia Street,  
 Suite 600, York, PA 17401  
 Attorney: Jody Anderson Leighty, Esquire,  
 STOCK AND LEADER, Susquehanna  
 Commerce Center East, 221 West  
 Philadelphia Street, Suite E600,  
 York, PA 17401-2994 04.12-3t

**ESTATE OF MARVEL E. PLANK, DECEASED**

Late of Heidelberg Twp., York County, PA.  
 Co-Executrices: Jeannine Wentz, 990 Hill  
 Top Drive South, Spring Grove, PA 17362  
 and Carol E. Miller, 3788 Carlisle Road,  
 Gardners, PA 17324  
 Attorney: Todd A. King, Esquire, Campbell  
 and White, PC, 112 Baltimore Street,  
 Gettysburg, PA 17325 04.12-3t

**ESTATE OF CALVIN E. RUNK, JR., DECEASED**

Late of North Codorus Twp., York County, PA.  
 Co-Executors: Dennis E. Runk, Diane S.  
 Kimball and Gregory L. Runk, c/o Law  
 Offices of Craig A. Diehl, 119A West  
 Hanover Street, Spring Grove, PA 17362  
 Attorney: Craig A. Diehl, Esquire, CPA,  
 Law Offices of Craig A. Diehl, 119A West  
 Hanover Street, Spring Grove, PA 17362  
 04.12-3t

**ESTATE OF WILLIAM SCOTT, DECEASED**

Late of Manchester Twp., York County, PA.  
 Executrix: Elizabeth V. K. Hartzell, c/o 110  
 S. Northern Way, York, PA 17402  
 Attorney: Donald L. Reihart, Esquire,  
 Law Offices of Donald L. Reihart 110 S.  
 Northern Way, York, PA 17402 04.12-3t

**ESTATE OF SHIRLEY A. ZELGER a/k/a SHIRLEY A. SMALLBROOK, DECEASED**

Late of Red Lion Borough, York County, PA.  
 Executors: Michael S. Zelger and David A.  
 Zelger, c/o 340 Pine Grove Commons,  
 York, PA 17403  
 Attorney: Robert Clofine, Esquire, Elder Law  
 Firm of Robert Clofine, 340 Pine Grove  
 Commons, York, PA 17403  
 04.12-3t

**ESTATE OF GARY SPENCE, DECEASED**

Late of Springettsbury Twp., York County, PA.  
 Administrator-Executor: Jena M. Spence, c/o

## THIRD PUBLICATION

Robert L. Buzzendore, Esquire, 30 North  
George Street, York, PA 17401  
Attorney: Robert L. Buzzendore, Esquire, 30  
North George Street, York, PA 17401  
04.12-3t

ESTATE OF EDWARD T. STUDE,  
DECEASED  
Late of York Twp., York County, PA.  
Executor: David P. Ali, c/o Stock and Leader,  
221 West Philadelphia Street, Suite 600,  
York, PA 17401  
Attorney: MacGregor J. Brillhart, Esquire,  
STOCK AND LEADER, Susquehanna  
Commerce Center East, 221 West  
Philadelphia Street, Suite E600,  
York, PA 17401-2994 04.12-3t

ESTATE OF JASON D. TAYLOR, a/k/a  
JASON DEWAYNE TAYLOR, DECEASED  
Late of Springettsbury Twp., York County, PA.  
Administrators: Ella I. Taylor and Johnny W.  
Taylor, c/o 48 South Duke Street, York,  
PA 17401  
Attorney: Bruce C. Bankenstein, Esquire, 48  
South Duke Street, York, PA 17401  
04.12-3t

ESTATE OF OF L. JEAN TURNER a/k/a  
LAURA JEAN TURNER a/k/a JEAN TURNER  
a/k/a LAURA TURNER, DECEASED  
Late of Springettsbury Twp., York County, PA.  
Executrix: Susan G. Turner, c/o 340 Pine  
Grove Commons, York, PA 17403  
Attorney: Robert Clofine, Esquire, Elder Law  
Firm of Robert Clofine, 340 Pine Grove  
Commons, York, PA 17403  
04.12-3t

ESTATE OF RICHARD E. WEITZEL,  
DECEASED  
Late of Hellam Twp., York County, PA.  
Executrix: Susan Weitzel Joines a/k/a Susan  
K. Joines, c/o Stock and Leader, 221 West  
Philadelphia Street, Suite 600, York, PA  
17401  
Attorney: Thomas M. Shorb, Esquire,  
STOCK AND LEADER, Susquehanna  
Commerce Center East, 221 West  
Philadelphia Street, Suite E600,  
York, PA 17401-2994 04.12-3t

ESTATE OF JOSEPH C. WILLIAMS, a/k/a  
JOSEPH CLAUD WILLIAMS, a/k/a JOSEPH  
CLAUDE WILLIAMS, DECEASED  
Late of West Manchester Twp., York County, PA.  
Executors: James M. Williams and Jon R.  
Williams, c/o 25 North Duke Street, Suite  
202, York, Pa 17401  
Attorney: Charles J. Long, Esquire, 25 North  
Duke Street, Suite 202, York, Pa 17401  
04.12-3t

ESTATE OF MARGARET L. WINN a/k/a  
MARGARET LOUISE WINN, DECEASED  
Late of Shrewsbury Twp., York County, PA.  
Co-Executors: Steven L. Winn and Amy M.  
Wagner a/k/a Amy M. Winn, c/o Evéler  
& DeArment LLP, 2997 Cape Horn Rd.,  
Suite A-6, Red Lion, PA 17356  
Attorney: Evéler & DeArment LLP, 2997  
Cape Horn Rd., Suite A-6, Red Lion, PA  
17356 04.12-3t

ESTATE OF RODNEY C. ABEL, DECEASED  
Late of Spring Grove, York County, PA.  
Executor: Rene C. Abel, c/o Law Offices of  
Craig A. Diehl, 119A West Hanover Street,  
Spring Grove, PA 17362  
Attorney: Craig A. Diehl, Esquire, CPA,  
Law Offices of Craig A. Diehl, 119A West  
Hanover Street, Spring Grove, PA 17362  
04.05-3t

ESTATE OF LEWIS NATHANIEL ALSTON,  
DECEASED  
Late of Shrewsbury Borough, York County, PA.  
Executrix: Nancy L. Alston, c/o Rachel  
Dodson Hamme, Esq., 1946 Carlisle  
Road, York, PA 17408  
Attorney: Rachel Dodson Hamme, Esquire,  
1946 Carlisle Road, York, PA 17408  
04.05-3t

ESTATE OF THERON J. BASEHOAR a/k/a  
SLIM BASEHOAR, DECEASED  
Late of Dover, York County, PA.  
Executrix: Pamela B. Klunk, 534 East King  
Street, Littlestown, PA 17340 04.05-3t

ESTATE OF HARRY R. BISKING, JR. a/k/a  
HARRY R. BISKING, DECEASED  
Late of Springettsbury Twp., York County, PA.  
Executrix: Laurie G. Mummert, c/o 340 Pine  
Grove Commons, York, PA 17403  
Attorney: Robert Clofine, Esquire, Elder Law  
Firm of Robert Clofine, 340 Pine Grove  
Commons, York, PA 17403 04.05-3t

ESTATE OF MAURO CHIAVERINI,  
DECEASED  
Late of Springettsbury Twp., York County, PA.  
Executrix: Elizabeth L. Chiaverini, c/o Stock  
and Leader, 221 West Philadelphia Street,  
Suite 600, York, PA 17401  
Attorney: Thomas M. Shorb, Esquire,  
STOCK AND LEADER, Susquehanna  
Commerce Center East, 221 West  
Philadelphia Street, Suite E600,  
York, PA 17401-2994 04.05-3t

ESTATE OF WAYNE GENE FREED a/k/a  
WAYNE G. FREED, DECEASED  
Late of Dover Twp., York County, PA.  
Administrator-Executor: Sharon Y. Smeltzer,  
c/o Kearney Galloway LLC, 940 S. Queen  
Street, York, PA 17403  
Attorney: Jennifer A. Galloway, Esquire,  
Kearney Galloway LLC, Kearney  
Galloway LLC, 940 S. Queen Street, York,  
PA 17403 04.05-3t

ESTATE OF MARY KATHRYN HERSHEY,  
DECEASED  
Late of Hanover Borough, York County, PA.  
Executor: David L. Weaver, c/o Elinor  
Albright Rebert, Esquire, 515 Carlisle  
Street, Hanover, PA 17331  
Attorney: Elinor Albright Rebert, Esquire,  
515 Carlisle Street, Hanover, PA 17331  
04.05-3t

ESTATE OF GEORGE R. HITZ, DECEASED  
Late of Manchester Borough, York County, PA.  
Co-Executors: James R. Hitz and Randy  
L. Hitz, c/o 129 E. Market St., York, PA  
17401  
Attorney: John C. Herrold, Esquire, Griest,  
Himes, Herrold, Reynosa LLP, 129 E.  
Market St., York, PA 17401 04.05-3t

ESTATE OF JUDITH E. KAUFHOLD,  
DECEASED  
Late of Dover Borough, York County, PA.  
Executor: Matthew J. Kaufhold, c/o Denis  
A. Gray, Esq., 115 Bloomingdale Ave.,  
Carriage House, Ste. 100, Wayne, PA  
19087  
Attorney: Denis A. Gray, Esquire, Palmer  
& Gray LLP, 115 Bloomingdale Ave.,  
Carriage House, Ste. 100, Wayne, PA  
19087 04.05-3t

ESTATE OF IRENE B. LEHMAN,  
DECEASED  
Late of Borough of Goldsboro, York County, PA.  
Executor: Henry E. Lehman, II, 36 West  
Broadway, Eitters, PA 17319  
Attorney: Joshua A. Reed, Esquire, 4303  
Derry Street, Harrisburg, PA 17111  
04.05-3t

ESTATE OF JASMINE C. MCCARTER,  
DECEASED  
Late of York City, York County, PA.  
Administrator: Christina L. Ruth, 139  
Woodland Drive, York, PA 17403  
Attorney: Steven M. Carr, Esquire, Ream,  
Carr, Markey Woloshin & Hunter LLP, 119  
E. Market Street, York, PA 17401  
04.05-3t

ESTATE OF BARBARA E. MCFALL,  
DECEASED  
Late of North York Borough, York County, PA.  
Executrix: Carol G. Patterson, 43 Maxwell  
Drive, Rocky Hill, CT 06067  
Attorney: Rand A. Feder, Esquire, Morris &  
Vedder, LLP, 32 N. Duke St., P.O. Box 149  
York, PA 17405-0149 04.05-3t

ESTATE OF HELENA E. MILLER a/k/a  
HELEN E. MILLER, DECEASED  
Late of Dover Twp., York County, PA.  
Executor: Bradley E. Miller, c/o Rachel  
Dodson Hamme, Esq. 1946 Carlisle Road,  
York, PA 17408  
Attorney: Rachel Dodson Hamme, Esquire,  
946 Carlisle Road, York, PA 17408  
04.05-3t

ESTATE OF LLOYD BERNARD NOAKER,  
JR, DECEASED  
Late of York Haven, York County, PA.  
Administrator-Executor: Tina L. Noaker, c/o  
96 S. George Street, Suite 200, York, PA  
17401  
Attorney: Lynnore K. Seaton, Esquire, 96 S.  
George Street, Suite 200, York, PA 17401  
04.05-3t

ESTATE OF JANE M. PONTZ, DECEASED  
Late of Penn Twp., York County, PA.  
Executrix: Trudy K. Waltersdorff, c/o Stock  
and Leader, 221 West Philadelphia Street,  
Suite 600, York, PA 17401  
Attorney: Thomas M. Shorb, Esquire,  
STOCK AND LEADER, Susquehanna  
Commerce Center East, 221 West  
Philadelphia Street, Suite E600,  
York, PA 17401-2994 04.05-3t

ESTATE OF LOUISE JANE PULJER,  
DECEASED  
Late of Spring Garden Twp., York County, PA.  
Administrator-Executor: Louis M. Puljer, c/o  
Jack L. Graybill II, Esquire, 940 South  
Queen Street, York, PA 17403

Attorney: Jack L. Graybill II, Esquire, 940  
South Queen Street, York, PA 17403  
04.05-3t

ESTATE OF BETTY J. QUICKEL,  
DECEASED

Late of West Manchester Twp., York County, PA.  
Executor: John M. Hamme, c/o Rachel  
Dodson Hamme, Esq. 1946 Carlisle Road,  
York, PA 17408  
Attorney: Rachel Dodson Hamme, Esquire,  
946 Carlisle Road, York, PA 17408  
04.05-3t

ESTATE OF AURETA LYNNE RIVERA a/k/a  
AURETA RIVERA, RITA L. RIVERA, RITA  
LYNNE RIVERA, RITA RIVERA, AURETA  
L. RIVERA, DECEASED

Late of Mount Wolf Borough, York County, PA.  
Administrator-Executor: Amber Rivera, c/o  
Bellomo & Associates, LLC, 3198 East  
Market Street, York, PA 17402  
Attorney: William H. Poole, Jr., Esquire,  
Bellomo & Associates, LLC, 3198 East  
Market Street, York, PA 17402 04.05-3t

ESTATE OF STEWART L. STREVIK,  
DECEASED

Late of Penn Twp., York County, PA.  
Executors: Gerald L. Strevik, Jr. and Darlene  
M. Strevik, c/o Elinor Albright Rebert,  
Esquire, 515 Carlisle Street, Hanover, PA  
17331  
Attorney: Elinor Albright Rebert, Esquire,  
515 Carlisle Street, Hanover, PA 17331  
04.05-3t

ESTATE OF MARGARET U. THOMAS,  
DECEASED

Late of Codorus Twp., York County, PA.  
Executor: Linda A. Bell, c/o MPL LAW  
FIRM, LLP, 137 East Philadelphia Street,  
York, PA 17401-2424  
Attorney: John D. Miller, Jr., Esquire, MPL  
LAW FIRM, LLP, 137 East Philadelphia  
Street, York, PA 17401-2424 04.05-3t

ESTATE OF RUTH M. YOHE, DECEASED

Late of New Salem Borough, York County, PA.  
Co-Executors: Stephen J. Yohe and Karen R.  
Staub, c/o Law Offices of Craig A. Diehl,  
119A West Hanover Street, Spring Grove,  
PA 17362  
Attorney: Craig A. Diehl, Esquire, CPA,  
Law Offices of Craig A. Diehl, 119A West  
Hanover Street, Spring Grove, PA 17362  
04.05-3t

## CIVIL NOTICES

### ACTION IN MORTGAGE FORECLOSURE

IN THE COURT OF COMMON PLEAS  
YORK COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW

No. 2018-SU-0389

FULTON BANK, N.A.  
Plaintiff

vs.

STEPHANIE POLLOCK, KNOWN HEIR  
AND ALL OF THE UNKNOWN HEIRS,  
SUCCESSORS, ASSIGNS AND ALL  
PERSONS, FIRMS OR ASSOCIATIONS  
CLAIMING RIGHT, TITLE OR INTEREST  
FROM OR UNDER P. PAUL KONEVITCH,  
A/K/A PETER PAUL KONEVITCH,  
Defendants

To the Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest From or Under P. Paul Konevitch a/k/a Peter Paul Konevitch, Deceased, Defendant whose last known address is 203 Market Street, Lewisberry, York County, Pennsylvania 17339, this firm is a debt collector and we are attempting to collect the debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff, Fulton Bank, N.A., has filed a Mortgage Foreclosure Complaint endorsed with a Notices to Defend against you in the Court of Common Pleas of York County, Pennsylvania docketed to No. 2018-SU-0389, wherein Plaintiff seeks to foreclose on the mortgage secured by your property located at 203 Market Street, Lewisberry, York County, Pennsylvania 17339, whereupon your property will be sold by the Sheriff of York County, Pennsylvania.

#### NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the Complaint referenced above, you must take action within twenty (20) days after the Complaint and Notice are served, by entering a written appearance, personally or by attorney, and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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.

LAWYER REFERRAL SERVICE  
137 East Market Street  
York, PA 17401  
(717) 854-8755

MARC A. HESS  
HENRY & BEAVER LLP  
I.D. #55774  
937 Willow Street  
P.O. Box 1140  
Lebanon, PA 17042-1140  
Attorney for Plaintiff

04.19-1t

Solicitor

### NOTICE OF ACTION IN MORTGAGE FORECLOSURE IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA CIVIL ACTION - LAW

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2018-SU-000014

U.S. BANK NATIONAL ASSOCIATION  
Plaintiff

vs.

MINOR DEFENDANT NO. 1, in his capacity  
as Heir of DAVID B. FOUST, JR, Deceased

MINOR DEFENDANT NO. 2, in her capacity  
as Heir of DAVID B. FOUST, JR, Deceased

UNKNOWN HEIRS, SUCCESSORS,  
ASSIGNS, AND ALL PERSONS, FIRMS, OR  
ASSOCIATIONS CLAIMING RIGHT, TITLE  
OR INTEREST FROM OR UNDER DAVID B.  
FOUST, JR, DECEASED  
Defendants

#### NOTICE

To UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER DAVID B. FOUST, JR, DECEASED

You are hereby notified that on January 3, 2018, Plaintiff, U.S. BANK NATIONAL ASSOCIATION, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2018-SU-000014. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 140 KENNEDY LANE, ETTERS, PA 17319-9636 whereupon your property would be sold by the Sheriff of YORK County.

You are hereby notified to plead to the above

referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

**NOTICE**

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS NOTICE 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.**

Notice to Defend:  
Lawyer Referral Service  
York Legal Referral  
137 East Market Street  
York, PA 17401  
Telephone (717) 854-8755 x201

04.19-1t Solicitor

**NOTICE OF ACTION IN MORTGAGE FORECLOSURE**

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW  
NO.: 2017-SU-003356

WELLS FARGO BANK, NA, Plaintiff,  
vs.

George T. Parks; Megan H. Parks, AKA  
Megan H. Freeman Parks, AKA Megan H.  
Freemanparks, Defendants

**TO: George T. Parks; Megan H. Parks, AKA Megan H. Freeman Parks, AKA Megan H. Freemanparks**

You are hereby notified that Plaintiff, Wells Fargo Bank, NA, filed an Action in Mortgage Foreclosure endorsed with a Notice to Defend, in the Court of Common Pleas of York County, Pennsylvania, docketed to No. 2017-SU-003356, seeking to foreclose the mortgage secured by the real estate located at 4229 Old Orchard Road, York, PA 17402.

A copy of the Action in Mortgage Foreclosure will be sent to you upon request to the Attorney for the Plaintiff, Manley Deas Kochalski LLC, P. O. Box 165028, Columbus, OH 43216-5028. Phone 614-220-5611.

You have been sued in court. If you wish to defend against the claims in this notice, you must take action within twenty (20) days

after this publication, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

LAWYER REFERRAL SERVICE  
York County Bar Association  
137 East Market Street  
York, PA 17401  
(717) 854-8755

Lawyer Referral Service  
137 East Market Street  
York, PA 17401  
(717) 854-8755

04.19-1t Solicitor

**ARTICLES OF INCORPORATION**

**NOTICE** is hereby given that a business corporation known as SR Solutions, Inc. has been incorporated under the provisions of The Pennsylvania Business Corporation Law of 1988.

**CGA Law Firm**  
**By: Jeffrey L. Rehmeier II, Esquire**

04.19-1t Solicitor

**NOTICE IS HEREBY GIVEN** that Articles of Incorporation have been filed in the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania.

(1) The name of the corporation is: **PEOPLESBANK CHARITABLE FOUNDATION, INC.**

(2) The corporation is a nonstock corporation and has been incorporated under the Pennsylvania Business Corporation Law of 1988, as amended.

(3) The Corporation is incorporated under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania to receive and accept assets to be administered permanently and exclusively for charitable purposes that will benefit the residents of York County, Pennsylvania. In accomplishing such purposes, the Corporation may:

a. Administer property donated to the

Corporation or otherwise acquired by the Corporation for such purposes;

b. Distribute property or assets for such purposes or to qualified organizations for public or charitable purposes; and

c. Distribute property for such purposes in accordance with the terms of each gift, bequest or devise to the Corporation, as long as such terms are not inconsistent with the purposes of the Corporation as set forth in these Articles of Incorporation, or in accordance with determinations made by the board of directors pursuant to these Articles of Incorporation.

(4) The corporation’s Articles of Incorporation were filed on March 22, 2018.

Jay R. Wagner, Esq.  
STEVENS & LEE  
111 N. Sixth Street  
Reading, PA 19601

04.19-1t Solicitor

**NOTICE** is hereby given that Barrick Financial, Inc. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

Scott J. Strausbaugh, Esquire  
Becker & Strausbaugh, PC  
Attorney for Barrick Financial, Inc.  
544 Carlisle Street  
Hanover, PA 17331

04.19-1t Solicitor

**ARTICLES OF INCORPORATION NON-PROFIT CORPORATION**

**NOTICE** is hereby given that Articles of Incorporation-Nonprofit have been filed with the Pennsylvania Department of State for the purpose of forming a nonprofit corporation under The Pennsylvania Nonprofit Corporation Law of 1988, as amended. The name of the corporation is Desire2STOP. It has been organized to provide access to safe, clean, alcohol and drug-free housing for recovering alcoholics and addicts, as well as related activities that qualify for exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986.

**CGA Law Firm**  
**By: Devon Meyers, Esquire**

04.19-1t Solicitor

**NOTICE** is hereby given that Articles of Incorporation-Nonprofit have been filed with the Pennsylvania Department of State for the purpose of forming a nonprofit corporation under The Pennsylvania Nonprofit Corporation Law of 1988, as amended. The name of the

corporation is Franklin Union Cemetery Association. It has been organized to operate as a cemetery association, as well as related activities that qualify for exempt organizations under Section 501(c)(3) of the Internal Revenue Code of 1986.

**CGA Law Firm**  
By: Timothy J. Bupp, Esquire

04.19-1t Solicitor

NOTICE is hereby given that Articles of Incorporation were filed with the Department of State, Commonwealth of Pennsylvania, on March 20, 2018, By **Wake Ministries**, a Pennsylvania nonprofit corporation, with its registered office at 38 Meade Avenue, Hanover, York County, Pennsylvania, pursuant to the provisions of Article VII of the Nonprofit Corporation Law of the Commonwealth of Pennsylvania, as amended.

EVELER & DeARMENT LLP

04.19-1t Solicitor

## CHANGE OF NAME

IN THE COURT OF COMMON PLEAS OF  
YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on 15th Day of March a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: John Douglas Hebert to: Akira Kaizo Nakamoto. The Court has fixed the day of June 1 at 10:30 am in Courtroom #5004 at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

04.19-1t Solicitor

IN THE COURT OF COMMON PLEAS OF  
YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on April 9, 2018 a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: Nicolas Anthony Snider to: Nicolas Anthony Shealy. The Court has fixed the day of May 4, 2018 at 10:00 am in Courtroom #5004 at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

04.19-1t Solicitor

## DISSOLUTION NOTICE

### WITHDRAWAL OF FOREIGN REGISTRATION

NOTICE is hereby given that the Harry and Jane Saville Smith Foundation, a nonprofit corporation organized under the laws of the State of Delaware, with a principal office address of 1925 Lovering Avenue, Wilmington, Delaware, 19806, and file a Statement of Withdrawal of Foreign Registration with the Department of State of the Commonwealth of Pennsylvania on March 27, 2018, in compliance with the requirements of 15 Pa.C.S. § 415, and will cease doing business in the Commonwealth of Pennsylvania.

**CGA Law Firm**  
By: Margaret W. Driscoll, Esquire

## NOTICE

### **PUBLIC NOTICE TO TIFFANY MARIE DREIBELBIS AND NATHANIEL HENRY GEYER**

#### **In Re: Adoption of Coda Douglas Geyer, A Minor**

A petition has been filed asking the Court to put an end to all rights you have as a parent to your child, Coda Douglas Geyer. A Termination of Parental Rights Hearing has been scheduled for June 5, 2018, at 9:45 a.m., in Court Room No. 5002, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Coda Douglas Geyer (DOB: October 27, 2016), whose Father is Nathaniel Henry Geyer and whose Mother is Tiffany Marie Dreibelbis. 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.

York County Bar Association  
137 East Market Street  
York, Pennsylvania 17401  
Telephone No. (717) 854-8755

Clerk of the Orphans' Court  
York County Judicial Center  
45 North George Street  
York, Pennsylvania 17401  
Telephone No. (717) 771-9288

Martin Miller, Esquire  
Solicitor for York County Offices of  
Children, Youth & Families

A prospective adoptive parent of a child may enter into an agreement with a birth relative of the child to permit continuing contact or communication between the child and the birth relative or between the adoptive parent and the birth relative. An agency or anyone representing the parties in an adoption shall provide notification to a prospective adoptive parent, a birth parent and a child who can be reasonably expected to understand that a prospective adoptive parent and a birth relative of a child have the option to enter into a voluntary agreement for the continuing contact or communication. See 23 Pa.C.S.A Section 2731, et seq.

04.05-3t Solicitor

IN THE COURT OF COMMON PLEAS,  
ADAMS COUNTY, PENNSYLVANIA  
COMMONWEALTH OF PENNSYLVANIA  
ORPHANS' COURT DIVISION

## NOTICE

To: BARON ALLEN FUNT RT-2-2018  
RT-3-2018

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 2, 2018 @ 9:00 AM in Courtroom No. 1, Fourth Floor of the Adams County Courthouse, 111-117 Baltimore St., 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 the children born on March 18, 2008 and November 3, 2014.

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, Pennsylvania 17325  
Telephone Number 717-337-9846 or  
1-888-337-9846

Melissa Tanguay Laney, Esquire  
Solicitor, Adams County Children  
and Youth Services

04.19-3t Solicitor

## SHERIFF'S SALE

NOTICE OF SHERIFF'S SALE  
IN THE COURT OF COMMON PLEAS  
OF YORK COUNTY, PENNSYLVANIA  
NO. 2017-SU-002731

WELLS FARGO BANK, N.A. S/B/M  
TO WACHOVIA BANK, NATIONAL  
ASSOCIATION

Vs.  
GARTH H. REYNOLDS

NOTICE TO: GARTH H. REYNOLDS A/K/A  
GARTH HOBART REYNOLDS  
NOTICE OF SHERIFF'S SALE OF REAL  
PROPERTY

Being Premises: 6 GREEN ROAD, DELTA, PA  
17314-9123  
Being in PEACH BOTTOM TOWNSHIP,  
County of YORK, Commonwealth of  
Pennsylvania, 43000AQ00060000000  
Improvements consist of  
residential property.  
Sold as the property of GARTH H. REYNOLDS

Your house (real estate) at 6 GREEN ROAD,  
DELTA, PA 17314-9123 is scheduled to be  
sold at the Sheriff's Sale on 08/06/2018 at  
02:00 PM, at the YORK County Courthouse,  
45 North George Street, York, PA 17401, to  
enforce the Court Judgment of \$122,245.81  
obtained by, WELLS FARGO BANK, N.A.  
S/B/M TO WACHOVIA BANK, NATIONAL  
ASSOCIATION (the mortgagee), against the  
above premises.

PHELAN HALLINAN  
DIAMOND & JONES, LLP  
Attorney for Plaintiff

04.19-1t

Solicitor

**Civil Rights Enforcement  
Attorney**

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