

York Legal Record

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

Vol. 124

YORK, PA, THURSDAY, October 14, 2010

No. 27

CASES REPORTED

In re Estate of
DONALD W. BOSLEY, Deceased

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Testamentary Capacity — Removal of Executor



Dated Material Do Not Delay

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ESTATE NOTICES

ADMINISTRATOR'S AND EXECUTORS NOTICES

FIRST PUBLICATION

LAWRENCE E. BRICKNER late of West Manchester Twp., York Co., PA, deceased. George J. Brickner, 661 West King Street, York, PA 17401, Executor. Dorothy Livaditis, Esquire, Attorney. 10-14-3t

VELMA MAE BUSLER late of West Manchester Twp., York Co., PA, deceased. Emerson J. Allison, c/o 117 E. Market St., York, PA 17401, Executor. Anstine & Sparler. John R. Elliot, Esquire, Attorney. 10-14-3t

CARL E. DARR late of Dover Twp., York Co., PA, deceased. Robert A. Darr, 2077 Loman Dr., York, PA 17408, Executor. John W. Stiitt, Esquire, Attorney. 10-14-3t

MARY ANN FIERY late of Hanover Borough, York Co., PA, deceased. Michael D. Fiery, 340 Foxleigh Dr., Hanover, PA 17331, Executor. G. Steven McKonly, Esquire, Attorney. 10-14-3t

JEFFREY L. GABLE late of West Manchester Twp., York Co., PA, deceased. Linda S. Gable, 2512 Brookmar Drive, York, PA 17408, Executrix. Stonesifer and Kelley, P.C., Attorney. 10-14-3t

VIOLA B. LITTLE late of Hanover Borough, York Co., PA, deceased. Irene G. Little, 13 Mimosa Dr., Hanover, PA 17331 and Philip B. Little, 319 Old Westminister Rd., Hanover, PA 17331, Executors. Guthrie, Nonemaker, Yingst & Hart, LLP. Matthew L. Guthrie, Esquire, Attorney. 10-14-3t

LEVERE D. OVERMILLER, SR., A/K/A LEVERE D. F. OVERMILLER, SR. late of West Manchester Twp., York Co., PA, deceased. Bradley J. Leber, c/o 17 East Market Street, York, PA 17401, Executor. Blakey, Yost, Bupp & Rausch, LLP. Bradley J. Leber, Esquire, Attorney. 10-14-3t

VIRGINIA L. REICHART late of York Co, PA, deceased. Douglas Reichart, 15218 Briarcrest Circle, Fort Myers, FL 33912, Executor. 10-14-3t

HARRY D. REIGART late of Springettsbury Twp., York Co., PA, deceased. Alan J. Reigart, c/o 3015 Eastern Boulevard, York, PA 17402, Executor. Law Office of Donald L. Reihart.

Donald L. Reihart, Esquire, Attorney. 10-14-3t

ETHEL M. SENFT late of York City, York Co., PA, deceased. Beth Senft, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executrix. Beth Senft, Esquire, Attorney. 10-14-3t

ROBERT ANTHONY SHERIDAN A/K/A ROBERT A. SHERIDAN late of York Twp., York Co., PA deceased. Lynne Iadorola, c/o P.O. Box 312, Stewartstown, PA 17363, Executrix. Laura S. Manifold, Esquire, Attorney. 10-14-3t

WALTER D. SHOFF late of Lower Windsor Twp., York Co., PA, deceased. Brenda M. Howard, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executrix. Eveler & Eveler LLC, Attorney. 10-14-3t

PEARL R. SMITH late of Paradise Twp., York Co., PA, deceased. David T. Smith, c/o 215 Baltimore Street, Hanover, PA 17331, Executor. Thomas M. Shultz, Esquire, Attorney. 10-14-3t

EVELYN G. SMYSER late of York Twp., York Co., PA, deceased. Connie L. Gruver, c/o 56 S. Duke Street, York, PA 17401-1402, Executrix. Richard R. Reilly, Esquire, Attorney. 10-14-3t

DELORES M. WILSON late of Penn Twp., Hanover, York Co., PA, deceased. Alice M. Wilson, 205 York Street, Hanover, PA 17331, Executrix. Jeffery M. Cook, Esquire, Attorney. 10-14-3t

SECOND PUBLICATION

IDA M. BAGLIO late of Dillsburg Borough, York Co., PA, deceased. Amelia A. Cue, c/o 119 West Hanover Street, Spring Grove, PA 17362, Executrix. Craig A. Diehl, Esquire, Attorney. 10-7-3t

RICHARD E. FRY late of York Twp., York Co., PA, deceased. Linda L. Fry, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executrix. Eveler & Eveler LLC, Attorney. 10-7-3t

RONALD EUGENE NEWELL A/K/A RONALD E. NEWELL A/K/A RONALD NEWELL A/K/A RON NEWELL late of Dallastown Borough, York Co., PA, deceased. John M. Garber, 40 South Duke Street, York, PA 17401-1402, Administrator. GARBER & GARBER. John M. Garber, Esquire, Attorney. 10-7-3t

LETA M. GORDON A/K/A LETA MAE GORDON late of Penn Twp., York Co., PA, deceased. Dale F. Gordon, 118 South Madison Street, Hanover, PA 17331, Executor. Donald W. Dorr, Esquire, Attorney. 10-7-3t

ANN S. HAMME late of Springettsbury Twp., York Co., PA, deceased. James B. Stambaugh, 9 Springton Pointe Drive, Newton Square, PA

19073, Executor. STOCK AND LEADER. J. Ross McGinnis, Esquire, Attorney. 10-7-3t

STERLING U. INNERST A/K/A STERLING URIAS INNERST late of York Twp., York Co., PA, deceased. Daniel Innerst, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executor. Eveler & Eveler LLC, Attorney. 10-7-3t

CHARLES N. MESSERSMITH A/K/A CHARLES JACOB MESSERSMITH A/K/A CHARLES J. MESSERSMITH late of 1036 West Locust Street, York, York Co., PA, deceased. Bonnie Lynnae Lindsey, 816 Marlette Circle, Mount Wolf, PA 17347, Administrator. Pro Se. 10-7-3t

DOROTHY M. MORTON late of York City, York Co., PA, deceased. Brian R. Miller, 223 Jefferson Ave., York, PA 17401, Executor. Gregory H. Gettle, Esquire, Attorney. 10-7-3t

ISABELLE E. MURRAY late of Springettsbury Twp., York Co., PA, deceased. Roger E. Murray, 201 N. Baltimore Street, Apartment #1, Dillsburg, PA 17019, Executor. The Wiley Group, P.C. David J. Lenox, Esquire, Attorney. 10-7-3t

MARGARET M. O'BRIEN late of West Manchester Twp., York Co., PA, deceased. Susan O'Brien Smith, c/o 32 N. Duke Street, P.O. Box 544, York, PA 17405, Executrix. Morris & Vedder. Rand A. Feder, Esquire, Attorney. 10-7-3t

ARLENE MAE PAYNE late of Fairview Twp., York Co., PA, deceased. James H. Payne, 1330 Sheep Bridge Road, York, PA 17406, Administrator. Rob A Krug, Esquire, Attorney. 10-7-3t

BERT M. PESSOGNELLI late of Springettsbury Twp., York Co., PA, deceased. Michelle F. Pessognelli, 2601 Cambridge Road, York, PA 17402, Executor. Laucks & Laucks, LLP. David M. Laucks, Esquire, Attorney. 10-7-3t

MARY J. SACRIPONT late of York City, York Co., PA, deceased. Kathryn C. Ilgenfritz, c/o 56 S. Duke Street, York, PA 17401-1402, Executrix. Richard R. Reilly, Esquire, Attorney. 10-7-3t

ANNA MAYE SHEWELL late of York City, York Co., PA, deceased. Bruce R. Shewell, Dale E. Shewell & Lee S. Shewell, c/o 56 S. Duke Street, York, PA 17401-1402, Co-Executors. Richard R. Reilly, Esquire, Attorney. 10-7-3t

ESTELLA A. SHUE late of York City, York Co., PA, deceased. Ronald T. Shue, Kenneth A. Shue and David E. Shue, c/o 48 South Duke Street, York, PA 17401, Executors. Bruce C. Bankenstein, Esquire, Attorney. 10-7-3t

JESSE S. STAMBAUGH late of Jackson Twp., York Co., PA, deceased. Sandra M. Uffelman, c/o 119 West Hanover Street, Spring Grove, PA 17362, Executrix. Craig A. Diehl, Esquire, Attorney. 10-7-3t

CHARLOTTE M. TRUMP late of Washington Twp., York Co., PA, deceased. Harry F. Nailor, 1111 South Mountain Road, Dillsburg, PA 17019, Executor. Brian C. Linsenbach, Esquire, Attorney. 10-7-3t

HAROLD S. WALES, SR. late of Fawn Twp., York Co., PA, deceased. Harold S. Wales, Jr., 13 Andover Drive, Exton, PA 19341-1502, Executor. 10-7-3t

THIRD PUBLICATION

MYRTLE I. AMSPACHER late of Shrewsbury Twp., York Co., PA, deceased. Gaile C. Ambrosius, c/o 48 South Duke Street, York, PA 17401, Executrix. Manifold & Bankenstein. Bruce C. Bankenstein, Esquire, Attorney. 9-30-3t

MARY F. ARCHER late of Manchester Twp., York Co., PA, deceased. Sandra A. Russell, c/o 135 North George Street, York, PA 17401, Executrix. CGA Law Firm, PC. Timothy J. Bupp, Esquire, Attorney. 9-30-3t

HELEN L. AUBEL late of Spring Garden Twp., York Co., PA, deceased. Debra Little, M&T Bank, c/o 135 North George Street, York, PA 17401, Executrix. CGA Law Firm, PC. Peter R. Andrews, Esquire, Attorney. 9-30-3t

BEATRICE R. BROTHERS late of West Manchester Twp., York Co., PA, deceased. Ronald Vernon Hershey, Jr. and Debra R. Cousler n/k/a Debra R. Weaver, c/o 39 East King Street, 2 FL, York, PA 17401, Co-Executors. Edward R. LeCates, Esquire, Attorney. 9-30-3t

PAUL W. CHALK late of Springettsbury Twp., York Co., PA, deceased. William P. Chalk, c/o 2675 Eastern Boulevard, York, PA 17402, Executor. Kagen MacDonald & France P.C. Jennifer A. Galloway, Esquire, Attorney. 9-30-3t

SAMUEL F. EINSIG A/K/A SAMUEL F. EINSIG, SR. late of Warrington Twp., York Co., PA, deceased. Bessie M. Einsig, 250 Bumble Bee Hollow Road, Wellsville, PA 17365, Executrix. Jane M. Alexander, Esquire, Attorney. 9-30-3t

FRANKLIN JAMES ENGLEHARDT late of Hanover Borough, York Co., PA, deceased. Carolyn E. Politano, c/o 515 Carlisle Street, Hanover, PA 17331, Executrix. Elinor Albright Rebert, Esquire, Attorney. 9-30-3t

CLAIR E. GARRETT A/K/A CLAIR EDGAR GARRETT late of Penn Twp., York Co., PA, deceased. Ann G. Miller, 6654 York Road, Spring Grove, PA 17362 and Elaine M. Hull, 360 Black Rock Road, Hanover, PA 17331, Executrices. MILLER & SHULTIS, P.C. Thomas E. Miller, Esquire, Attorney. 9-30-3t

MARIE J. GEIMAN late of Hanover Borough,

York Co., PA, deceased. Christine E. Geiman, c/o 515 Carlisle Street, Hanover, PA 17331, Executor. Elinor Albright Rebert, Esquire, Attorney. 9-30-3t

SHELVA J. GOODCHILD late of Stewartstown Borough, York Co., PA, deceased. Kevin J. Smith, c/o 135 North George Street, York, PA 17401, Executor. CGA Law Firm, PC. Jeffrey L. Rehmeier II, Esquire, Attorney. 9-30-3t

RUTH N. HENRY of Springettsbury Twp., York Co., PA, deceased. David A. Henry, c/o 2675 Eastern Blvd., York, PA 17402, Executor. Kagen MacDonald & France P.C. Jennifer A. Galloway, Esquire, Attorney. 9-30-3t

BARRY SPENCER LANDIS A/K/A BARRY S. LANDIS late of West Manchester Twp., York Co., PA, deceased. Nancy I. Lightner, c/o 250 York Street, Hanover, PA 17331, Executrix. Gates & Gates, P.C. Samuel A. Gates, Esquire, Attorney. 9-30-3t

GLADYS M. MARCH A/K/A GLADYS MAE MARCH late of Springettsbury Twp., York Co., PA, deceased. Rose A. Rupert, 4318 Old Orchard Road, York, PA 17402 and Patsy J. Goetz, 4433 Webster Drive, N., York, PA 17402, Co-Executrices. Laucks & Laucks, LLP. David M. Laucks, Esquire, Attorney. 9-30-3t

MARY A. POSEY late of Chanceford Twp., York Co., PA, deceased. Gerald L. Posey, c/o 135 North George Street, York, PA 17401, Executor. CGA Law Firm, PC. Timothy J. Bupp, Esquire, Attorney. 9-30-3t

ROBERT E. RUPPERT late of Conewago Twp., York Co., PA, deceased. Douglas Ruppert, c/o 110 South Northern Way, York, PA 17402, Administrator. Paul G. Lutz, Esquire, Attorney. 9-30-3t

WILLIAM G. SCHWAB, JR. late of Dover Twp., York Co., PA, deceased. Dorothy Ann Ness, Martha Carol Corwell and William E. Schwab, 12995 Blymire Hollow Road, Stewartstown, PA 17363, Co-Executors. STOCK AND LEADER. W. Bruce Wallace, Esquire, Attorney. 9-30-3t

GLENDAL. SHAFFER late of Codorus Twp., York Co., PA, deceased. Heidi M. Hanson, c/o 515 Carlisle Street, Hanover, PA 17331, Executrix. Elinor Albright Rebert, Esquire, Attorney. 9-30-3t

MERNIA B. SHUGHART late of Dillsburg Borough, York Co., PA, deceased. James L. Shughart, 62 Northview Drive, Mechanicsburg, PA 17050 or Jerry A. Shughart, 1061 York Road, Dillsburg, PA 17019, Administrators. The Wiley Group, P.C. Jan M. Wiley, Esquire, Attorney. 9-30-3t

NELLIE L. SMITH late of Carroll Twp., York Co., PA, deceased. James A. Smith, 250 Chestnut Grove Road, Dillsburg, PA 17019, Personal Representative. Scott M. Dinner, Esquire, Attorney. 9-30-3t

BURNELL L. WERNER late of Hanover Borough, York Co., PA, deceased. Robert E. Werner, 134 Highland Ave., New Freedom, PA 17349 and Dianne K. Wildasin, 1666 Haar Rd., Spring Grove, PA 17362, Executors. Guthrie, Nonemaker, Yingst & Hart, LLP. Keith R. Nonemaker, Esquire, Attorney. 9-30-3t

York Habitat for Humanity is seeking attorneys to serve on its Governance and Nominating Committee (some knowledge of corporate governance helpful) and on its Personnel Committee (human resources knowledge a plus.) G & N meets monthly and Personnel will meet about four times a year. Meetings are generally an hour long. If you have an interest in volunteering for a very worthwhile organization, or any questions, please contact

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 Counsel and Secretary*
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CIVIL NOTICES

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10-14-1t

Solicitor

**ACTION IN MORTGAGE
FORECLOSURE**

VILLAGE FINANCE COMPANY, INC.
vs.
KERRY GLOVER

No. 2010-SU-002406-06

TO: KERRY GLOVER

CITIMORTGAGE, INC.
Vs.
NELLIE E. HAWN

NO. 2010-SU-003056-06

NOTICE

TO NELLIE E. HAWN:

You are hereby notified that on 6/18/10, Plaintiff, Citimortgage, inc. , filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YorkCounty Pennsylvania, docketed to No. 2010-SU-003056-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 256 Harding Court, York, PA 17403 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.

YORK COUNTY
LAWYER REFERRAL SERVICE

TAKE NOTICE that on May 13, 2010, Village Finance Company, Inc., Plaintiff, filed a Complaint against you in mortgage foreclosure in above action with respect to your real estate at 30 South Hartley Street, York City, York County, Pennsylvania. Said Complaint has been reinstated. The Complaint states that you have defaulted upon your Mortgage, and requests that judgment be entered for the balance due under the Mortgage and for a judicial sale of the said premises.

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 within 20 days after the publication of this notice. 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 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.

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MANIFOLD & BANKENSTEIN

Bruce C. Bankenstein, Esquire
48 South Duke Street
York, Pennsylvania 17401-1299

Telephone (717) 843-0961
Telefax (717) 843-0699

10-14-1t Solicitor

**CERTIFICATE OF ORGANIZATION
OF DOMESTIC LIMITED
LIABILITY COMPANY**

Notice is hereby given that a Certificate of Organization-Domestic Limited Liability Company was filed with the Department of State of the Commonwealth of Pennsylvania for: GUNS RE-DONE LIMITED, LLC.

The entity has been organized under the provisions of the Pennsylvania Limited Liability Company Law of 1994 of the Commonwealth of Pennsylvania, as amended.

GUNS RE-DONE LIMITED LLC

THOMAS A. MONK, IV

10-14-1t Solicitor

FICTITIOUS NAME

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Act of Assembly of December 16, 1982, Act 295, as amended, that an Application for Registration of Fictitious Name has been/will be filed in the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the conduct of business in York County, Pennsylvania, under the assumed or fictitious name of: LINCOLN WAY BOWLING CENTER with its principal place of business at: 85 North Fayette Street, York, PA 17404. The name and address of the entity owning or interested in said business is M&L LLC, 85 North Fayette Street, York, PA 17404. The purpose of the business will be to operate a bowling center.

METTE, EVANS & WOODSIDE

MARK D. HIPPI, Esquire

10-14-1t Solicitor

SHERIFF'S SALE

DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for Morgan Stanley Capital I Inc. Trust 2006-HE2, Mortgage Pass-Through Certificates, Series 2006-HE2, Plaintiff,

vs.

LARRY E. LUCKABAUGH, JR. and POLLY A. LUCKABAUGH, Defendants.

NO.: 2010-SU-001484-06

Notice of Sheriff's Sale of Real Estate on December 13, 2010 at 2:00 P.M. in the York County Judicial Center, 45 North George Street, York, PA 17401.

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF LARRY E. LUCKABAUGH, JR. AND POLLY A. LUCKABAUGH OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE BOROUGH OF HANOVER, COUNTY OF YORK, AND COMMONWEALTH OF PENNSYLVANIA. HAVING ERRECTED THEREON A DWELLING BEING KNOWN AND NUMBERED AS 239 EAGLE AVENUE, HANOVER, PA 17331. DEED BOOK VOLUME 1106, PAGE 245, UPI #67-000-05-0424-A0-00000.

Deutsche Bank National Trust Company, et al. v. Larry E. Luckabaugh, Jr. and Polly A. Luckabaugh, at Execution No. 2010-SU-001484-06 in the amount of \$111,705.24.

Schedule of Distribution will be filed by the Sheriff on the date specified by the Sheriff no later than thirty (30) days from sale date. Distributions will be made in accordance with the schedule unless exceptions are filed within ten (10) days of the filing of the Schedule.

GRENN & BIRSIC, P.C.

KRISTINE M. ANTHOU, Esquire
One Gateway Center, 9 West
Pittsburgh, PA 15222
(412) 281-7650

10-14-1t Solicitor

POSITION AVAILABLE

A York County firm seeks associate attorney. Practice has a strong concentration in municipal law and zoning, real estate acquisition and development, and general business activity. Extraordinary opportunity for highly motivated attorney. Applicant should have a minimum of 2 years experience in York County with emphasis in real estate and business. Excellent insurance benefits. Send resume c/o Cindy Van Laeys, Box No. 1, York County Bar Association, 137 East Market Street, PA 17401. All inquiries will be held in strict confidence.

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