

# FAYETTE LEGAL JOURNAL

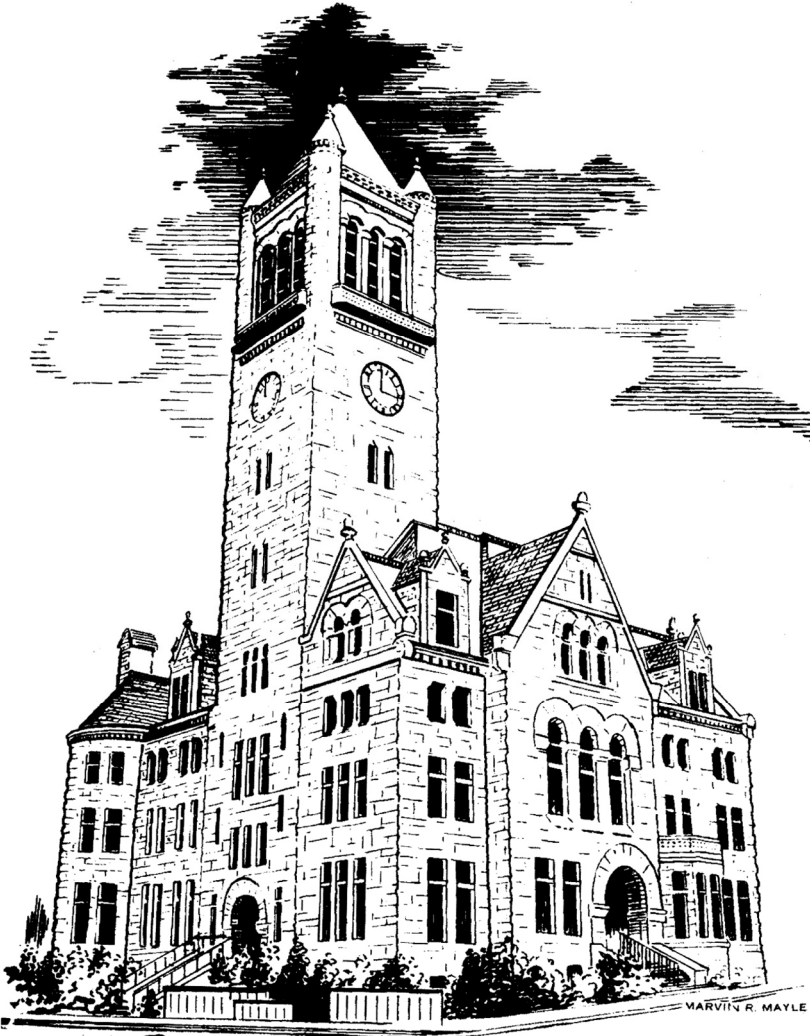
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## FAYETTE LEGAL JOURNAL

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**Co-Editors:** Garnet L. Gordon and Melinda Deal Dellarose

*Cover Design by Marvin R. Mayle, 207 Lick Hollow Road, Hopwood, PA*

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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## ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

### Third Publication

**SHERRY CLARK, a/k/a SHERRY LYNN CLARK**, late of Masontown, Fayette County, PA <sup>(3)</sup>

*Executor:* Matthew James Clark  
496 Laureldale Road  
Grindstone, PA 15442  
c/o Myers Duffy Dansak & Clegg, LLC  
1416 Lincoln Way  
White Oak, PA 15131  
*Attorney:* Ryan L. Dansak

**LENNETTE KISTNER, a/k/a LENNETTE ANNETTE KISTNER**, late of Saltlick Township, Fayette County, PA <sup>(3)</sup>

*Personal Representative:*  
Clair Edward Kistner  
1252 Route 711  
Stahlstown, PA 15687  
c/o Snyder & Snyder  
17 North Diamond Street  
Mount Pleasant, PA 15666  
*Attorney:* Marvin Snyder

**FRANKLIN C. MULICH**, late of North Union Township, Fayette County, PA <sup>(3)</sup>

*Administratrix:* Frances Y. Mulich  
c/o Higinbotham Law Offices  
68 South Beeson Boulevard  
Uniontown, PA 15401  
*Attorney:* James E. Higinbotham, Jr.

**PETER E. OSTRANDER**, late of Uniontown, Fayette County, PA <sup>(3)</sup>

*Personal Representative:* Polly J. Ostrander  
37 Kensingtown Cr.  
Uniontown, PA 15401  
c/o Finoli Law, LLC  
229 Maple Avenue

Greensburg, PA 15601  
*Attorney:* Vincent J. Finoli

**CONNIE M. WILLIAMS, a/k/a CONNIE MAY WILLIAMS**, late of Masontown, Fayette County, PA <sup>(3)</sup>

*Executor:* John J. Williams  
649 Marion Avenue  
Springdale, PA 15144  
c/o 76 East Main Street  
Uniontown, PA 15401  
*Attorney:* Douglas S. Sholtis

### Second Publication

**CHARLES G. ETLING**, late of Bullskin Township, Fayette County, PA <sup>(2)</sup>

*Personal Representative:* Karen L. Etling  
c/o Watson Mundorff, LLP  
720 Vanderbilt Road  
Connellsville, PA 15425  
*Attorney:* Timothy J. Witt

**RANDY HERMAN**, late of Connellsville, Fayette County, PA <sup>(2)</sup>

*Administrator:* Patrick Herman  
c/o Rowan Law Office  
890 Vanderbilt Road  
Connellsville, PA 15425  
*Attorney:* Mark Rowan

**ALTHEA F. MOYER**, late of North Union, Fayette County, PA <sup>(2)</sup>

*Executrix:* Mona L. Collins  
c/o Radcliffe Martin Law, LLC  
648 Morgantown Road, Suite B  
Uniontown, PA 15401  
*Attorney:* William M. Radcliffe

**THOMAS ROGERSON**, late of Uniontown, Fayette County, PA <sup>(2)</sup>

*Executrix:* Carol Rogerson  
195 Lenox Street  
Uniontown, PA 15401  
c/o Tremba, Kinney & Greiner & Kerr  
1310 Morrell Avenue, Suite C  
Connellsville, PA 15401  
*Attorney:* John Greiner

**DIANNE SUSAN VORRASI**, late of  
Uniontown, Fayette County, PA (2)  
*Administratrix:* Cynthia Knox  
c/o Proden & O'Brien  
99 East Main Street  
Uniontown, PA 15401  
*Attorney:* Sean M. Lementowski

## First Publication

**MARILYN L. BANKS**, late of South  
Connellsville Borough, Fayette County, PA (1)  
*Personal Representative:* Ronald Scott Cole  
c/o Watson Mundorff, LLP  
720 Vanderbilt Road  
Connellsville, PA 15425  
*Attorney:* Timothy J. Witt

**CAROL A. COTTOM**, late of Dunbar  
Township, Fayette County, PA (1)  
*Personal Representatives:* Susan Cottom  
and Stephanie Cottom  
c/o 208 South Arch Street, Suite 2  
Connellsville, PA 15425  
*Attorney:* Richard A. Husband

**WILLIAM DEITCH, a/k/a WILLIAM F.  
FEITCH, a/k/a WILLIAM FLOYD  
DEITCH**, late of Washington Township,  
Fayette County, PA (1)  
*Administratrix:* Sallie Fordanish  
1113 McKean Avenue  
Charleroi, PA 15022  
c/o 823 Broad Avenue  
Belle Vernon, PA 15012  
*Attorney:* Mark E. Ramsier

**DOLORES REID JONES, a/k/a DOLORES  
MAE REID-JONES, a/k/a DOLORES M.  
REID**, late of South Union Township, Fayette  
County, PA (1)  
*Executor:* Roger Rodney Reid  
c/o DeHaas Law, LLC  
51 East South Street  
Uniontown, PA 15401  
*Attorney:* Ernest P. DeHaas, III

**EUGENE KANAR, a/k/a EUGENE  
ANTHONY KANAR**, late of Menallen  
Township, Fayette County, PA (1)  
*Administratrix:* Brenda A. Kanar  
1073 Colony Drive  
Pittsburgh, PA 15205

**JAMES M. KRESE, a/k/a JAMES MARTIN  
KRESE, JR., a/k/a JAMES KRESE**, late of  
Fairchance Borough, Fayette County, PA (1)  
*Executrix:* Mary Jayne Jacaruso  
c/o DeHaas Law, LLC  
51 East South Street  
Uniontown, PA 15401  
*Attorney:* Ernest P. DeHaas, III

**LOUISE JOSEPH MANDERINO, a/k/a  
LOUIS JOSEPH MANDERINO, JR., a/k/a  
LOUIS J. MANDERINO, JR.**, late of  
Washington Township, Fayette County, PA (1)  
*Administrators:* Janet Craig and  
John R. Craig  
c/o 9 Court Street  
Uniontown, PA 15401  
*Attorney:* Vincent J. Roskovensky, II

**ROBERT ROSENBAUM**, late of Wharton  
Township, Fayette County, PA (1)  
*Administrators:* Janet Craig and  
John R. Craig  
c/o 9 Court Street  
Uniontown, PA 15401  
*Attorney:* Vincent J. Roskovensky, II

**MARK ALLEN SHUDER**, late of Dunbar  
Township, Fayette County, PA (1)  
*Personal Representative:* Bradley J. Shuder  
c/o Watson Mundorff, LLP  
720 Vanderbilt Road  
Connellsville, PA 15425  
*Attorney:* Timothy J. Witt

**JOHN T. YOUSHOCK**, late of Washington  
Township, Fayette County, PA (1)  
*Administrator:* Michael S. Bitonti  
400 Fallen Leaf Drive  
Columbia, South Carolina 29229  
c/o 823 Broad Avenue  
Belle Vernon, PA 15012  
*Attorney:* John T. Youshock

## LEGAL NOTICES

### NOTICE

Notice is hereby given that the Certificate of Organization has been approved and filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on January 12, 2024, for a limited liability company known as Montgomery Select LLC.

Said limited liability company has been organized under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The purpose or purposes of the limited liability company is/are: real estate holdings and any other lawful purpose related thereto for which the corporation may be organized under the Business Corporation Law.

DAVIS & DAVIS

BY: Gary J. Frankhouser, Esquire  
107 East Main Street  
Uniontown, PA 15401

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### CERTIFICATE OF ORGANIZATION Limited Liability Company

Notice is hereby given that a Certificate of Organization was filed with the Department of State of the Commonwealth of Pennsylvania, for a limited liability company formed under the Limited Liability Company Law of 1994. The name of the company is: Buddy Fix, LLC.

Mark E. Ramsier  
Attorney at Law  
823 Broad Avenue  
Belle Vernon, PA 15012

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### NOTICE

Notice is hereby given that a Certificate of Organization was filed with the Pennsylvania Department of State, on January 8, 2024, for a Limited Liability Company, organized under the Limited Liability Company Law of 1994, as from time to time amended. The name of the Company is Ciggy's LLC having an address of 701 3rd Street, Newell, PA 15466.

ADAMS LAW OFFICES, PC  
Jason F. Adams, Esquire  
55 East Church Street, Suite 101  
Uniontown, PA 15401  
724-437-2711

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### NOTICE OF INTENTION TO FILE ARTICLES OF AMENDMENT

Notice is hereby given that the Redstone Township Sewer Authority intends to file articles of amendment with the Secretary of the Commonwealth to extend its corporate existence for an additional fifty (50) years pursuant to the provisions of the Municipality Authorities Act, as amended.

The registered office of the Authority is:

1010 Main Street  
Republic, PA 15475

The Articles of Amendment will be filed with the Secretary no sooner than three days after the publication of this notice.

Michael T. Cetera, Chairman

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# SHERIFF'S SALE

Date of Sale: March 21, 2024

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday March 21, 2024, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauction on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Realauction via wire transfer or ACH per Realauction requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder.

(2 of 3)

James Custer  
Sheriff of Fayette County

No. 1182 of 2023 GD  
No. 267 of 2023 ED

**FIRST NATIONAL BANK OF PENNSYLVANIA,**  
**Plaintiff,**  
**vs.**

**ALL UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST, FROM OR UNDER JEROME D. DEAN, A/K/A JEROME D. DEAN, SR., DECEASED,**  
**Defendants.**

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND BEING SITUATE AND LAYING IN THE TOWNSHIP OF JEFFERSON, COUNTY OF FAYETTE AND COMMONWEAL TH OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN CERTAIN DEED DATED AUGUST 21, 1996, FROM MARK DEAN AND MARY E. DEAN, HIS WIFE, TO JEROME D. DEAN AND MARGARET C. DEAN, HIS WIFE, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF FAYETTE COUNTY, PA ON AUGUST 22, 1996 IN DEED BOOK VOLUME 1756, PAGE 112. MARGARET C. DEAN DIED ON OR ABOUT JULY 13, 2009. UPON HER DEATH TITLE TO THE PREMISES VESTED IN JEROME D. DEAN BY OPERATION OF LAW. JEROME D. DEAN DIED ON SEPTEMBER 2, 2019. AFTER INVESTIGATION AND DUE DILIGENCE NO ESTATE OF RECORD COULD BE LOCATED FOR JEROME D. DEAN.

BEING COMMONLY KNOWN AS 225 LOWBER ROAD, FAYETTE CITY, PA 15438 IMPROVEMENT THEREON: A RESIDENTIAL DWELLING.

TAX PARCEL NUMBER: 17-02-0052

McCABE, WEISBERG & CONWAY, LLC  
1420 Walnut Street, Suite 1501  
Philadelphia, PA 19102  
(215) 790-1010

No. 62 of 2020 GD  
No. 295 of 2023 ED

**Longbridge Financial, LLC**  
**Plaintiff**  
**v.**

**Christopher Breegle, Known Surviving Heir of Eugene Breegle, Stuart Breegle, Known Surviving Heir of Eugene Breegle, Jeffory**

**Brengle, Known Surviving Heir of Eugene Brengle, and Unknown**

All that certain piece or parcel or Tract of land situate in the TOWNSHIP OF UPPER TYRONE, Fayette County, Pennsylvania, and being known as 112 Wall Street, Everson, Pennsylvania 15631.

Being known as: 112 Wall Street, Everson, Pennsylvania 15631

Title vesting in Eugene Brengle A/K/A Eugene J. Brengle by deed from INEZ E. ECKMAN, A SINGLE WOMAN dated March 1, 1978 and recorded April 4, 1978 in Deed Book 1232, Page 992. The said Eugene Brengle A/K/A Eugene J. Brengle died on July 15, 2019 without a will or appointment of an Administrator, thereby vesting title in Christopher Brengle, Known Surviving Heir of Eugene Brengle, Stuart Brengle, Known Surviving Heir of Eugene Brengle, Jeffory Brengle, Known Surviving Heir of Eugene Brengle, and Unknown Surviving Heirs of Eugene Brengle by operation of law The said Carol S. Brengle died on March 22, 1999 without a will or appointment of an Administrator, thereby vesting title in Christopher Brengle, Known Surviving Heir of Eugene Brengle, Stuart Brengle, Known Surviving Heir of Eugene Brengle, Jeffory Brengle, Known Surviving Heir of Eugene Brengle, and Unknown Surviving Heirs of Eugene Brengle by operation of law.

Tax Parcel Number: 39-11-0052

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Brock & Scott, PLLC

No. 1802 of 2019 GD  
No. 293 of 2023 ED

**FREEDOM MORTGAGE CORPORATION  
v.  
DON L. CRAFTON**

By virtue of a Writ of Execution No. 2019-01802, FREEDOM MORTGAGE CORPORATION v. DON L. CRAFTON, owner(s) of property situate in the WASHINGTON TOWNSHIP, FAYETTE County, Pennsylvania, being 14 GROVE AVENUE A/K/A 14 GRV, BELLE VERNON. PA 15012

Tax ID No. 41-05-0066

Improvements thereon: RESIDENTIAL DWELLING Judgment Amount: \$158,954.52

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FEIN, SUCH, KAHN & SHEPARD, P.C.

No. 1892 of 2023 GD  
No. 285 of 2023 ED

**TOWNE MORTGAGE COMPANY  
Plaintiff  
v.  
TANNER W DEROSA  
Defendant(s)**

Judgment Amount: \$180,506.77

Being County Parcel No. 14330026

ALL THAT CERTAIN LOT OF LAND SITUATE IN GEORGES TOWNSHIP, FAYETTE COUNTY, COMMONWEALTH OF PWNNYSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF U.S. HIGHWAY ROUTE 119 CORNER WITH PROPERTY NOW OR FORMERLY OF D. BRUCE HAYDEN, ET UX.; THENCE ALONG SAID HAYDEN PROPERTY, SOUTH 53 DEGREES 30' EAST 208.72 FEET; THENCE ALONG LINE OF LAND NOW OR FORMERLY OF GILMER R. HEADRICK, ET UX. AND LINE OF LAND HEREIN CONVEYED SOUTH 36 DEGREES 30' WEST 103 FEET; THENCE THROUGH LAND OF GRANTORS HEREIN NORTH 53 DEGREES 30' WEST 208.72 FEET TO THE AFORESAID CENTER LINE OF U.S. HIGHWAY ROUTE 119; THENCE ALONG SAID CENTER LINE OF U.S. HIGHWAY ROUTE 119, NORTH 36 DEGREES 30' EAST 103 FEET TO THE PLACE OF BEGINNING.

TO BE SOLD AS THE PREMISES OF TANNER W DEROSA

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KML LAW GROUP, P.C.  
701 Market Street  
Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

No. 1112 of 2023 GD  
No. 291 of 2023 ED

**PENNYMAC LOAN SERVICES, LLC**  
**3043 Townsgate Road**  
**Suite 200**  
**Westlake Village, CA 91361**

**Plaintiff**  
**vs.**

**NATHON J. HOFECKER**  
**Mortgagor(s) and Record Owner(s)**  
**6 Spaulding Street**  
**Uniontown, PA 15401**  
**Defendant(s)**

ALL THAT CERTAIN LOT OF LAND  
SITUATE IN NORTH UNION TOWNSHIP,  
COUNTY OF FAYETTE AND  
COMMONWEALTH OF PENNSYLVANIA.  
BEING KNOWN AS: 6 SPAULDING  
STREET, UNIONTOWN, PA 15401

TAX PARCEL #25-39-0152

IMPROVEMENTS: A RESIDENTIAL  
DWELLING

SOLD AS THE PROPERTY OF:  
NATHON J. HOFECKER

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Richard M. Squire & Associates, LLC  
By: Michael J. Clark, Esquire  
One Jenkintown Station, Suite 104  
115 West Avenue  
Jenkintown, PA 19046  
Telephone: 215-886-8790  
Fax:215-886-8791

No. 1668 of 2023 GD  
No. 301 of 2023 ED

**Rocket Mortgage, LLC f/k/a Quicken Loans,**  
**LLC f/k/a Quicken Loans, Inc.**  
**PLAINTIFF**

**v.**

**Bobbie Jo Jenkins**  
**Theresa Johnson**  
**DEFENDANT.**

TAX PARCEL NO.: 22-15-0066

PROPERTY ADDRESS: 16 E. Main  
Street, New Salem, PA 15468

IMPROVEMENTS: Single Family  
Dwelling

SEIZED AND TAKEN in execution as the

property of Bobbie Jo Jenkins and Theresa  
Johnson

ALL THAT CERTAIN lot of piece of  
ground situate in the Village of New Salem,  
Menallen Township, Fayette County,  
Pennsylvania known as Lot No. 1 bounded and  
described as follows:

Bounded on the South by a public highway  
known as Main Street, on the East by lot now or  
formerly of Angela Rubinosky, on the North by  
an alley and on the West by Lot No. 2 now or  
formerly owned by Andrew Gallik, said lot of  
ground containing ¼ acre, more or less.

BEING KNOWN AS premises 16 E. Main  
Street, New Salem, PA 15468

Parcel: 22-15-0066

BEING the same premises conveyed to  
Bobbie Jo Jenkins and Theresa Johnson, as joint  
tenants with the right of survivorship, by deed of  
Richard S. Sabol, Jr. unmarried, and recorded in  
the Recorder of Deeds Office, County and State  
aforesaid in Deed Book Volume 3362, page 667.  
Said Grantor conveying her undivided one-half  
(1/2) interest, remaining joint owner, the Grantor  
herein, she now holds title in fee simple,  
absolute.

with the appurtenances: to Have and to  
Hold the same to and for the use of the said  
Grantee his heirs and assigns forever. And the  
Grantor for her heirs and assigns hereby  
covenant and agree that they will WARRANT  
GENERALLY the property hereby conveyed.

NOTICE-THIS DOCUMENT MAY NOT/  
DOES NOT SELL CONVEY, TRANSFER,  
INCLUDE OR INSURE THE TITLE TO THE  
COAL AND RIGHT OF SUPPORT  
UNDERNEATH THE SURFACE LAND  
DESCRIBED OR REFERRED TO HEREIN,  
AND THE OWNER OR OWNERS OF SUCH  
COAL MAY HAVE.HAVE THE COMPLETE  
LEGAL RIGHT TO REMOVE ALL OF SUCH  
COAL, AND IN THAT CONNECTION,  
DAMAGE MAY RESULT TO THE SURFACE  
OF THE LAND AND ANY HOUSE,  
BUILDING OR OTHER STRUCTURE ON OR  
IN SUCH LAND. THE INCLUSION OF THIS  
NOTICE DOES NOT ENLARGE, RESTRICT  
OR MODIFY, ANY LEGAL RIGHTS OR  
ESTATES OTHERWISE CREATED,  
TRANSFERRED EXECPTED OR RESERVED  
BY THIS INSTRUMENT: This notice is set  
forth in the manner provided in Section 1 of the  
Act of July 17, 1957, P.L. 984, as amended, and  
is not intended as notice of unrecorded  
instruments, if any.



KML LAW GROUP, P.C.  
701 Market Street  
Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

No. 2172 of 2022 GD  
No. 283 of 2023 ED

George A. Butler  
Mahady & Mahady  
223 South Maple Ave.  
Greensburg PA 15601  
724-834-2990

No. 2094 of 2023 GD  
No. 303 of 2023 ED

**LAKEVIEW LOAN SERVICING, LLC**  
**4425 Ponce De Leon Blvd Mail Stop Ms5/251**  
**Coral Gables, FL 33146**  
**Plaintiff**  
**vs.**

**LEON JONES Solely in His Capacity as Heir of Dorothy J. Jones, Deceased**  
**LESLIE JONES Solely in Her Capacity as Heir of Dorothy J. Jones, Deceased**  
**ROY JONES JR, Solely in His Capacity as Heir of Dorothy J. Jones, Deceased**  
**WILLIAM JONES Solely in His Capacity as Heir of Dorothy J. Jones, Deceased**  
**The Unknown Heirs of Dorothy J. Jones Deceased**  
**LORETTA WYNN Solely in Her Capacity as Heir of Dorothy J. Jones, Deceased**  
**246 Coolspring Street**  
**Uniontown, PA 15401**  
**Defendant(s)**

ALL THAT CERTAIN LOT OF LAND  
SITUATE IN CITY OF UNIONTOWN,  
COUNTY OF FAYETTE AND  
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 246 COOLSPRING  
STREET, UNIONTOWN, PA 15401  
TAX PARCEL #38-13-0432  
IMPROVEMENTS: A RESIDENTIAL  
DWELLING

SOLD AS THE PROPERTY OF: LEON  
JONES Solely in His Capacity as Heir of  
Dorothy J. Jones, Deceased, LESLIE JONES  
Solely in Her Capacity as Heir of Dorothy J.  
Jones, Deceased, ROY JONES JR, Solely in His  
Capacity as Heir of Dorothy J. Jones, Deceased,  
WILLIAM JONES Solely in His Capacity as  
Heir of Dorothy J. Jones, Deceased, The  
Unknown Heirs of Dorothy J. Jones Deceased  
AND LORETTA WYNN Solely in Her  
Capacity as Heir of Dorothy J. Jones, Deceased

**Commercial Bank & Trust of PA**  
**Plaintiff**  
**vs.**  
**Joy Property Investments, LLC**  
**Defendant**

Joy Property Investments, LLC is the  
owner of property situate in the City of  
Connellsville, Fayette County, Pennsylvania  
being 413 N. Pittsburgh Street, Connellsville PA  
15425

Tax ID No. 05-06-0174  
Improvements thereon: Four Unit  
Apartment House  
Judgment Amount: \$57,491.95

Robertson, Anschutz, Schneid, Crane &  
Partners, PLLC  
133 Gaither Drive, Suite F  
Mt. Laurel, NJ 08054  
(855) 225-6906

No. 1828 of 2023 GD  
No. 269 of 2023 ED

**SPECIALIZED LOAN SERVICING LLC**  
**Plaintiff**  
**v.**  
**STEPHEN M. KLOTZ**  
**Defendant(s)**

ALL THAT CERTAIN LOT OR PIECE  
OF GROUND SITUATE IN THE TOWNSHIP  
OF CONNELLSVILLE, COUNTY OF  
FAYETTE AND COMMONWEALTH OF  
PENNSYLVANIA,

BEING PARCEL NUMBER: 05-15-0302  
IMPROVEMENTS: RESIDENTIAL  
PROPERTY

No. 1873 of 2019 GD  
No. 284 of 2023 ED

**DLJ Mortgage Capital, Inc.**  
**Plaintiff,**

vs.

**Kimberly Mackey, AKA Kimberly D. Mackey, AKA Kim Mackey**  
**Defendant.**

ALL that certain parcel of land lying and being situate in the Township of Redstone, County of Fayette, and Commonwealth of Pennsylvania, known as 10 Kennedy Street, Republic, PA 15475 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 30-26-0003

BEING the same premises which Deborah Harmen, also known as Deborah Harman, by Deed dated February 20, 2004 and recorded in and for Fayette County, Pennsylvania in Deed Book 2896, Page 788, granted and conveyed unto Kimberly Mackey.

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KML LAW GROUP, P.C.  
701 Market Street  
Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

No. 1223 of 2023 GD  
No. 297 of 2023 ED

**FREEDOM MORTGAGE CORPORATION**  
**P.O. Box 50428**  
**Indianapolis, IN 46250-0401**

**Plaintiff**

vs.

**BRIAN S. MATIS**  
**Mortgagor(s) and Record Owner(s)**  
**230 Woostock Avenue**  
**Hopwood, PA 15445**  
**Defendant(s)**

ALL THAT CERTAIN LOT OF LAND SITUATE IN SOUTH UNTON TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 230 WOOSTOCK AVENUE, HOPWOOD, PA 15445

TAX PARCEL #34-40--0047

IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: BRIAN S. MATIS

McCABE, WEISBERG & CONWAY, LLC  
1420 Walnut Street, Suite 1501  
Philadelphia, PA 19102  
(215) 790-1010

No. 914 of 2023 GD  
No. 288 of 2023 ED

**Finance of America Reverse LLC**  
**Plaintiff**

v.

**John Owen McGill, Known Surviving Heir of John McGill, Bobbie Lynn Sirianni, Known Surviving Heir of John McGill, Misty Ansell, Known Surviving Heir of John Mc ill, and Unknown Surviving Heir of John**  
**Defendant**

All that certain piece or parcel or Tract of land situate in the Tiwnship of Connellsville, Fayette County, Pennsylvania, and being known as 504 E. Washington Avenue, Connellsville, Pennsylvania 15425.

Being known as: 504 E. Washington Avenue, Connellsville, Pennsylvania 15425

Title vesting in John C. McGill by deed from SHIRLEY M. DAVIS, AN UNREMARRIED WIDOW, BY HER ATTORNEY-IN-FACT, DALE L. DAVIS dated April 25, 2003 and recorded June 25, 2003 in Deed Book 2866, Page 2073 Instrument Number 200300013238. The said John C. McGill died on June 8, 2022 without a will or appointment of an Administrator, thereby vesting title in John Owen McGill, Known Surviving Heir of John McGill, Bobbie Lynn Sirianni, Known Surviving Heir of John McGill, Misty Ansell, Known Surviving Heir of John McGill, and Unknown Surviving Heir of John McGill by operation of law.

Tax Parcel Number: 06130030

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McCABE, WEISBERG & CONWAY, LLC  
1420 Walnut Street, Suite 1501  
Philadelphia, PA 19102  
(215) 790-1010

No. 2311 of 2022 GD  
No. 275 of 2023 ED

**PENNYMAC LOAN SERVICES, LLC**  
**Plaintiff**

v.

**Matthew V. Smith**  
**Defendant**

All that certain piece or parcel or Tract of

land situate in the Borough of Everson, Fayette County, Pennsylvania, and being known as 717 Brown Street, Everson, Pennsylvania 15631.

Being known as: 717 Brown Street, Everson, Pennsylvania 15631

Title vesting in Matthew V. Smith by deed from MATTHEW V. SMITH, UNMARRIED dated February 7, 2013 and recorded February 11, 2013 in Deed Book 3211, Page 1088 Instrument Number 201300001517.

Tax Parcel Number: 10040038

No. 1400 of 2023 GD  
No. 276 of 2023 ED

**FIRST NATIONAL BANK OF PENNSYLVANIA,**

**Plaintiff,**  
**vs.**

**LONNIE D. SPROUL,**  
**Defendant.**

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND BEING SITUATE AND LAYING IN THE TOWNSHIP OF NORTH UNION, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN CERTAIN DEED DATED AUGUST 25, 2000, FROM BRUCE E. DAYTON AND CONNIE DAYTON, HUSBAND AND WIFE, TO LONNIE D. SPROUL, SINGLE, AND RECORDED ON OCTOBER 5, 2000 IN THE OFFICE OF THE RECORDER OF DEEDS OF FAYETTE COUNTY, PA AT DEED BOOK VOLUME 2609, PAGE 241.

BEING COMMONLY KNOWN AS 551 Johnston Avenue, Uniontown, PA 15401 IMPROVEMENT THEREON: A RESIDENTIAL DWELLING.

TAX PARCEL NUMBER: 25-47-0101

KML LAW GROUP, P.C.  
701 Market Street  
Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

No. 479 of 2023 GD  
No. 294 of 2023 ED

**PNC BANK, NATIONAL ASSOCIATION**  
**3232 Newmark Drive**  
**Miamisburg, OH 45342**

**Plaintiff**  
**vs.**

**UNKNOWN HEIRS OF LODIS MALLARD AKA LODIS CHILDS MALLARD, DECEASED**

**1404 3Rd Street**  
**Hiller, PA 15444**

**Defendant(s)**

ALL THAT CERTAIN LOT OF LAND SITUATE IN LUZERNE TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA. BEING KNOWN AS: 1404 3RD STREET, HILLER, PA 15444

TAX PARCEL #19-08-0051

IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: UNKNOWN HEIRS OP LODIS MALLARD AKA LODIS CHILDS MALLARD, DECEASED

KML LAW GROUP, P.C.

701 Market Street  
Suite 5000  
Philadelphia, PA 19106-1532  
(215) 627-1322

No. 472 of 2023 GD  
No. 261 of 2023 ED

**ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS LLC F/K/A QUICKEN LOANS INC.**

**1050 Woodward Ave**  
**Detroit, Michigan 48226-1906**

**Plaintiff**  
**vs.**

**UNKNOWN HEIRS OF MERLE SWANEY, DECEASED**

**113 Hopwood Fairchance Road**  
**Hopwood, PA 15445**

**Defendant(s)**

ALL THAT CERTAIN LOT OF LAND SITUATE IN SOUTH UNION TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 113 HOPWOOD FAIRCHANCE ROAD, HOPWOOD, PA 15445

TAX PARCEL #34-38-0076-01

IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: UNKNOWN HEIRS OF MERLE SWANEY, DECEASED

No. 1114 of 2023 GD  
No. 260 of 2023 ED

\*\*\* END SHERIFF'S SALE \*\*\*

**HSBC Bank USA, National Association, as  
Trustee for Wells Fargo Alternative Loan  
2007-PA3 Trust**

**PLAINTIFF**

**vs.**

**Amy L. Urani  
Silvio Urani, III  
DEFENDANTS**

ALL that certain lot and an adjoining one-half of another lot or piece of land, situate in Redstone Township, Fayette County, Pennsylvania, and being all of Lot No. 313, and the adjoining half of Lot No. 312 in what is known as the VanKirk Addition to Republic, Pennsylvania, a plan of which is recorded in the Recorder's Office of Fayette County, Pennsylvania, in Plan Book Volume 4, pages 8 and 9. Said whole Lot No. 313 and the adjoining one-half of said Lot No. 312 have an aggregate frontage on the Northerly side of Fairgarden Street of 90 feet and extending in a northerly direction preserving the same width 140 feet to Highland Alley and is bounded on the westerly side of Lot No. 314, and on the easterly side by one-half of said Lot No. 312.

EXCEPTING AND RESERVING, however, all of the coal of the nine foot vein or Pittsburgh seam underlying the above-described premises, and all, coal and other minerals underlying said nine foot, vein or Pittsburgh seam of coal, together with the same mining rights and privileges that have been conveyed away heretofore.

EXCEPTING AND RESERVING, however, thereout and therefrom, all of the easterly one-half of the above-described premises previously conveyed to J. Bryan Huston and Hazel 13. Huston, his wife, by deed of Harry W. Swift and Myrtle Swill, his wife, dated June 7, 1950; and recorded as aforesaid in Deed Book 1 Volume 701, page 28.

TOGETHER with such rights and SUBJECT to any exceptions, restrictions, reservations and conditions as exist by virtue of prior recorded instruments, deeds or conveyances

Parcel ID: 30-23-0069

FOR INFORMATIONAL PURPOSES ONLY: Being known as 26 Fairgarden Street, Republic, PA 15475

COMMONLY KNOWN AS: 26 Fairgarden Street, Republic, PA 15475

TAX PARCEL NO. 30-23-0069

## WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

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**JUDICIAL OPINION**

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA  
CIVIL ACTION

JOSHUA SHAFFER,	:	
Petitioner,	:	
vs.	:	
FAYETTE COUNTY TAX CLAIM	:	
BUREAU,	:	
Respondent,	:	
vs.	:	
SHELLEY SKIDMORE,	:	No. 2219 of 2023, G.D.
Intervenor.	:	JUDGE JOSEPH M. GEORGE, JR.

OPINION

GEORGE, J.

December 27, 2023

On September 18, 2023, the Fayette County Tax Claim Bureau held an upset tax sale for the Petitioner's property located at 35 Highland Avenue, Smithfield, Fayette County, Pennsylvania, having a Tax Parcel I.D. No. 32-07-0001. At the time of the sale, the record title owner of the property was Petitioner, Joshua Shaffer, by virtue of a deed dated January 5, 2018, and recorded in the Recorder of Deeds Office at Record Book 3362, Page 1710. Intervenor, Shelly Skidmore, was the successful bidder at the tax sale.

On November 6, 2023, Petitioner filed Objections and Exceptions and a Request for Rescission of Tax Sale. On November 21, 2023, the Court permitted Shelly Skidmore to intervene. A hearing was held on the Objections and Exceptions and Request for Rescission of Tax Sale on November 29, 2023.

The Tax Sale Law assists in the collection of taxes and is not intended to create investment opportunities for others. *Stanford-Gale v. Tax Claim Bureau of Susquehanna County*, 816 A.2d 1214, 1216 (PA. Cmwlth. 2003).

The purpose of a tax sale is not to strip the taxpayer of his property but to insure the collection of taxes. Due process is implicated in any taking of property for the collection of taxes. *Hess v. Westerwick*, 366 Pa. 90, 76 A.2d 745, 748 (1950).

As explained by the United States Supreme Court:

People must pay their taxes, and the government may hold citizens accountable for tax delinquency by taking their property. But before forcing a citizen to satisfy his debt by forfeiting his property, due process requires the government to provide adequate notice of impending taking. *Jones v. Flowers*, 547 U.S. 220, 234, 126 S.Ct. 1708, 164 L.Ed.2d 415 (2006).

Because of these due process concerns, our appellate courts have explained that the focus is not on the alleged neglect of the owner, which is often present in some degree, but on whether the activities of the Bureau comply with requirement of the statute. *Smith vs. Tax Claim Bureau of Pike County*, 834 A.2d 1247, 1251 (Pa. Cmwlth. 2003).

A failure by a tax claim bureau to comply with each and every statutory requirement will nullify a sale. *Id.* at 1252.

Section 602 of the Law governs the form and content of notice and requires that notice of a tax sale include the purpose, time, and place of the sale, as well as the approximate upset price, a description of the property, the name of the owner. In relevant part, Section 602 states as follows:

(3) Each property scheduled for sale shall be posted at least ten (10) days prior to the sale.

(f) The published notice, the mail notice and the posted notice shall each state that the sale of any property may, at the option of the bureau, be stayed if the owner thereof or any lien creditor of the owner on or before the actual sale enters into an agreement with the bureau to pay the taxes in instalments, in the manner provided by this act.

In this case, the Tax Claim Bureau relied on a photograph to establish the posting requirement (Exhibit B). Petitioner credibly testified that he did not see any posting on the property. The exhibit, which appears to be completed by a representative of Palmetto Posting, Inc., contains no information and the Tax Claim Bureau offered no other evidence to demonstrate that the form and content of the notice of the tax sale that was posted complied with the requirements of Section 602. Therefore, the posting was insufficient to meet the Tax Claim Bureau's burden of proving that the notice required by Section 602 was properly posted.

In *Tracy v. County of Chester, Tax Claim Bureau*, 489 A.2d 1334, 1339 (Pa. 1985), our Supreme Court pointed out,

[s]omehow, over the years, the taxing authorities have lost sight of the fact that it is a momentous event under the United States and the Pennsylvania Constitutions when a government subjects a citizen's property to forfeiture for the non-payment of taxes... [Thus, the] collection of taxes... may not be implemented without due process of law that is guaranteed in the Commonwealth and federal constitutions; and this due process... requires at a minimum that an owner of land be actually notified by the government, if reasonably possible, before his land is forfeited by the statute.

We are mindful that our appellate courts have repeatedly observed that the law's notice provisions are to be strictly construed and a Tax Claim Bureau's failure to comply with all of the notice requirements nullifies a tax sale. With these principles in mind, we find that we cannot strip the landowner of his property without testimony from the individual who posted the property as to the date, time, place, location, and form and content of the posting. As we are not satisfied that the Tax Claim Bureau has met their burden to establish the posing requirements have been met through only the admission of the photograph, we find that the failure to prove that the Tax Claim Bureau provided notice of the tax sale to the Petitioner in the manner required renders the tax sale void.

BY THE COURT:  
JOSEPH M. GEORGE, JR., JUDGE

ATTEST:  
PROTHONOTARY

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