

# Northumberland Legal Journal

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**NORTHUMBERLAND COUNTY BAR ASSOCIATION**

**NOTICE – PRINTING DATE – FRIDAY**

*Advertisements must be received by NOON the preceding Wed.*

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January 2,16; February 20; April 14, May 29; June 14; July 4; September 4; October 9; November 7,10,23,24; December 25

## **BAR ASSOCIATION NEWS**

### **MECHANICS' LIEN**

In, *Schell v. Murphy*, 2016 PA Super 302 (Dec. 23, 2016), the contractor filed a claim for a mechanics' lien in the amount of \$17,484.23 plus interest and costs against one spouse (the owner of the property) but not the other spouse, who had signed the construction contract.

The owner of the property filed preliminary objections to the mechanics' lien claim, arguing that the lien "must be dismissed for failure to join an indispensable party, to wit, [Wife], thus depriving the [trial court] of subject matter jurisdiction."

The trial court agreed and found that Wife "is an indispensable party under Pa.R.C.P. 1032, and inasmuch as [the contractor] is, by law," unable to join spouse in a mechanics' lien claim, preliminary objections are granted.

The Superior Court disagreed and reversed and remanded the trial court finding that the statute (49 P.S. § 1503) does not require that the mechanics' lien claimant name all parties to the contract to satisfy the requirements set forth in the mechanics' lien statute; it requires only that the claimant name the owner or reputed owner of the property.

"To hold otherwise would make it impossible for a claimant to file a mechanics' lien claim on a property where he or she entered into a contract with anyone other than, or in addition to, the owner of the property. That clearly was not the intention of the legislature in promulgating the Mechanics' Lien Law." *Schell*, supra

CASES  
STATUTES

— : —

ALWAYS UP TO DATE

EXECUTORS' AND

ADMINISTRATORS' NOTICE

Notice is hereby given that letters testamentary or administration have been granted in the following estates in the County of Northumberland and Commonwealth of Pennsylvania. All persons indebted to said estates are requested to make immediate payment and those having claims or demands will present them without delay to the respective executors or administrators or to their attorneys

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In Re: Estate of Ralph Edward Young, a/k/a Ralph E. Young, late of the City of Sunbury, Northumberland County, Pennsylvania, deceased. Steven D. Kerstetter, 1031 Strawbridge Road, Northumberland, Pennsylvania, 17857, Executor or Thomas E. Boop, Esq., 106 Market Street, P.O. Box 470, Sunbury, Pennsylvania, 17801, Attorney. 7-9

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In Re: Estate of Margaret J. Buck, late of 1105 Main Street, Watsonstown, Northumberland County, Pennsylvania, deceased. Cynthia Harman, Executrix, c/o Robert A. Bull, Esq., Law Offices of Bull & Bull, LLP, 106 Market Street, Berwick, Pennsylvania, 18603, Attorney. 7-9

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In Re: Estate of Nadene W. Deiterick, late of the Borough of Milton, Northumberland County, Pennsylvania, deceased. Cindy Kessel, 1375 Turbot Avenue, Watsonstown, Pennsylvania, 17777, Administratrix or Brian L.

Kerstetter, J.D., 1202 West Market Street, Lewisburg, Pennsylvania, 17837, Attorney.

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In Re: Estate of Shirley A. Troup, late of the City of Sunbury, Northumberland County, Pennsylvania, deceased. Diana Dippery, 82 Stony Drive, Beaver Springs, Pennsylvania, 17812, Administratrix or Brian L. Kerstetter, J.D., 1202 West Market Street, Lewisburg, Pennsylvania, 17837, Attorney. 7-9

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In Re: Estate of Charlotte A. Ferster, late of Dornsife, Northumberland County, Pennsylvania, deceased. Dane M. Ferster, Doyle L. Ferster and Donald L. Ferster, Co-Executors, c/o Richard G. Scheib, Esq., 11 Reitz Blvd., Suite 102, Lewisburg, Pennsylvania, 17837, Attorney. 7-9

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In Re: Estate of Leah C. Kiehl, late of the Township of Jordan, Northumberland County, Pennsylvania, deceased. Rosanne K. Carson, 622 Turkey Hill Road, Dalmatia, Pennsylvania, 17017; Elaine M. Balum 2600 SR225, Herndon, Pennsylvania, 17830, Co-Executrices. Terrence J. Kerwin, Esq., KERWIN & KERWIN, LLP, 4245 Route 209, Elizabethville, Pennsylvania, 17023, Attorney. 7-9

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In Re: Estate of Robert C. Zimmerman, Sr., late of the Borough of Northumberland, Northumberland County, Pennsylvania, deceased. Robert C. Zimmerman, Jr., 210 Augusta Road, Sunbury, Pennsylvania,

nia, 17801; Linda L. Young, 1120 Packer Street, Sunbury, Pennsylvania, 17801, Co-Executors or Antonio D. Michetti, Esq., DIEHL, DLUGE, MICHETTI & MICHETTI, 1070 Market Street, Sunbury, Pennsylvania, 17801, Attorney. 7-9

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In Re: Estate of Eleanor M. Moses, late of Kulpmont, Northumberland County, Pennsylvania, deceased. Brenda Duran, 733 Scott Street, Kulpmont, Pennsylvania, 17834, Executrix. Joseph F. Orso, Esq., RUDINSKI, ORSO & LYNCH, 339 Market Street, Williamsport, Pennsylvania, 17701, Attorney. 7-9

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In Re: Estate of Martha Bessie Inch, late of the Township of Lower Mahanoy, Northumberland County, Pennsylvania, deceased. Franklin G. Schaffner, P.O. Box 21, Dalmatia, Pennsylvania, 17017, Executor. Joel M. Wiest, Esq., WIEST, WIEST BENNER & RICE, LLC, 5 North Second Street, Sunbury, Pennsylvania, 17801, Attorney. 7-9

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In Re: Estate of Bruce I. Shoemaker, late of the City of Sunbury, Northumberland County, Pennsylvania, deceased. Blair Shoemaker, 343 Jefferson Street, Northumberland, Pennsylvania, 17857, Executrix or Robert L. Dluge, Jr., Esq., DIEHL, DLUGE, MICHETTI & MICHETTI, P.O. Box 304, Elysburg, Pennsylvania, 17824, Attorney. 8-10

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In Re: Estate of Lester Joseph Candelora, a/k/a Lester

J. Candelora, late of the City of Shamokin, Northumberland County, Pennsylvania, deceased. Joel A. Candelora, 8804 Homestead Road, Las Vegas, Nevada, 89143 and Kay Arlene Candelora, 1009 E. Race Street, Shamokin, Pennsylvania, 17872, Administrators and Garrigan & Targonski, 112 East Independence Street, Shamokin, Pennsylvania, 17872, Attorney. 8-10

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In Re: Estate of Sylvia L. Fabioneri, late of the Borough of Kulpmont, Northumberland County, Pennsylvania, deceased. Thomas Bogush, 920 New Bloomfield Road, Duncannon, Pennsylvania, 17020, Executor. Edward C. Greco, Esq., 660 Chestnut Street, Kulpmont, Pennsylvania, 17834, Attorney. 8-10

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In Re: Estate of Meredith Eugene Keiser, late of the Borough of Turbotville, Northumberland County, Pennsylvania, deceased. Barbara Nicholas, 143 Broadway Street, Turbotville, Pennsylvania, 17772, Administratrix or Brian L. Kerstetter, J.D., 1202 West Market Street, Lewisburg, Pennsylvania, 17837, Attorney. 8-10

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In Re: Estate of Ann Marie L. Carsto a/k/a Ann Marie Carsto, late of the Township of Coal, Northumberland County, Pennsylvania, deceased. Michael S. Carsto, 223 North Franklin Street, Shamokin, Pennsylvania, 17872, Administrator, C.T.A. or

Schlesinger & Kerstetter, LLP, 545 North Second Street, Shamokin, Pennsylvania, 17872, Attorney. 8-10

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In Re: Estate of Helen Beam, late of the Borough of Northumberland, Northumberland County, Pennsylvania, deceased. Ronald A. Beam, 428 Ridge Road, Northumberland, Pennsylvania, 17857, Executor or Stephen S. Slaton, Esq., 1221 Ridge Road, Northumberland, Pennsylvania, 17857, Attorney. 8-10

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In Re: Estate of Stanley V. Pultynovich, late of the Borough of Shamokin, Northumberland County, Pennsylvania, deceased. Stanley D. Pultynovich, 409 East Center Street, Mount Carmel, Pennsylvania, 17851, Executor or Law Office of Cole & Varano, 110 South Oak Street, Mount Carmel, Pennsylvania, 17851, Attorney. 9-11

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In Re: Estate of Raymond M. Ross, late of the Township of Upper Augusta, Northumberland County, Pennsylvania, deceased. Bonita J. Kauffman, 484 Houser Road, Sunbury, Pennsylvania 17801; Denise C. Snyder, 439 Larch Road, Sunbury, Pennsylvania, 17801, Co-Executrices or Thomas E. Boop, Esq., 106 Market Street, P.O. Box 470, Sunbury, Pennsylvania, 17801, Attorney. 9-11

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In Re: Estate of David C. Erdman, late of Shamokin, Northumberland County, Pennsylvania, deceased. Amy Goodrich, 810 W. State Street, Coal

Township, Pennsylvania, 17866 and Amber Erdman, 23 N. Sixth Street, Shamokin, Pennsylvania, 17872, Administratrices or Robert L. Dluge, Jr., Esq., DIEHL, DLUGE, MICHETTI & MICHETTI, P.O. Box 304, Elysburg, Pennsylvania, 17824, Attorney. 9-11

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In Re: Estate of Dorothy C. Shemonski, late of Mount Carmel, Northumberland County, Pennsylvania, deceased. Nancy Bendas, 4255 West Avenue, Ocean City, New Jersey, 08226, Executrix or Robert L. Dluge, Jr., Esq., DIEHL, DLUGE, MICHETTI & MICHETTI, P.O. Box 304, Elysburg, Pennsylvania, 17824, Attorney. 9-11

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In Re: Estate of Alma Ivon Tressler, late of Sunbury, Northumberland County, Pennsylvania, deceased. Raymond L. Tressler, 1013 North Vine Street, Shamokin, Pennsylvania, 17872, Executor or Robert L. Dluge, Jr., Esq., DIEHL, DLUGE, MICHETTI & MICHETTI, P.O. Box 304, Elysburg, Pennsylvania, 17824, Attorney. 9-11

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In Re: Estate of Elaine M. Sweda, late of the Borough of Kulpmont, Northumberland County, Pennsylvania, deceased. Diane Moyer, 1429 Scott Street, Kulpmont, Pennsylvania, 17834, Executrix or Stephen S. Slaton, Esq., 100 East Seventh Street, Mount Carmel, Pennsylvania, 17851, Attorney. 9-11

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## NOTICE

Notice is hereby given that pursuant to the provisions of the Act of Assembly No.1982-295 approved December 16, 1982, effective March 15, 1983, 54 Pa. C.S.A. 101, a Fictitious Name Registration, under the assumed or fictitious name, style, or designation of **ACME A&M**, with its principal place of business at 453 Venn Access Road, Coal Township, Northumberland County, Pennsylvania, was filed in the Office for the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania on January 10, 2017.

Jeffrey Apfelbaum &  
Benjamin Apfelbaum  
Attorneys At Law  
124 N. Fourth Street  
Sunbury, PA 17801

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**SHERIFF'S SALE  
of REAL ESTATE**

By Virtue of Writs of Execution issued out of the Court of Common Pleas of Northumberland County, Civil Division, upon Judgments in Mortgage Foreclosure, to me directed, will be exposed at public sale, on **February 16, 2017** at 1:00 P.M., in the Sheriff's Office of ROBERT J. WOLFE, at the Northumberland County Court House, 201 Market Street, in the City of Sunbury, County of Northumberland, Commonwealth of Pennsylvania, the following described real estate to wit:

Property of Elsie I. Adams and John J. Adams, known

as 714-716 East Sunbury Street F/K/A 712 East Sunbury St., Shamokin, PA 17872, Improvements Thereon: any improvements thereon, Tax Parcel 015-02-007-078, upon a Judgment at CV-14-2127, The Bank of New York Mellon FKA The Bank of New York as Trustee for the Certificate Holders of the CWABS, Inc., Asset-Backed Certificates, Series 2005-17 vs. Elsie I. Adams and John J. Adams, in the amount of \$93,639.14 plus interest, costs, & fees. KML Law Group, P.C.

Property of James Furfari and United States of America, known as 400 Sunbury Road, Riverside PA 17868, Improvements Thereon: any improvements thereon, Tax Parcel 041-03-027-001, upon a Judgment at CV-13-499, FRT2011-1 Trust vs. James Furfari and United States of America, in the amount of \$607,441.11 plus interest, costs, & fees. Shapiro & DeNardo, LLC

Property of Janna L. Geiger and James K. Boyer, Jr., known as 161 First Avenue, Sunbury, PA 17801, Improvements Thereon: any improvements thereon, Tax Parcel any improvements thereon, upon a Judgment at CV-16-1299, The Northumberland National Bank vs. Janna L. Geiger and James K. Boyer, Jr., in the amount of \$192,827.95 plus interest, costs, & fees. Manley Deas Kochalski, LLC.

Property of Jennifer A. Kelmelis A/K/A Jennifer Kelmelis, known as 451 East Avenue,



a/k/a 449-451 E Avenue, Mount Carmel, PA 17851, Improvements Thereon: a three-story frame apartment building, Tax Parcel 005-03-002-070, upon a Judgment at CV-16-1405, Branch Banking and Trust Company, a North Carolina Corporation, as Successor in Interest to Susquehanna Bank vs. Jennifer A. Kelmelis A/K/A Jennifer Kelmelis, in the amount of \$31,718.33 plus interest, costs, & fees. Phelan, Hallinan, Diamond & Jones, LLP.

Property of Blaine F. Kessler, a/k/a Blaine F. Kessler, Sr and Alice Joyce Kessler, a/k/a Alice J. Kessler, known as 223 W 2nd Street, Mount Carmel, PA 17851, Improvements Thereon: any improvements thereon, Tax Parcel 004-02-001-197, upon a Judgment at CV-16-1449, Santander Bank, N.A. vs. Blaine F. Kessler, a/k/a Blaine F. Kessler, Sr and Alice Joyce Kessler, a/k/a Alice J. Kessler, in the amount of \$81,002.64 plus interest, costs, & fees. Pressman & Doyle, LLC.

Property of Cathy Latsha, Administratrix for the Estate of Kevin L. Schminkey, Deceased, known as 220 South Pearl Street, Shamokin, PA 17872, Improvements Thereon: a single frame dwelling and other outbuildings, Tax Parcel 013-02-005-296, upon a Judgment at CV-16-1721, Midfirst Bank vs. Cathy Latsha, Administratrix for the Estate of Kevin L. Schminkey, Deceased, in the amount of \$27,334.74 plus interest, costs, & fees. Purcell, Krug & Haller.

Property of William R. Rogers, a/k/a William P. Rogers and Lisa L. Rogers, known as 56 Lehman Drive, Watsontown, PA 17777, Improvements Thereon: any improvements thereon, Tax Parcel 021-00-013-018 and 021-00-013-019, upon a Judgment at CV-16-1620, Wells Fargo Bank, NA vs. of William R. Rogers, a/k/a William P. Rogers and Lisa L. Rogers, in the amount of \$151,792.88 plus interest, costs, & fees. Phelan, Hallinan, Diamond & Jones, LLP.

Property of Marsha Kay Sherman and Donald Floyd Sherman, Jr., known as 7 West 5th Street, Watsontown, PA 17777, Improvements Thereon: a two-story frame dwelling house with additions and other improvements, Tax Parcel 044-00-050-029-B, upon a Judgment at CV-16-1154, LSF9 Master Participation Trust c/o Caliber Home Loans, Inc. vs. Marsha Kay Sherman and Donald Floyd Sherman, Jr., in the amount of \$171,342.60 plus interest, costs, & fees. McCabe, Weisberg & Conway, P.C.

All parties in interest and claimants are hereby notified that schedules of distribution will be filed by the sheriff, in his office, not later than thirty (30) days after sale and distribution will be made in accordance with the schedules unless exceptions are filed thereto within ten (10) days after the filing of the schedules.

SO ANSWERS, ROBERT J. WOLFE, SHERIFF OF NORTHUMBERLAND COUNTY