

Adams County Legal Journal

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IN THIS ISSUE

STOCK BUILDING SUPPLY VS. BELTRAN ET AL

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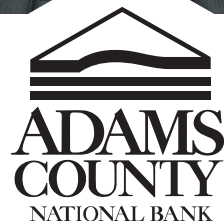
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-1512 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 Union Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a point along the Southerly right-of-way line of Basehoar School Road and Lot No. 247 of the hereinafter referred to subdivision plan; thence along said Lot No. 0247, South two (2) degrees eleven (11) minutes fifty-six (56) seconds East, one hundred forty and zero hundredths (140.00) feet to a point at other lands now or formerly of Lynn Lee Construction Co., Inc.; thence along said other lands now or formerly of Lynn Lee Construction Co., Inc. South eighty-seven (87) degrees forty-eight (48) minutes four (04) seconds West, one hundred and zero hundredths (100.00) feet to a point at Lot No. 249, thence along said Lot No. 249, North two (02) degrees eleven (11) minutes fifty-six (56) seconds West, one hundred forty and zero hundredths (140.00) feet to a point along the southerly right-of-way line of Basehoar School Road; thence along the Southerly right-of-way line of Basehoar School Road, North eighty-seven (87) degrees forty-eight (48) minutes four (04) seconds East, one hundred and zero hundredths (100.00) feet to a point, the place of BEGINNING. CONTAINING 14,000 square feet and being identified as Lot No. 248 on the final subdivision plan of Phase I, Meadowview Estates, which plan is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plan Book 54, Page 75.

Tax Parcel: (41) 003—0003

Property Address: 485 Basehoar Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **James W. Houseman, III** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-654 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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.:

LEGAL DESCRIPTION

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

BEGINNING at a magnetic spike in the center line of Iron Springs Road at corner of lands now or formerly of Joyce Harbaugh; thence continuing by lands now or formerly of Joyce Harbaugh and through a steel rod set back 25 feet from the beginning of this course, and also through a steel rod set back 40 feet from the end of this course, and through a 36 pine stump on line and across Toms Creek, South 17 degrees 46 minutes 40 seconds East 120 feet to a point on the South side of Toms Creek at a corner of lands now or formerly of Todd Reamer; thence continuing by lands now or formerly of Todd Reamer and by lands now or formerly of Lulu Sell, South 73 degrees 32 minutes 55 seconds West 278 feet to an existing iron pipe located South of Toms Creek at corner of lands now or formerly of Crystal Gauss; thence across Toms Creek and by lands now or formerly of Crystal Gauss and through

an existing steel rod with Gauss cap located 33.86 feet from the end of this course, North 8 degrees 30 minutes 00 seconds West 160 feet to a spike located North of Iron Springs Road along line of lands now or formerly of Kathryn Swisher; thence continuing by lands now or formerly of Kathryn Swisher, and also by lands now or formerly of Richard Feeser and Leroy Forsythe, North 82 degrees 11 minutes 45 seconds East 256 feet to a magnetic spike set in the center line of Iron Springs Road located at the corner of lands now or formerly of Joyce Harbaugh, the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Jennifer Holland a/k/a Jennifer C. Holland and Edward Holland a/k/a Edward M. Holland by deed from Anthony Valance Washington, unmarried, by his Attorney-in-Fact, Barbara A. Zimmerman, dated April 27, 2006 and recorded April 28, 2006 in Deed Book 4396, Page 121.

TAX ID: 18-B 16-0009

Being Known As: 1210 Iron Springs Road, Fairfield, PA 17320.

SEIZED and taken into execution as the property of **Jennifer C. Holland & Edward M. Holland** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/2, 9 & 16

STOCK BUILDING SUPPLY VS. BELTRAN ET AL

1. Strict compliance with the Mechanics' Lien Law is necessary in order to effect a valid claim.

2. If sustaining preliminary objections will result in a denial of claim or a dismissal of suit, preliminary objections in a mechanics' lien proceeding should be sustained only in cases which are clear and free from doubt.

3. A legislative note to the Mechanics' Lien Law states that the amendments to §1401(a)(1) apply only to contracts entered on or after January 1, 2007. To determine definitively which statute applies, it must first be established if there is a valid contract between the property owner and the general contractor.

4. A provision barring the filing of liens is only valid if there is a valid contract between the property owner and contractor.

5. It is fundamental that there must be at least two parties to the making of a contract, for it is a rule of the common law that no man may contract with himself. This is so even where a man is acting in more than one capacity.

6. A provision barring mechanics' liens in an agreement in which the same entity is both owner and general contractor is a nullity. On the other hand, such a provision has been held to be valid, in the absence of a corporate general contractor and several property owners, one of whom is the controlling owner of the corporation, and that the fact that a contractor is one of several owners does not prevent his good faith waiver of his right to a lien in such a manner as to bar the filing of liens by his subcontractors.

7. An intervening sale was of no consequence on the issue of validity of a stipulation against liens since the subcontractor is required to search the public records against the contractor, as well as the owner.

8. The Superior Court found that even though the stipulation against mechanics' liens filed in the prothonotary's office did not state the correct name of the property owner, the general contractor signed the stipulation against mechanics' liens and clearly identified the property, thus giving the subcontractor constructive notice of the filing of the stipulation against mechanics' liens.

9. The fact that the individually named Defendants were not named on the Stipulations Against Liens and Waiver of Right to File Mechanics' Liens does not automatically make the Stipulations Against Liens and Waiver of Right to File Mechanics' Liens filed invalid, as long as the contractor was properly named, indexed, and the property was sufficiently described.

In the Court of Common Pleas of Adams County, Pennsylvania, Civil, No. 08-TL-594, STOCK BUILDING SUPPLY, INC. VS. JOSE E. BELTRAN, BRENDA G. BELTRAN SANCHEZ AND MARIA E. SANCHEZ.

Timothy J. Huber, Esq., and David R. Warner, Jr., Esq., for Plaintiff
Bernard A. Yannetti, Jr., Esq., for Defendant

Bigham, J., December 17, 2008.

OPINION

Presently before the Court are the Preliminary Objections of Defendants, Jose E. Beltran, Brenda G. Beltran Sanchez and Maria E. Sanchez, seeking to dismiss the Mechanics Lien Claim filed by Plaintiff, Stock Building Supply, Inc. Specifically, Jose Beltran, Brenda Beltran Sanchez and Maria Sanchez allege that they should be granted a demurrer dismissing Plaintiff's Mechanics' Lien claim because of two Waivers of Mechanics' Liens filed which allegedly cover the property at issue. For the reasons set forth below, Jose Beltran, Brenda Beltran Sanchez and Maria Sanchez's Preliminary Objections will be overruled.

STATEMENT OF FACTS

Klein Builders Group, Inc., was the general contractor constructing homes in a residential sub-development. Plaintiff, Stock Building Supply, Inc. (hereinafter referred to as Plaintiff), entered into a contract to supply building materials to the contractor. At the time, the property for the sub-development was owned by BLK-RAK, Inc. Defendants, Jose Beltran, Brenda Beltran Sanchez and Maria Sanchez (hereinafter referred to as the Defendants) own a home in the sub-development.

Adams County Contractors, Inc. and BLK-RAK, Inc. entered into a Stipulation Against Liens and Waiver of Right to File Mechanics' Liens, which was filed on October 10, 2006. Additionally, BLK-RAK, Inc. and Klein Builders Group, Inc. also entered into a Stipulation Against Liens and Waiver of Mechanics' Liens, which was filed on November 2, 2006. Richard A. Klein is the President of BLK-RAK, Inc., Klein Builders Group, Inc., and Adams County Contractors, Inc.

On September 3, 2008, Plaintiff served formal notice on Defendants of their intention to file a Mechanics' Lien. Thereafter on October 17, 2008, the Plaintiff filed a Mechanics' Lien against the Defendants.¹ On November 6, 2008, Defendants filed Preliminary Objections and a Brief in Support. Plaintiff filed an Answer and Brief in Opposition on November 26, 2008.

¹ On the same date, Plaintiff filed a similar Mechanics' Lien against Gabriel M. Goold at case number 08-TL-592, Dennis L. Lentz, Jr. and Rebecca N. Scott at case number 08-TL-593, and Thomas and Natalie West at case number 08-TL-590. The same issue is before this Court in those cases as well, however, the case against Thomas and Natalie West has been discontinued.

DISCUSSION

A waiver of liens may be raised by preliminary objections. 49 P.S. § 1505; *Mele Const. Co., Inc. v. Crown American Corp.*, 421 Pa.Super. 569, 618 A.2d 956 (1992); *John B. Kelly, Inc. v. Phoenix Plaza, Inc.*, 249 Pa. Super. 413, 378 A.2d 363 (1977). Strict compliance with the Mechanics' Lien Law is necessary in order to effect a valid claim. *Brann & Stuart Co. v. Consolidated Sun Ray, Inc.*, 433 Pa. 574, 253 A.2d 105 (1969). If sustaining preliminary objections will result in a denial of claim or a dismissal of suit, preliminary objections in a mechanics' lien proceeding should be sustained only in cases which are clear and free from doubt. *Castle Pre-Cast Superior Walls of Delaware, Inc. v. Strauss-Hammer*, 416 Pa.Super. 53, 610 A.2d 503 (1992).

Defendants argue that pursuant to 49 P.S. § 1401(a)(1), stipulations against mechanics' liens signed by contractors are permitted for houses costing less than \$1,000,000.00 dollars, and that this limit should be applied on a lot-by-lot basis, not to the whole subdivision. Defendants maintain that if the \$1,000,000.00 rule applied to the whole subdivision, it would remove the ordinary residential subdivision home from the protection of Stipulation Against Mechanics' Lien procedure and homeowners' title insurance with mechanics' lien coverage will no longer be routinely available, nor will a line of credit or home equity mortgage get second priority coverage.

Plaintiff argues that there is no statutory provision to support the Defendants' assertion that the contract value should be applied on an individual basis to each lot in the subdivision. Plaintiff asserts that the alleged contract in question between BLK-RAK, Inc. and Klein Builders Group or Adams County Contractors, Inc., does not actually exist, therefore, there is no contract as required by 49 § 1401(a)(1). Further, Plaintiff argues that even if a contract does exist, the same person is the head of all three entities, and therefore the contract and the waivers of mechanics' liens are invalid. Plaintiff maintains that 49 P.S. § 1407 requires two parties to an agreement, thus, if the same entity is both the owner and general contractor, then the stipulation against liens and waiver is a nullity. Plaintiff notes that Richard A. Klein signed both waivers in question, evidencing common ownership among all parties to the waiver of liens. Lastly, Plaintiff argues that pursuant to 49 P.S. § 1402 the waivers were not properly filed and indexed in the names of the individual Defendants.

The primary issue is whether the Stipulations Against Liens and Waiver of Mechanics' Liens filed in 2006 prevent Plaintiff from filing a Mechanics' Lien against Defendants. The Mechanics' Lien Law permits parties to file a waiver of their right to file a mechanics' lien. The current statute, cited by both parties, states:

A contractor may waive his right to file a claim against property for the erection, construction, alteration or repair of a residential building, in which the total contract price between the owner and the contractor is less than one million dollars (\$1,000,000), by a written instrument signed by him or by any conduct which operates equitably to estop such contractor from filing a claim.

49 P.S. § 1401(a)(1). However, a legislative note to that statute states that the amendments to this section apply only to contracts entered on or after January 1, 2007. The prior version of 49 P.S. § 1401 states:

A contractor or subcontractor may waive his right to file a claim by a written instrument signed by him or by any conduct which operates equitably to estop such contractor or subcontractor from filing a claim.

Depending on when the contract between the former owner, BLK-RAK, Inc., and the general contractor was executed, the correct statute to use may be the old version of 49 P.S. § 1401. In this case, it is not clear when a contract was entered into, or even if a valid contract exists. However, if a contract exists, it was probably entered into before the effective date of the new statute because the two Stipulations Against Liens and Waiver of Right to File Mechanics' Liens in question were filed on October 10, 2006 and November 2, 2006, prior to the statutory amendments. Therefore, in this case, the old statute probably applies.²

To determine definitively which statute applies, it must first be established if there is a valid contract between the property owner and the general contractor. If there is a valid contract, then the date of that contract controls which version of the statute is applicable. If there is not a valid contract, then the two Stipulations Against Liens and Waiver of Right to File Mechanics' Liens in question may be void.

²Because the current version 49 P.S. § 1401(a)(1) may not apply in this case, the Court does not need to determine whether the \$1,000,000.00 limit applies on a lot-by-lot basis or to the whole subdivision at this time.

A provision barring the filing of liens is only valid if there is a valid contract between the property owner and contractor. *Shadie Elec. Associates v. Highland Manor Associates*, 41 Pa. D. & C.3d 633, 636 (C.P. Luzn. 1984), citing *Morrissey Construction Co. v. Cross Realty Co.* (No. 2), 48 Pa. D. & C. 2d 565 (1969). "It is fundamental that there must be at least two parties to the making of a contract, for it is a rule of the common law that no man may contract with himself. This is so even where a man is acting in more than one capacity. At law, it is not permissible for one man to deal with himself contractually in another capacity." *Phillipsburg Const. Co. v. Phillipsburg U.A.W. Housing Co.*, 254 Pa.Super. 1, 4, 385 A.2d 494, 496 n. 2 (1978).

49 P.S. § 1407 states:

A contract for the improvement made by the owner with one not intended in good faith to be a contractor shall have no legal effect except as between the parties thereto, even though written, signed and filed as provided herein, but such contractor, as to third parties, shall be treated as the agent of the owner.

The Court in *Shadie Elec. Associates* explained as follows:

A provision barring mechanics' liens in an agreement in which the same entity is both owner and general contractor is a nullity, and if the general contractor is the agent of the owner, or if the owner is actually dealing with himself in executing the provision barring such liens, the provision is invalid. On the other hand, such a provision has been held to be valid, in the absence of a corporate general contractor and several property owners, one of whom is the controlling owner of the corporation, and that the fact that a contractor is one of several owners does not prevent his good faith waiver of his right to a lien in such a manner as to bar the filing of liens by his subcontractors. Insofar as fraud is concerned, it has been held that a provision barring mechanics' liens is unenforceable if procured by false and fraudulent representations made at the very time at which the contract is executed, inasmuch as fraud in the inducement renders the provision void. Likewise, a contract made by an owner with a party not

intended in good faith to be a general contractor has no legal effect on the rights of a third party, for the party purporting to act as general contractor will, in such a case, be treated as the agent of the owner.

41 Pa. D. & C.3d at 635-36 (internal citations omitted).

In *Shadie Elec. Associates*, the property owner was a limited partnership and the general contractor was a Pennsylvania corporation. 41 Pa. D. & C.3d at 634. The waiver of the right to file a mechanics' lien was signed by the same person on behalf of both parties; in his capacity as a limited partner and as an agent for the corporation. *Id.* at 636. The subcontractor filed a mechanics' lien against the property, arguing that the limited partnership owner and corporate contractor were substantially the same party. Citing 49 P.S. § 1407, the Court found that although the subcontractor did not allege that either the owner or contractor acted fraudulently or in bad faith, the allegations alone that the owner and contractor were substantially the same parties was enough to suggest that the parties may have engaged in misleading conduct. *Id.* at 637. The Court stated that “[w]e have no idea what evidence plaintiff intends to produce in support of the allegations in its answer, but we are convinced that it is entitled to attempt to pierce the corporate veil, if it can, to establish that the ‘owner’ and the ‘general contractor’ in this instance were substantially one and the same party, and that a fact finder must be given the opportunity to draw the inference, if it choose to do so, that a failure to disclose this fact, if such was indeed the fact, to plaintiff prior to inducing plaintiff to waive its right to a mechanics’ lien was misleading conduct sufficient to render the stipulation against liens invalid from its inception.” *Id.* Therefore, the Court did not grant the demurrer.

The case at bar is analogous to *Shadie Elec. Associates*. The Plaintiff is alleging that Klein Builders Group, Inc. and BLK-RAK, Inc. are the same entity because they have the same President. However, just because Richard A. Klein is the President of both entities does not automatically mean that the alleged contract between Klein Builders Group, Inc. and BLK-RAK, Inc. or the Stipulations Against Liens and Waiver of Right to File Mechanics’ Liens are void. If the two entities are essentially the same party, then the two entities cannot contract with each other and there is not a valid contract. In this case, Mr. Klein did not sign the Stipulations Against Liens and

Waiver of Right to File Mechanics' Liens as an individual, but in his capacity as a representative of the corporations, which may or may not be substantially the same party. The Plaintiff is entitled to present evidence, such as a copy of the Stipulations Against Liens and Waiver of Right to File Mechanics' Liens themselves signed by the same person in order to support the allegation that the owner and contractor were actually the same entity. "To sustain a demurrer, it must appear with certainty that, upon the facts averred, the law will not permit a recovery by the plaintiff, and in cases where any doubt exists, that doubt must be resolved by refusing to grant the demurrer." *Id.* Thus, because the Court cannot determine whether a valid contract exists, the Defendants' Preliminary Objection will be overruled, and a fact-finder must determine whether the general contractor and former owner, BLK-RAK, Inc., are the same entity.

Defendants also argue that the two Stipulations Against Liens and Waiver of Right to File Mechanics' Lien were not properly filed and indexed. Waivers of the right to file a mechanics' lien must be filed in a timely manner and properly indexed in the prothonotary's office. The current version of 49 P.S. § 1402 states:

Provided lien rights may be waived as set forth under section 401, a written contract between the owner and a contractor, or a separate written instrument signed by the contractor, which provides that no claim shall be filed by anyone, shall be binding: but the only admissible evidence thereof, as against a subcontractor, shall be proof of actual notice thereof to him before any labor or materials were furnished by him; or proof that such contract or separate written instrument was filed in the office of the prothonotary prior to the commencement of the work upon the ground or within ten (10) days after the execution of the principal contract or not less than ten (10) days prior to the contract with the claimant subcontractor, indexed in the name of the contractor as defendant and the owner as plaintiff and also in the name of the contractor as plaintiff and the owner as defendant. The only admissible evidence that such a provision has, notwithstanding its filing, been waived in favor of any subcontractor, shall be a written agreement to that effect signed

by all those who, under the contract, have an adverse interest to the subcontractor's allegation.

However, like 49 P.S. § 1401, the old version of the statute still applies to contracts executed before January 1, 2007. That statute states:

A written contract between the owner and contractor or a separate written instrument signed by the contractor, which provides that no claim shall be filed by anyone, shall be binding; but the only admissible evidence thereof, as against a subcontractor, shall be proof of actual notice thereof to him before any labor or materials were furnished by him; or proof that such contract or separate written instrument was filed in the office of the prothonotary prior to the commencement of the work upon the ground or within ten (10) days after the execution of the principal contract or not less than ten (10) days prior to the contract with the claimant subcontractor, indexed in the name of the contractor as defendant and the owner as plaintiff and also in the name of contractor as plaintiff and the owner as defendant. The only admissible evidence that such a provision has, notwithstanding its filing, been waived in favor of any subcontractor shall be a written agreement to that effect signed by all those who, under the contract, have an adverse interest to the subcontractor's allegation.

Both statutes provide that a waiver of mechanics' liens must be "indexed in the name of the contractor as defendant and the owner as plaintiff and also in the name of the contractor as plaintiff and the owner as defendant." Thus, no matter which statute applies, the indexing requirement is the same. Plaintiff argues that because the waiver of mechanics' lien was indexed between the general contractor and former owner BLK-RAK, Inc., and not between the general contractor and the current owners, that they could not have notice of the waiver.

In *Trustees of C. I. Mortg. Group v. Stagg of Huntington, Inc.*, 484 Pa. 464, 470-71, 399 A.2d 386, 389 (1979), the Pennsylvania Supreme Court stated that "an intervening sale was of no consequence on the issue of validity of a stipulation against liens since the

subcontractor is required to search the public records against the contractor, as well as the owner. Since appellee entered into its contract with Contractor it was bound to search the public records for stipulations filed against it (Contractor).” In that case, the Court held that just because the owner sold the property to another party prior to commencement of work by the subcontractor, the stipulation against mechanics’ liens filed was not invalid. *Id.* at 471. Similarly, in *D.A. Hill v. Edinboro Development, Inc.*, 278 Pa. Super. 324, 331, 420 A.2d 562, 566 (1980), the Superior Court found that even though the stipulation against mechanics’ liens filed in the prothonotary’s office did not state the correct name of the property owner, the general contractor signed the stipulation against mechanics’ liens and clearly identified the property, thus giving the subcontractor constructive notice of the filing of the stipulation against mechanics’ liens.

Therefore, the fact that the individually named Defendants were not named on the Stipulations Against Liens and Waiver of Right to File Mechanics’ Liens does not automatically make the Stipulations Against Liens and Waiver of Right to File Mechanics’ Liens filed invalid, as long as the contractor was properly named, indexed, and the property was sufficiently described.

CONCLUSION

For the reasons stated herein, Defendants’ Preliminary Objection will be overruled. Accordingly, the attached Order is entered.

ORDER OF COURT

AND NOW, this 17th day of December 2008, in consideration of Defendants’ Preliminary Objections, IT IS ORDERED THAT Defendants’ Preliminary Objections are overruled.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-564 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 Oxford Township, Adams County, bounded and described as follows:

BEGINNING at a point in Storms Store Road (T-428) thence running in said right-of-way line of Storms Store Road, North thirty-five (35) degrees thirty (30) minutes twenty-four (24) seconds West, twenty-five and zero hundredths (25.00) feet to a point on the right-of-way line of Storms Store Road (T-428) at Lot No. 13 as shown on the hereinafter referenced subdivision plan; thence running along Lot No. 13, North thirty-five (35) degrees thirty (30) minutes twenty-four (24) seconds West, two hundred eight and sixty-one hundredths (208.61) feet to a point at Lots No. 20 and 21 as shown on the hereinafter referenced subdivision plan; thence running along Lot No. 20, North fifty-four (54) degrees twenty-nine (29) minutes thirty-six (36) seconds East, one hundred twenty and zero hundredths (120.00) feet to a point at Lots No. 15 and 19 as shown on the hereinafter referenced subdivision plan; thence running along Lot No. 15, South thirty-five (35) degrees thirty (30) minutes twenty-four (24) seconds East, two hundred thirty-five and zero hundredths (235.00) feet to a point on the dedicated right-of-way line of Storms Store Road (T-428); thence running through said right-of-way line South thirty-five (35) degrees thirty (30) minutes twenty-four (24) seconds East, twenty-five and zero hundredths (25.00) feet to a point in Storms Store Road (T-428); thence running in said Storms Store Road (T-428) South fifty-four (54) degrees twenty-nine (29) minutes thirty-six (36) seconds West, one hundred twenty and zero hundredths (120.00) feet to a point at Lot No. 13, the point and place of BEGINNING.

SUBJECT, nevertheless, to the protective covenants of Simme Valley which are recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Record Book 2866 at Page 277.

UNDER AND SUBJECT, nevertheless, to any easements, building setback lines, restrictions, notes, covenants and conditions as may be shown on the aforesaid subdivision plan of Simme Valley Estates, Phase 1, recorded in Adams County Plan Book 80 Page 84 CONTAINING 28,200 square feet.

TITLE TO SAID PREMISES IS VESTED IN Michael F. Adams and Crystal A. Adams, h/w, as tenants by the entireties, by deed from Simme Valley L.P., a Pennsylvania Limited Partnership and New Age Associates, Inc., a Pennsylvania corporation, dated 07/16/2004, recorded 07/21/2004 in Book 3646, Page 306.

Tax Parcel: 35.J12-0200-000

Premises Being: 2132 Storms Store Road, New Oxford, PA 17350-8434

SEIZED and taken into execution as the property of **Michael E. Adams & Crystal A. Adams** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

9/25, 10/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1091 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 in Huntington Township, Adams County, Pennsylvania, being more fully bounded, limited and described as follows, to wit:

BEGINNING at a point in or near the centerline of Ridge Road, a/k/a Township Route No. T-568; thence leaving said roadway and extending along Lot No. 2 of the hereinafter referred to subdivision plan; North 53 degrees 08 minutes 47 seconds West 369.27 feet to a rebar at lands N/F of Robert M. Wolfe; thence along the last mentioned lands North 35 degrees 47 minutes 01 seconds East 456.82 feet to a steel pin at lands N/F of James C. Behney; thence along the last mentioned lands South 52 degrees 53 minutes 6 seconds East 372.04 feet to a point in or near the centerline of Ridge Road, a/k/a Township Route T-568;

thence in and along said last mentioned roadway South 36 degrees 07 minutes 40 seconds West 455.08 feet to the point and place of BEGINNING.

BEING designated as Lot No. 3 and a Final Subdivision Plan for Leonard D. and Joan V. Nelson dated February 10, 1981, as prepared by John R. Williams, R.S. Said Plan is recorded in Adams County Records in Plat Book 35, Page 34.

UNDER AND SUBJECT, NEVERTHELESS, to conditions, restrictions, easements and rights-of-way of record.

TITLE TO SAID PREMISES IS VESTED IN Michael T. Atwell and Nancy L. Atwell by deed from Harold E. Friedline and Alice F. Friedline, husband and wife, as tenants by the entireties dated April 6, 2007 and recorded April 9, 2007 in Deed Book 4796, Page 114, Instrument #2007000083 82.

TAX ID. 4: 22-105-0044A-000

Being known as: 100 South Ridge Road, York Springs, PA 17372

SEIZED and taken into execution as the property of **Michael T. Atwell & Nancy L. Atwell** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

9/25, 10/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-533 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 property in the Franklin Township, County of Adams and Commonwealth of Pennsylvania, Parcel ID # B12-0006A, being more fully described in Deed dated February 28, 2001, and recorded March 1, 2001, in the land records of the County and State set forth above, in Deed Book 2221, page 126.

BEGINNING at a rebar in the centerline of Poplar Springs Road T-351 at Lot No. 1 on the hereinafter recited draft; thence by said lot and through a reference rebar set back 291.34 feet on the line South 32 degrees 27 minutes 30 seconds East 655.73 feet to stones at lands now or formerly of Kenneth Baumgardner; thence by said lands North 80 degrees 16 minutes 35 seconds West 795.48 feet to a steel rod in stump; thence continuing by said lands North 30 degrees 22 minutes 55 seconds East 213.80 feet to stones; thence continuing by said lands and through a reference steel rod set back 30.10 feet from the end of this course North 43 degrees 39 minutes 15 seconds West 73.83 feet to a point in the centerline of said Poplar Springs Road T-351; thence in said Poplar Springs Road North 80 degrees 57 minutes 10 seconds East 94.18 feet to a point in the centerline of said Poplar Springs Road; thence continuing in said Poplar Springs Road North 81 degrees 24 minutes 35 seconds East 58.94 feet to a point in the centerline of said Poplar Springs Road; thence continuing in said Poplar Springs Road by a curve to the left the radius of which is 234.02 feet for an arc distance of 146.79 feet and having a chord bearing and distance of North 63 degrees 26 minutes 25 seconds East 144.40 feet to a point in the centerline of said Poplar Springs Road; thence continuing in said Poplar Springs Road North 45 degrees 28 minutes 15 seconds East 132.08 feet to the place of BEGINNING.

SUBJECT TO THE Declaration of restrictions, reservations, conditions and protective covenants dated January 11, 1993, and recorded in ADAMS COUNTY RECORD BOOK 696 at page 37.

TITLE TO SAID PREMISES IS VESTED IN Thane Farace, by Deed from Brian K. Lacks and Kellan K. Lacks, h/w, dated 02/28/2001, recorded 03/01/2001 in Book 2221, Page 126.

Tax Parcel: 12, B12-0006A--000

Premises Being: 1170 Poplar Springs Road, Orrtanna, PA 17353-9440

SEIZED and taken into execution as the property of **Thane Farace** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

9/25, 10/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-144 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 piece or tract of land, together with the improvements thereon erected, situate, lying and being in Conewago Township, Adams County, Pennsylvania, more particularly bounded, limited and described as follows, to wit:

BEGINNING at a point along the right-of-way line of Saratoga Court, a sixty (60) feet wide right-of-way, and corner of Lot No. 42 on the hereinafter referred to subdivision plan; thence among Lot No. 42, North twenty-five (25) degrees forty-seven (47) minutes nine (09) seconds East, one hundred forty-two and thirty hundredths (142.30) feet to a point at Lot No. 67 and Lot No. 68, South forty-one (41) degrees twenty-three (23) minutes eight (08) seconds East, one hundred thirty-eight and eighty-eight (138.88) feet to a point at Lot No. 40, South forty-eight (48) degrees thirty-six (36) minutes fifty-two (52) seconds West, one hundred fifty (150.00) feet to a point on the right-of-way line of Saratoga Court, aforesaid; thence along Saratoga Court the following three courses and distances: [1] North forty-one (41) degrees twenty-three (23) minutes eight (08) seconds West, thirteen and fifty hundredths (13.50) feet to a point; [2] by a curve to the right having a radius of twelve (12.00) feet, the

long chord bearing and distance of which is North sixteen (16) degrees thirty (30) minutes forty-two (42) seconds West, which is North sixteen (16) degrees thirty (30) minutes forty-two (42) seconds West, ten and nine hundredths (10.09) feet for an arc distance of ten and forty-two hundredths (10.42) feet to a point; and [3] by a curve to the left having a radius of fifty-three (53.00) feet, the Long Chord bearing and distance of which is North twenty-seven (27) degrees fifty-five (55) minutes thirty-four (34) seconds West, sixty-two and seventy-four hundredths (62.74) feet to a point at Lot No. 42, the point and place of BEGINNING. (CONTAINING 15,016 square feet and designated as Lot No. 41 on Final Subdivision Plan for Allwood Manor, Phase II, prepared by Group Hanover, Inc., designated as Project No. 892004, dated October 21, 1994; revised February 7, 1995, and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plan Book 76, Page 49).

TITLE TO SAID PREMISES IS VESTED IN Sandra Argueta-Frazier and George M. Frazier, Jr. by deed from Andrew G. Stabler and Jenny A. Stabler, his wife, dated February 24, 2006 and recorded March 3, 2006 in Deed Book 4332, Page 22.

Instrument 200600004347.

TAX ID.: 08-036-0027-000

Being known as: 25 Saratoga Court, Hanover, PA 17331

SEIZED and taken into execution as the property of **George M. Frazier & Sandra Argueta-Frazier** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

9/25, 10/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-965 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 in the Southwest side of Legislative Route No. 01061, in Oxford Township, Adams County, Pennsylvania, more particularly described as follows:

BEGINNING at a point in a concrete wall situate on the Southwest side of Legislative Route aforesaid at other lands of Lester B. Rider; thence along the Southwest side of Legislative Route, South fifty-two (52) degrees ten (10) minutes forty-six (46) seconds East, forty-two and fifty hundredths (42.50) feet to a steel pin on the Southwest side of said Legislative Route at other lands of Edward A. Storm and; thence by lands of Edward A. Storm and Blanche M. Storm South eighteen (18) degrees three (03) minutes fifty-six (56) seconds West, one hundred seventy-six and sixty-four hundredths (176.64) feet to a steel pin; thence continuing by lands of same South sixty-six (66) degrees fifty-eight (58) minutes East ninety-one and fifty-five hundredths (91.55) feet to a steel pin at lands of Richard N. Kuhn; thence by lands of Richard N. Kuhn, South twenty-eight (28) degrees West one hundred eighty-three and thirty-five hundredths (183.35) feet to a steel pin; thence continuing by lands of Richard N. Kuhn and lands of John L. Staub, Jr. South sixty-three degrees (63) degrees fifty (50) minutes twenty-two (22) seconds East one hundred sixty-one and seventy hundredths (161.70) feet to a steel pin at post at lands of Henry E. Kiser, South thirty (30) degrees West, one hundred fifty-seven and fifty hundredths (157.50) feet to a steel pin at lands of David M. Schriver and Suzanne M. Schriver; thence by lands of same North sixty-eight (68) degrees nineteen (19) minutes fifty-six (56) seconds West two hundred twenty-seven and fifty-three hundredths (227.53) feet to a steel pin at other lands of Conway J. Detinburn and Nadine M. Detinburn; thence by other lands of Conway J. Detinburn and Nadine M. Detinburn and lands of Lester E. Rider, North eighteen (18) degrees three (03) minutes fifty-six (56) seconds East six hundred fifty-seven and fifty-one hundredths (657.51) feet to a steel pin in concrete wall on the Southwest side of Legislative Route 01061, the place of BEGINNING. CONTAINING 1.5804 acres.

The foregoing description was taken from a draft of survey prepared for Conway J. Detinburn, by J.H. Rife, R.E., dated April 10, 1973, as recorded in Adams County Plat Book 2, at page 63, and identified thereon as Lot No. 1 SUB-JECT, NEVERTHELESS, to the following restrictions which shall be in the nature of covenants running with the land and be binding upon the Grantees herein, and their heirs and assigns forever;

1. That the lot of ground herein conveyed shall be used for residential purposes for no more than a one-family residence.
2. No mobile home, trailer, basement, tent, shack, Garage, barn or other out-buildings erected on the lot, shall be used at any time as a residence, either temporary or permanent, nor shall any residence or occupancy of a temporary character be permitted.
3. That the lot of ground herein conveyed shall not be used as a storage place for junk, junked automotive parts, junked cars or industrial or domestic waste matters or debris.

TOGETHER WITH AND SUBJECT TO the free and uninterrupted use, liberty and privilege of and passage in, along, upon, over and out of a certain forty (40) foot right-of-way for and an means of ingress, egress and regress from the lot of ground hereinabove described unto the Southwestern side of Legislative Route of 01061 aforesaid, said right-of-way being to the Eastern side of the hereinafter described meets and bounds; BEGINNING at a post in the concrete wall on the Southwest side of Legislative Route 01061 at the lands of Lester E. Rider, thence by lands of Lester E. Rider and Conway Detinburn and Nadine M. Detinburn, South eighteen (18) degrees three (03) minutes fifty-six (56) seconds West six hundred fifty-seven and fifty-one hundredths (657.51) feet to a steel pin; thence continuing by lands of Conway J. Detinburn and Nadine M. Detinburn, South twenty-four (24) degrees fifty-four (54) minutes thirty-two (32) seconds West, ninety-four and eight hundredths (94.08) feet to a steel pin at the North corner of Lot No. 3, now owned by Daniel R. Detinburn and Judith K. Detinburn; husband and wife; being for the use of the said Grantors and their heirs and assigns. Their tenants and undertenants, occupiers and possessors, of the said tract of land above described and continuous with the western side of this forty (40) foot right-of-way at all times and seasons forever hereinafter, in common with them, the said Grantors, and their heirs and assigns, tenants and occupiers of the said _____ and lot of ground adjacent to said forty (40) feet right-of-way; EXPRESSLY EXCEPTING AND RESERVING unto the said Grantors and their heirs and assigns, the full right,

liberty and privilege at all times hereinafter forever, to have the use of the forty (40) feet right-of-way hereinabove mentioned for the use and benefit of the other land over which the same traverses and other lands owned by the Grantors to the Western, side of said right-of-way; EXPRESSLY EXCEPTING AND RESERVING the right-of-way heretofore granted unto Daniel R. Detinburn and Judith A. Detinburn, husband and wife, and their heirs and assigns, by deed dated April 17, 1973, and recorded in the Adams County Deed Book 306, page 100; and EXPRESSLY EXCEPTING AND RESERVING the right-of-way heretofore granted unto David M. Schriver and Suzanne M. Schriver, husband and wife, and their heirs and assigns, by Deed dated June 28, 1973, and recorded in Adams County Deed Book 107, page 1013.

BEING THE SAME PREMISES which James A. Tyler and Anne M. Tyler, husband and wife, by Deed dated April 24, 1984, in the Office for the Recorder of Deeds in and for the County of Adams, in Deed Book 378 Page 559, granted and conveyed unto the Michael S. Krichten and Doris M. Krichten, husband and wife, in fee.

TAX PARCEL (28) 005-00699

PREMISES BEING: 450 Mount Misery Road, New Oxford, PA 17350 (Formerly) NOW KNOWN AS: 50 Daniel Lane, New Oxford, PA 17350

SEIZED and taken into execution as the property of **Michael S. Krichten & Doris M. Krichten** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

9/25, 10/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-849 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 Franklin Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pin on the right-of-way line of Oak Drive at the corner of Lot No. 15 of the hereinafter running along right-of-way line of Oak Drive by a curve the left, the radius of which is 525 feet, having an arc of 218.78 feet and a long chord bearing and distance of South 64 degrees 20 minutes 00 seconds West, 218.14 feet to an iron pin on the right-of-way line of Oak Drive at corner of Lot No. 13 of hereinafter referred to subdivision plan; thence along Lot No. 13, North 33 degrees 15 minutes 50 seconds West, 183.49 feet to an iron pin at corner of Lot No. 17 of hereinafter referred to subdivision plan; thence along Lot No. 17, North 53 degrees 01 minute 00 seconds East, 257.58 feet to an iron pin at above mentioned Lot No. 15; thence along said Lot No. 15, South 18 degrees 0.4 minutes 10 seconds East 189.71 feet to an iron pin on the right-of-way line of Oak Drive, the point and place of BEGINNING.

The above description was taken from draft of survey entitled Recreational Real Estate Co., prepared by Boyer-Price Surveys, Inc. on March 19, 1974 recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 4 at Page 50 and designated on said plat as Lot No. 14.

Together with the right of ingress, egress and regress, over the roadways shown on the aforesaid subdivision plan to and from U.S. Route No. 30. Under and subject, however, to the restrictions, reservations, conditions and protective covenants set forth in the Declaration thereof dated February 18, 1986 and recorded in the aforesaid Recorders Office in Record Book 418 at page 950, and Amendment thereto dated October 28, 1985 and recorded in the aforesaid Recorders Office in Record Book 439 at page 1139.

TITLE VESTED IN: Bryan C. Clevenger and Kimberly A. Clevenger, husband and wife, as tenants of an estate by the entireties, by that Deed dated 01/11/1994 and recorded on 01/12/1994 in Book 0834 at page 0109, of the Adams County, PA records.

Parcel No. 12-B09-191

PREMISES BEING: 240 Oak Drive, Oortanna, PA 17353

SEIZED and taken into execution as the property of **Bryan C. Clevenger & Kimberly A. Clevenger** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/2, 9 & 16

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT
NO. RT-17-09(B)

NOTICE

TO: JENNIFER ROSE SHANK LANE

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 October 27, 2009 at 9:00 a.m., prevailing time, in a conference room on the 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 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

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-336 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 Mt. Joy Township, Adams County, Pennsylvania, being Lot No. 32 of Lake Heritage Subdivision, Map No. 1, Page 3, as the same is designated, numbered and known on the Recording Plat thereof in Miscellaneous Deed Book 4, Page 132, in the Recorders Office of Adams County, Pennsylvania, subject to all legal highways, easements, rights of way and restrictions of record.

TITLE TO SAID PREMISES IS VESTED IN Carmella A. DeFayette by deed from Deed from Michael Jason Bentz and Debra Lee Bentz, husband and wife, dated December 9, 2005 and recorded December 12, 2005 in Deed Book 4241, Page 41.

TAX ID. #: (31) 008-0037

Being Known As: 32 Jackson Road, Gettysburg, PA 17325.

SEIZED and taken into execution as the property of **Carmella A. DeFayette** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-859 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 Township Road No. T-376 at corner of lands now or formerly of Samuel Wingert; thence running in and along said Township Road and by lands now or formerly of James Oyler, North 18 degrees 28 minutes 38 seconds West, 85.92 feet to a point in said Township Road No. T-376; thence along said Township Road and leaving said Township Road and by lands now or formerly of Charles Shark, North 14 degrees 23 minutes 38 seconds West, 231.26 feet to a steel pin; thence by lands now or formerly of Charles Baker and recrossing said Township Road No. T-376, North 63 degrees 31 minutes 06 seconds East, 25 feet to an iron pipe; thence by lands now or formerly of Charles Baker, South 20 degrees 21 minutes 45 seconds East, 229.41 feet to an iron pipe and stones; thence by lands now or formerly of Samuel Wingert and running through a steel pin 30 feet from the end of this course, South 58 degrees 16 minutes West, 864.94 feet to the point in said Township Road No. T-376, the place of BEGINNING.

CONTAINING 5.1942 Acres, neat measure.

TAX PARCEL: (7) 0035

BEING KNOWN AS: 465 Clear Spring Road, Biglerville, PA 17307

SEIZED and taken into execution as the property of **Angela C. Rhea & Earl C. Rhea** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-605 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 real estate, known on the Plan of Crouse Park Addition to Littlestown as Lot No. 5 and part of Lot No. 4 situate in the Borough of Littlestown, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the Western property line of Park Avenue with the southern property line of South Street; thence along said Park Avenue in a southerly direction, 165 feet to the southern property line of South Street; thence in an Easterly direction along said South Street, 42-1/2 feet more or less, to the place of BEGINNING.

Being the same premises conveyed to Kevin Michael Crouse and Pamela M. Crouse, husband and wife as tenants of an estate by the entireties, by Deed of Kevin Michael Crouse and Pamela M. Crouse, his wife, dated 12/17/1993 and recorded 12/22/1993 in Adams County Deed Book 825, page 261.

TAX PARCEL: (27) 005-153

Dwelling Known As: 38 Crouse Park, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Kevin Michael Crouse & Pamela M. Crouse** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-699 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 Reading Township, Adams County, Pennsylvania, being more particularly described as follows:

Being Lot No. 932 on a 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 6, and subject to all legal highways, easements, rights-of-way and restrictions of record.

TITLE TO SAID PREMISES IS VESTED IN by Warranty Deed, dated 10/06/2004, given by Wilbert L. Carnes, Jr., unmarried to Julie A. Noel and recorded 10/7/2004 in Book 3731 Page 46 Instrument #20040002086 1

Tax Parcel: (37) 009-0126

Premises Being: 323 Lake Meade Drive, East Berlin, PA 17316-9370

SEIZED and taken into execution as the property of **Julie A. 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-122 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 lands situate, lying and being in the Borough of Bendersville, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING at a point along the eastern edge of Routsong Lane at a corner of Lot No. 10 on a plan of lots mentioned hereinafter thence by the eastern edge of Routsong Lane, along a curve to the left, having a radius of 60.00 feet an arc length of 51.05 feet, a chord bearing North 06 degrees 05 minutes 56 seconds West, and a chord length of 49.52 feet to a point at a corner of Lot No. 12 on the plan of lots mentioned here-in-after thence, along Lot No. 12, North 59 degrees 31 minutes 36 seconds East, 87.39 feet to a point along lands now or formerly of Daniel Schriver; thence by said Schriver land, South 13 degrees 33 minutes 25 seconds East, 130.43 feet to a point at a corner of Lot No. 10 on a plan of lots mentioned here-in-after thence by said Lot No. 10, North 71 degrees 43 minutes 28 seconds West, 105.97 feet to a point along the eastern edge of Routsong Lane, the place of BEGINNING.

CONTAINING 7,664 square feet and being Lot No. 11 on a plan of lots entitled "Final Land Development Plan for Hannah's Orchards Subdivision by Jack N. Powell, I.E., Inc.," dated September 20, 2005 and recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania in Plat Book 89, Page 60.

BEING a portion of the same real estate which Allen W. Beckett, trading and doing business as Allen W. Beckett Construction and Kimberly Beckett, his wife, by their Deed dated November 23, 2005, and recorded November 23, 2005, in Adams County, PA, Record Book Volume 4219, Page 19, conveyed to Dan Ryan Builders, Inc., a Maryland Corporation, the Grantor herein.

SUBJECT to Declaration of Protective Covenants and Restrictions set forth in Adams County Record Book 4417, Page 97.

BEING the same premises which Dan Ryan Builders, Inc., a Maryland Corporation, granted and conveyed unto Natalie M. Price, single, by Deed dated March 10, 2008 and recorded on April 14, 2008 in the Office of the Recorder of Deeds of Adams County, Commonwealth of Pennsylvania, in Record Book

5173, Page 183.

BEING known as Bendersville Borough, Adams County Parcel No. (3) 004-0089.

BEING known as 85 Routsong Lane, Bendersville, PA 17306

SEIZED and taken into execution as the property of **Natalie Marie Price** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-721 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 piece of ground situate in Mount Joy Township, County of Adams, Commonwealth of Pennsylvania, bounded and described as follows:

Lot No. 2:

BEGINNING for corner at a steel rod in the Township Road T-415, Basehoar Roth Road, at Lot No. 3 of the subdivision plan hereafter identified; thence in and through said road South 54 degrees 35 minutes 00 seconds East 140 feet to a steel rod at Lot No. 1 of the subdivision plan hereafter identified; thence along that Lot No. 1 South 35 degrees 25 minutes 00 seconds West 350 feet to a steel rod at Lot No. 4 of that subdivision plan; thence along the Lot No. 4 North 54 degrees 35 minutes 00 seconds West 140 feet to a steel rod at Lot No. 3; thence along that Lot No. 3 North 35 degrees 25 minutes 00 seconds East 350 feet to a steel rod in Basehoar Roth Road the place of BEGINNING.

The above description was taken from a Subdivision Plan prepared by Adams County Surveyors for Wilbur L. Crouse which plan has been recorded in Plat Book 58 at Page 7 and known as Lot No. 2.

AND All that certain lot or piece of ground situate in Mount Joy Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Lot No. 1:

BEGINNING for a corner at a steel pin set in the Township Road T-415 (Basehoar Roth Road) at Lot No. 2 of the Subdivision Plan hereinafter identified: thence partly in said road and partly along lands now or formerly of H. Earl Basehoar, South 54 degrees 35 minutes 00 seconds East 515.00 feet to a post; thence continuing along those land now or formerly of H. Earl Basehoar, South 56 degrees 36 minutes 20 seconds West 511.46 feet to a planted stone at lands now or formerly of Parker J. Furr; thence along those lands North 64 degrees 23 minutes 15 seconds West 335.03 feet to a steel rod at Lot No. 4 of the Subdivision Plan hereafter identified; thence, along said Lot No. 4 and along Lot No. 2, North 35 degrees 25 minutes 00 seconds East 533.93 feet to a steel rod in Basehoar Roth Road, the place of BEGINNING. BEING Lot No. 1 on a Subdivision Plan prepared by Adams County Surveyors for Wilbur L. Grove, which Plan has been recorded in Plat Book 58 at Page 7.

TAX PARCEL: (30) G17-0042C

467 Basehoar-Roth Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Denise Lacovey** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/9, 16 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-233 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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 Conewago Township, Adams County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point at the corner of Maple Drive and Lot No. 24-B, more particularly described on the hereinafter referred to subdivision plan; thence continuing along Lot No. 24-B, South 23 degrees 19 minutes 59 seconds East, 127.44 feet to lands now or formerly of Mary Jeanette Devine; thence continuing along lands now or formerly of Mary Jeanette Devine, South 68 degrees 36 minutes 50 seconds West, 44.94 feet to a point at Lot No. 25-B, more particularly described on the hereinafter referred to subdivision plan; thence continuing along Lot No. 25-B, North 21 degrees 06 minutes 28 seconds West, 126.78 feet to a point at Maple Drive; thence continuing along Maple Drive by a curve to the left having a radius of 1,030 feet, an arc length of 40.00 feet, and a long chord bearing and distance of North 67 degrees 46 minutes 46 seconds East, 40.00 feet to the point and place of BEGINNING.

CONTAINING 5,392 square feet or .12 acres and known as LOT NO. 25-A on the Final Subdivision Plan-Phase I, Oak Hill and recorded in the Adams County Recorder of Deeds Office in Plan Book 87, page 1.

SUBJECT TO protective covenants and restrictions as recorded in Record Book 4060, page 28.

UNDER AND SUBJECT to the declaration of restrictive statement covenants dated April 13, 1989, between Eastern Land & Resources Corporation and Broyhill and Associates, INC., recorded April 14, 1989 in ADAMS COUNTY OFFICE of the RECORDER OF DEEDS in record book 519, PAGE 564

ALSO UNDER AND SUBJECT TO the fact that the premises conveyed herein is located in proximity to an existing, operating stone quarry now or formerly known as the Hanover Quarry which now is and may in the future may be engaged in the business of manufacturing sand, stone, lime and related processed products.

IT BEING part of the fourteen (14) tracts of land which Labre, LLC, by deed dated August 2, 2005, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book

4076, page 247, granted and conveyed unto Stone Ridge Development Corporation, Grantor herein.

FURTHER, the Grantee, for herself and heirs and assigns, by acceptance of this indenture hereby agrees with the Grantor, its successors and assigns, the aforesaid declaration relating to the quarry shall run with the land and that any deed of conveyance of said premises, or any part thereof, to any person or persons said declaration shall, for so long as the aforesaid quarry in operation (excluding temporary cessation of operations) be incorporated by reference to this indenture and the record hereof or as fully as the same is contained herein.

Purchaser is aware that the Chapel Ridge and Oakhill Subdivisions may be susceptible to sinkholes or fractures traces. Although Seller has identified existing sinkholes and fracture traces on the Subdivision Plan, it is possible that additional sinkholes and fractures traces may develop over the years. Purchaser is aware that insurance coverage may be available to Purchase, to extend coverage to damage caused by existing or future sinkholes or fractures traces that may occur on the property. Purchaser is aware that any drainage swale area upon the property are subject to an easement which requires the easement terrain to remain undisturbed and which prevents any development, regarding, or other improvements or modifications within the swale easement area. Purchaser acknowledges that Seller shall not be responsible for any damages, liabilities, claims, or losses incurred by Purchaser arising out of or relating to sinkholes that may be associated with alleged defects in construction, including, but not limited to, property damages, personal injury, adverse health effects, loss of income, emotional distress, death, loss of use, or loss of value, and Purchaser hereby released Seller from same.

TOGETHER with all and singular the ways, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever thereunto belonging, or in anywise appertaining, and the reversions, and remainders, rents issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever, of Stone Ridge Stone Development Corporation, in law, equity, or otherwise howsoever, of in and the same every part thereof.

Tax Parcel: 08021-0202---000

Premises Being: 145 Maple Drive, Hanover, PA 17331-8941

SEIZED and taken into execution as the property of **Norma J. Tobe** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/9, 16 & 23

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 GLADYS M. CAPEK, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Jane A. Trostle, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

ESTATE OF GERTRUDE I. CARLSON a/k/a GERTRUDE IRENE CARLSON a/k/a GERTRUDE G. CARLSON, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executrix: Shirley L. Carlson, 1114 Long Lane, Gettysburg, PA 17325

Attorney: John C. Herrold, Esq., Griest, Hlmes, Herrold, Schaumann, Ferro, LLP, 129 E. Market St., York, PA 17401

ESTATE OF LORETTA L. CHRONISTER, DEC'D

Late of Latimore Township, Adams County, Pennsylvania

Administrator: Cynthia A. Wolfe, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

ESTATE OF MARSHALL S. GARRETSON, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: James M. Garretson, 4105 Carriage Drive, Pompano Beach, FL 33069

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

ESTATE OF WILLIAM R. MCCLEAF, DEC'D

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Executor: William R. McCleaf, Jr., 180 McCleaf Lane, Fairfield, PA 17320

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

ESTATE OF GORDON P. SMITH, JR., DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Sharon M. Kress, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

ESTATE OF ROBERT W. YINGLING, DEC'D

Late of Union Township, Adams County, Pennsylvania

Executors: Timothy W. Yingling & Lesa K. Wastler, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York St., Hanover, PA 17331

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

SECOND PUBLICATION**ESTATE OF THERESA E. CHRISTIANSEN, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Executrix: Susan M. Mummert, 63 Kevin Drive, York, PA 17408

Attorney: Stonesifer and Kelley, P.C., 209 Broadway, Hanover, PA 17331

ESTATE OF WILLIAM J. McMAHON, JR., DEC'D

Late of the Borough of Fairfield, Adams County, Pennsylvania

Executor: William J. McMahon, III, 160 Zachary Taylor Street, Harpers Ferry, WV 25425

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

ESTATE OF ELIZABETH T. NICHOLSON, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Larry R. Nicholson, c/o Walker, Connor and Johnson, LLC, 247 Lincoln Way East, Chambersburg, PA 17201

Attorney: David F. Spang, Esq., Walker, Connor and Johnson, LLC, 247 Lincoln Way East, Chambersburg, PA 17201

ESTATE OF BOYCE J. NIX, JR., DEC'D

Late of Highland Township, Adams County, Pennsylvania

Rita D. Manis, 6529 Shenandoah Drive, Sykesville, MD 21784

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF STEWART R. ROHRBAUGH a/k/a ESTATE OF STEWART R. ROHRBAUGH, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Joanne M. Gulden, 233 W. Chestnut St., Hanover, PA 17331; Robert S. Rohrbaugh, 856 East Walnut St., Hanover, PA 17331; Richard E. Rohrbaugh, 4324 Briarwood Ct., York, PA 17408

Attorney: Amy E. W. Ehrhart, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF ERNEST E. SIMPSON, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Co-Executors: David E. Simpson & Christina M. Simpson, c/o Christina M. Simpson, Esq., Gates & Gates, P.C., 139 Baltimore St., Gettysburg, PA 17325

Attorney: Christina M. Simpson, Esq., Gates & Gates, P.C., 139 Baltimore St., Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF ELIZABETH J. IRVIN, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: David W. Irvin, 1602 Tulane, Richardson, TX 75081

ESTATE OF CLYDE D. LADY, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executor: Douglas V. Lady, 1017 Teakwood Lane, Enola, PA 17025

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

ESTATE OF MARJORIE HALL SAMWORTH, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Herbert Lee Samworth, 2317 Majestic Court, Chambersburg, PA 17202

ESTATE OF F. JEAN SELL a/k/a F. JEAN ALBRIGHT, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Charlotte A. Wilt, 141 Madara Drive, Hanover, PA 17331

Attorney: Elyse E. Rogers, Esq., Keefer Wood Allen & Rahal LLP, 635 North 12th Street, Suite 400, Lemoyne, PA 17043

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation for RCS FINANCIAL GROUP, INC. were filed with the Department of State of the Commonwealth of Pennsylvania, under the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988, P.L. 1444.

D. J. Hart, Esq.
Guthrie, Nonemaker, Yingst & Hart
10/9

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, pursuant to the Fictitious Name Act, setting forth that RCS Financial Group, Inc., of 282 West King Street, PO Box 476, Abbottstown, PA 17301, is the only entity owning or interested in a business, the character of which is all lawful activity related to the provision of financial services and that the name, style and designation under which said business is and will be conducted is DAVID STAUB INSURANCE & FINANCIAL SERVICES and the location where said business is and will be conducted is 282 West King Street, PO Box 476, Abbottstown, PA 17301.

Guthrie, Nonemaker, Yingst & Hart
Solicitor
10/9

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, pursuant to the Fictitious Name Act, setting forth that RCS Financial Group, Inc., is the only entity owning or interested in a business, the character of which is all lawful activity related to the provision of financial services and that the name, style and designation under which said business is and will be conducted is RCS FINANCIAL GROUP and the location where said business is and will be conducted is 282 West King Street, PO Box 476, Abbottstown, PA 17301.

Guthrie, Nonemaker, Yingst & Hart
Solicitor
10/9

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, pursuant to the Fictitious Name Act, setting forth that Staub, Riggs & Collins, Inc., of 282 West King Street, PO Box 476, Abbottstown, PA 17301, is the only entity owning or interested in a business, the character of which is all lawful activity related to the provision of financial services and that the name, style and designation under which said business is and will be conducted is RIGGS-COLLINS INSURANCE & FINANCIAL SERVICES and the location where said business is and will be conducted is 282 West King Street, PO Box 476, Abbottstown, PA 17301.

Guthrie, Nonemaker, Yingst & Hart
Solicitor
10/9

ARTICLES OF AMENDMENT

NOTICE IS HEREBY GIVEN that Articles of Amendment for Riggs-Collins Insurance & Financial Services, Inc. were filed with the Department of State of the Commonwealth of Pennsylvania stating that the name and address that said business will now operate under is STAUB, RIGGS & COLLINS, INC., of 282 W. King Street, PO Box 476, Abbottstown, PA 17301.

Guthrie, Nonemaker, Yingst & Hart
10/9

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, pursuant to the Fictitious Name Act, setting forth that Staub, Riggs & Collins, Inc., of 282 West King Street, PO Box 476, Abbottstown, PA 17301, is the only entity owning or interested in a business, the character of which is all lawful activity related to the provision of financial services and that the name, style and designation under which said business is and will be conducted is STAUB, RIGGS & COLLINS and the location where said business is and will be conducted is 282 West King Street, PO Box 476, Abbottstown, PA 17301.

Guthrie, Nonemaker, Yingst & Hart
Solicitor
10/9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-897 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, 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 piece of ground situate in New Oxford Borough, City of New Oxford, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Fronting 61 feet more or less on High Street adjoining lot now or formerly of Michael Livingston on the West an alley on the East and running back to a 14 foot alley on the North a distance of 170 feet more or less.

Property ID No.: (34) 004-0090

Being Known As: 218 - 220 West High Street, New Oxford, PA 17350

TITLE TO SAID PREMISES IS VESTED IN Shanna A. Groft, a single woman by deed from Cory Groft and Veronica Groft, husband and wife dated 8/24/2007 recorded 8/30/2007 in Deed Book 4963 Page 155.

SEIZED and taken into execution as the property of **Shanna A. Groft** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 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.

10/9, 16 & 23