

York Legal Record

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

Vol. 131

YORK, PA, THURSDAY, OCTOBER 5, 2017

No. 27

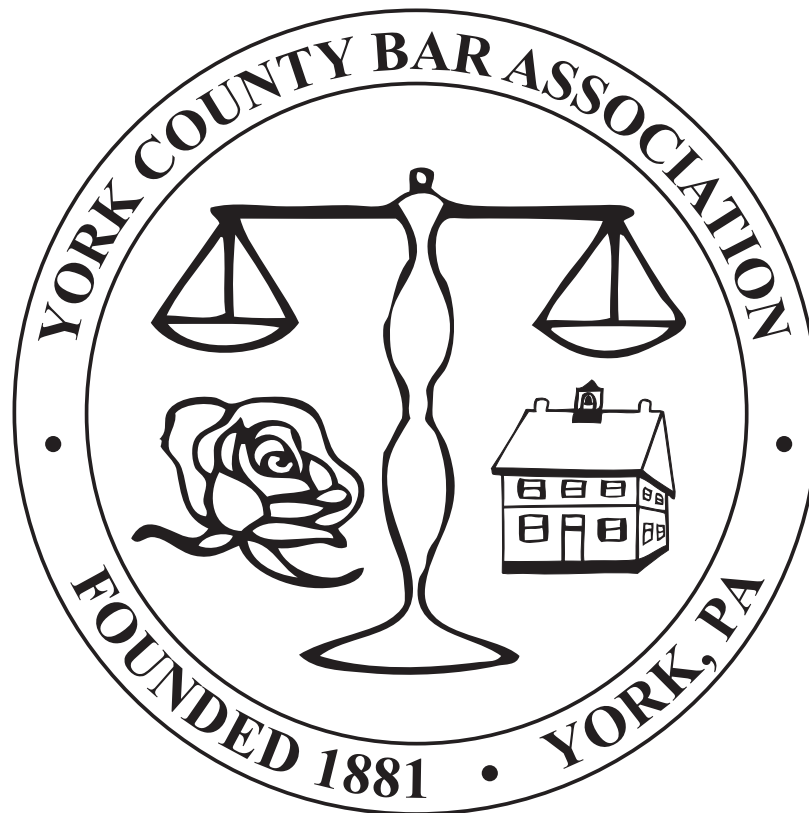
CASES REPORTED

YCS061921, LLC, PLAINTIFF V. BOARD OF SUPERVISORS OF PENN TOWNSHIP, DEFENDANT

2016-SU-003129

LOCAL AGENCY LAW – LIQUOR CODE

Page 16



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Subscription: \$45.00 per year to non-members.
Published Weekly, Periodicals Postage Paid, York, PA 17402
U.S.P.S. No. 696140

POSTMASTER: Send address changes to
York Legal Record, 137 E. Market St., York, PA 17401

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**YCS061921, LLC, Plaintiff v. BOARD OF SUPERVISORS OF
PENN TOWNSHIP, Defendant**

2016-SU-003129

Local Agency Law – Liquor Code**1. On appeal, the Court overturned Penn Township’s decision
to deny a liquor license transfer.****IN THE COURT OF COMMON PLEAS
YORK COUNTY PENNSYLVANIA**

YCS061921, LLC, Plaintiffs	: No. 2016-SU-003129
	:
	:
v.	:
	:
BOARD OF SUPERVISORS OF PENN TOWNSHIP, Defendant	: Civil Action- Law

APPEARANCES:

For Plaintiff:	L.C. Heim, Esquire
For Defendant:	Walter A. Tilley, III, Esquire

MEMORANDUM OPINION

Before this Court is Petition for Appeal from Decision of Penn Township filed by YCS061921, LLC (hereinafter “Plaintiff”) on November 15, 2016. The Defendant in this matter is the Board of Supervisors of Penn Township (hereinafter “Defendant”). For the following reasons we do **REVERSE** the decision by Defendant to deny Plaintiff’s request for a transfer of a liquor license.

FACTS AND PROCEDURAL HISTORY

Plaintiff alleges in its petition that, in a letter dated August 19, 2016, they requested approval from the Penn Township Board of Commissioners of a transfer of a Pennsylvania liquor license pursuant to the requirement found in the Pennsylvania Liquor Code at 47 P.S. §4-461(b.3). A public hearing on the request was held by the Penn Township Board of Commissioners on September 19, 2016, at the conclusion of which the Board, after motion, voted to deny the Plaintiff’s request. The minutes of that hearing were approved on October 17, 2016 and a letter dated October 24, 2016, reiterating the Board’s denial and including a copy of the minutes, was sent to Plaintiff.

Plaintiff filed a Petition for Appeal from Decision of Penn Township on November 15, 2016, making multiple arguments. First, they argued that jurisdiction lies with the Court of Common Pleas pursuant to local agency law, regardless of the Liquor Code, which prohibits appeals of decisions made by the governing body of a municipality to deny requests.¹

Secondly, Plaintiff argued their request should be deemed approved by default due to Defendant’s failure to conform to the Liquor Code, which requires a decision be rendered by ordinance or resolution within forty-five (45) days of the request. Defendant voted on a motion to deny the request at the meeting and approved the minutes of the meeting on October 17, 2016, mailing said minutes to Plaintiff on October 24, 2016. Plaintiff’s allegations in support of its position is two-fold: first Defendant’s actions amount to nonconformance for failure to render a decision by ordinance or resolution, as the decision was made by vote upon a motion at the meeting. Furthermore, because Defendant did not render a decision by resolution or ordinance, Plaintiff also argues that Defendant essentially did not render a decision at all and therefore, under the statute, their application is approved by default.

Finally, Plaintiff argues the decision of Defendant to deny the transfer was contrary to law as it is devoid of findings of fact and not supported by the evidence of record.

On January 5, 2017, Plaintiff filed a brief in support of their appeal. Defendant filed a brief opposing the appeal on February 3, 2017. De-

fendant argued that their denial of the transfer request, which was made by vote on a motion at the public meeting, was sufficient in form and substance to satisfy the requirement of the statute and, as a representative of Plaintiff was present at that time, the denial was timely conveyed to Plaintiff within the forty-five (45) days allotted by law. Furthermore, Defendant argues their decision was supported by substantial evidence and should be affirmed.

On July 12, 2017 Plaintiff filed a Praecipe to List for One-Judge Disposition along with a brief in support of their appeal. Defendant filed a brief in reply on July 18, 2017, this time arguing that Plaintiff’s appeal was untimely. A supplementary brief was filed by Plaintiff on July 20, 2017, and a reply brief on July 21, 2017. Defendant filed a Reply Brief in Opposition to Plaintiff’s Supplementary Brief in Support of its Petition of Appeal on July 25, 2017. The record was filed by Defendant on January 20, 2017, complete with the minutes of the meeting held on September 19, 2016, during which the board denied Plaintiff’s request, as well as a transcript of the proceedings, inter alia.

The matter was assigned to this Honorable Court on July 26, 2017 and is now ripe for decision.

DISCUSSION

We must first address the issue of the timeliness of Plaintiff’s appeal and turn to the Pennsylvania Rules of Appellate Procedure for guidance. “A petition for review of . . . an order appealable. . . under any other provision of law, shall be filed with the prothonotary of the appellate court within 30 days after the entry of the order.” Pa.R.A.P. 1512.

This Court previously determined that the decision to deny transfer of a liquor license made by Defendant is governed by local agency law, which provides that “[a]ny person aggrieved by an adjudication of a local agency who has a direct interest in such adjudication shall have the right to appeal therefrom.” 2 Pa.C.S.A. §752.

With regard to the date of entry of an order, the rule states, “the day of entry shall be the day the clerk of the court or the office of the government unit mails or delivers copies of the order to the parties.” Pa.R.A.P. 108.

In the instant matter, Defendant held a public meeting on September 19, 2016, at which time they entertained the request to transfer a liquor license made by Plaintiff. At the conclusion of the hearing on Plaintiff’s request, a motion was made by Commissioner Klunk to adopt a resolution approving the transfer of the liquor license. That motion was seconded and voted upon, the results being three (3) against and two (2) for. At that time there was some discussion on the method of formally denying Plaintiff’s request. The commissioners, with advice from legal counsel, decided to make a motion to deny the request and put their reasoning for doing so on the record. That motion was carried with three (3) commissioners voting to deny the transfer and two (2) voting in favor of the transfer. On October 16, 2017, the minutes of the public meeting were approved and, in a letter dated October 24, 2016, Defendant sent a copy of the approved minutes to Plaintiff.

The date of entry of the order is October 24, 2016, the date upon which Defendant mailed the approved minutes, for several reasons. First, the minutes are the only writing evidencing the Defendant’s decision and, as such, are the only copies of Defendant’s decision that could be mailed or delivered to Plaintiff as required by law. Secondly, under local agency law, an aggrieved party may only file an appeal of an adjudication, and as all adjudications of a local agency must be in writing, and the only writing evidencing Defendant’s decision is the approved minutes, it follows that the approved minutes are the adjudication which Plaintiff has appealed. 2 Pa.C.S.A. §752 and §555.

The letter reiterating Defendant’s decision and to which the approved minutes were attached was dated October 24, 2016. Plaintiff filed their Petition for Appeal from Decision of Penn Township on November 15, 2016, twenty-two (22) days from the date of the letter. We do find that Plaintiff’s appeal was timely made.

We now address the issue of whether Defendant, in conformance with the law, did render a decision within forty-five (45) days of the date of Plaintiff’s request for the license transfer. The Pennsylvania administrative code establishes the criteria for decisions on requests for intermunicipal transfers of a liquor license. “The receiving municipality shall, within 45 days of a request for approval, render a decision by ordinance or resolution to approve or disapprove the applicant’s request for an intermunicipal transfer.” 40 Pa. Code § 7.61(b)(3). These criteria are echoed in the statute setting forth the provisions of the Pennsylvania Liquor Code found at 47 Pa.C.S.A. § 4-461(b.3) as well.

We find that Defendant did in fact render a decision within forty-five (45) days of the date of Plaintiff’s request. The record shows that

Plaintiff requested the approval of the transfer of a liquor license by letter dated August 19, 2016. Defendant held a public meeting on September 19, 2016, during which the commissioners voted to deny Plaintiff's request, stating various reasons. David Martineau was present at the meeting as counsel representing Plaintiff.

Black's Law Dictionary defines render to mean "[t]o transmit or deliver". *Black's Law Dictionary* (10th ed. 2014). Plaintiff's representative was present at the meeting, held thirty-one (31) days after Plaintiff made its request, when a motion to deny its request was made, a vote was taken, and the decision was rendered or delivered to the representative. As discussed above, the official order may have been entered at a later date, however, the decision was rendered at the public meeting on September 19, 2016, and was done so within the forty-five (45) limit established by law.

Additionally, we find no merit in Plaintiff's argument that the form of the decision did not comply with the statute. The Pennsylvania Commonwealth Court has previously discussed this very issue, stating "[a]lthough the motion did not carry the formal title of 'Resolution,' it was clearly no different, being an official act of the Board in its regular course of business." *In re Application for Liquor License of Thomas*, 829 A.2d 410, 413 (Pa. Commw. Ct. 2003).

Having now addressed both the timeliness of Plaintiff's appeal and the form and timeliness of Defendant's denial of their request, we turn to the underlying appeal. Subchapter B of Title 7 in the Pennsylvania consolidated statutes is titled "Judicial Review of Local Agency Action", applies to "all local agencies regardless of the fact that a statute expressly provides that there shall be no appeal from an adjudication of an agency", and creates a right of appeal by "[a]ny person aggrieved by an adjudication of a local agency who has a direct interest in such adjudication".

Defendant is a local agency, it denied Plaintiff's request for approval of the transfer of a liquor license, and Plaintiff has a direct interest in that denial. Plaintiff has a right to appeal the decision to this Court and we are bound in our review by the local agency law, which requires, in cases where the record is full and complete, that we decide the appeal on the record. 2 Pa.C.S.A. §754(b).

On January 20, 2017, Defendant filed a return of the record in this matter, including Plaintiff's letter requesting the license transfer, the approved minutes of the public meeting during which the request was entertained, a copy of Defendant's letter sent in October, and a full transcript of the public meeting.

The meeting itself was open to the public and attended by the members of the Board of Commissioners, the solicitor for Penn Township, legal counsel for Plaintiff, the Chief of Police, other members of the Penn Township government, and members of the public. Counsel for Plaintiff was given a full opportunity to speak and present evidence, the members of the Board and the public were able to ask questions and provide comments, and the entire meeting was recorded by a stenographer. We do find that the record is complete and our decision will be based upon said record.

In making said decision, we must affirm Defendant's decision unless we find the following:

[T]he adjudication is in violation of the constitutional rights of the appellant, or is not in accordance with law, or that the provisions of Subchapter B of Chapter 5 (relating to practice and procedure of local agencies) have been violated in the proceedings before the agency, or that any finding of fact made by the agency and necessary to support its adjudication is not supported by substantial evidence.

Id.

"Substantial evidence is 'more than a mere scintilla' of evidence and that which a reasonable mind might accept as adequate to support a conclusion." *SSEN, Inc. v. Borough Council of Borough of Eddystone*, 810 A.2d 200, 207 (Pa. Commw. Ct. 2002) (citing *Kish on Behalf of Kish v. Anville-Cleona Sch. Dist.*, 645 A.2d 361 (Pa. Commw. Ct. 1994)).

Plaintiff has made no constitutional claims in the instant matter nor have they made an argument that Defendant violated any provision of the local agency law with regard to the proceeding held before it. Plaintiff's arguments go directly to whether Defendant made findings of fact necessary to support their decision and, if so, whether those findings of fact were supported by substantial evidence.

Although no standard is set forth in the Pennsylvania statutes, we do find the standard binding Penn Township in the Pennsylvania code. "The receiving municipality shall approve the request unless it finds that doing so would adversely affect the welfare, health, peace and morals of the municipality or its residents." 40 Pa. Code § 7.61(b)(4).

A licensed establishment is not per se adverse to the welfare of a municipality. "The legislature has established the principle that a licensed establishment is not ordinarily detrimental to the welfare, health and morals of the inhabitants of the neighborhood. A transfer will be detrimental only in cases where the nature of the establishment to be licensed is such that it will adversely affect the nature and character of its neighborhood." *In re 23rd St., Inc.*, 517 A.2d 581, 582 (Pa. Commw. Ct. 1986) (citation omitted).

In the Penn Township Board of Commissioners' Return of the Record in Accordance with YCCIV.5200 (hereinafter "R.R."), we find the following reasons given for Defendant's denial of Plaintiff's request:

Lack of adequate security, lack of training for personnel, lack of segregated area for the sale and consumption of alcohol, lack of check-out discipline. . . safety concerns due to the store being adjacent to two major State roads, Routes 116 and 216, ability of people under the age of eighteen to access the portions of the store where alcohol is being sold and consumed. . . there is no need for this license due to proximity to an existing beer distributor; and lack of experience and working knowledge of the sale of alcoholic beverages on the part of Rutter's.

R.R., Item 2, 7 (Sept. 19, 2016).

Turning to the transcript of the public meeting, we find that Mr. Martineau, counsel for Plaintiff, gave a brief argument for why Defendant should grant Plaintiff's request, which was followed by a multitude of questions, to which he provided answers. With regard to questions posed relating to security, supervision, and training of staff at the store, Mr. Martineau stated, "[a]ll of the store employees will be trained on what is called RAMP certification. It is the Responsible Alcohol Management Program." R.R., Item 4, 5 (Sept. 19, 2016). He went on to say, "[the] [I] liquor code provides you cannot sell liquor sales and gas at the same register you sell beer. So, we have to essentially sell gas 24 hours a day and we have to have a separate register set up for the beer sales. . . The only people assigned to that register will be people who are over 18 and have already been RAMP certified." *Id.* at 9

In addition to the training of employees, Mr. Martineau discussed a multitude of other safety and security precautions intended to be utilized by Plaintiff. He discussed the placement of signs in the establishment which will provide notice that intoxicated patrons will not be allowed to purchase alcohol. *Id.* at 14. Additionally, Plaintiff has video cameras installed throughout the store and plans to install additional cameras to cover the area where alcohol will be sold. *Id.* at 17-18. Those cameras are monitored not only by the staff onsite, but by individuals located at the corporate headquarters. *Id.*

With regard to the portion of the store where alcohol will be displayed and sold, Mr. Martineau informed Defendant that, "[t]he way the store is set up, it is kind of a store in a store. It will be a segregate area of the store beer and wine sales. It will be kind of sort of apart and some barrier in the rest of the store." *Id.* at 5. Furthermore, he talked about locks that will be placed on the coolers during the hours when the alcohol will not be for sale. *Id.* at 18. Finally, in response to a question asked by the Chief of Police, he stated that the store will be subject to "sting operations" exacted by liquor control officers. *Id.* at 22.

As to the location of the store being near two major state roads, no questions were posed regarding this concern and no information or evidence was provided with regard to things such as any increase in traffic or traffic hazards or issues related to driving under the influence.

With regard to the proximity of a beer distributor as well as other establishments furnishing alcohol, Mr. Martineau did represent that his client's store would benefit the community due to the fact patrons can purchase, at a minimum, a 12-pack of beer at a beer distributor while they can purchase singles or 6-packs at the store. *Id.* at 25.

Finally, as it relates to Rutter's lack of experience in selling alcoholic beverages, we do note that the law allowing sales at such locations has only recently been enacted in Pennsylvania and so knowledge and experience will naturally be limited. Furthermore, Mr. Martineau did state that they have several other store locations further along in the process of procuring a liquor license and "by the time this one gets through that process, we will certainly have five other stores already open." *Id.* at 29.

In addition, the record reflects that one member of the general public came forth to speak at the meeting. Mr. Klunk, whose son works at a different store location, spoke regarding his concerns for safety. He was informed that people already come in to the stores intoxicated and was worried that providing alcohol will create more problem. Mr. Martineau, in response, ensured that anyone coming in intoxicated will not be served. *Id.* at 28-29

Besides the members of the Board and Mr. Klunk, the only other citi-

zen who spoke during the meeting was the Chief of Police. He raised the idea of adding additional video cameras and a better quality system. Mr. Martineau reiterated Plaintiff's plan to do just that. *Id.* at 23-24. Chief Laughlin did also provide that the police department has not seen an increase in problems at a local Weis store that also recently began selling liquor. *Id.* at 29.

In consideration of the record, we find the rationale of the Commonwealth Court in *SSEN, supra*, to be appropriate here as well. In *SSEN*, the police chief testified regarding the dangers of drinking and driving and his concerns regarding any additional demands that would be placed on his department as a result of a liquor license being extended to another establishment. Additionally, eight (8) residents came forward to speak against the issuance of a liquor license. Their concerns related to topics such as any increased traffic and devaluation of existing licensed establishments. The Court, however, found that the "testimony intended to demonstrate increased traffic hazards, parking problems, drinking and driving under the influence which would result from the transfer was, at most, general and speculative." *SSEN, Inc.* at 208.

Similarly, the testimony provided by the commissioners, the police chief, and one (1) member of the public in the case at hand, as discussed above, was largely general and speculative. Additionally, the indication from the chief of police was that there were no increased problems upon the opening of similar establishments. Therefore, the testimony does not amount to substantial evidence in favor of Defendant's decision to deny the license transfer request.

Furthermore, taking Mr. Martineau's testimony regarding safety, security, and employee training into consideration, we cannot find that a reasonable mind might accept the evidence of record as substantial or even sufficient to support the Defendant's decision to deny Plaintiff's request.

CONCLUSION

For the foregoing reasons, the decision of the Penn Township Board of Supervisors to deny Plaintiff's request for an intermunicipal transfer of a liquor license is **REVERSED**.

BY THE COURT,

Date

ANDREA MARCECA STRONG, JUDGE

FOOTNOTES

¹ On December 19, 2016, Defendant filed a Motion to Quash Plaintiff's appeal based upon this issue, arguing the Liquor Code controls and their decision, under the code, could not be appealed. Defendant's Motion to Quash was denied in an Order dated June 29, 2017. The court found the appeal to be allowed as the matter is controlled by local agency law.

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ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are required to make known the same, and all persons indebted to said estate are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF LARRY L. BAILEY a/k/a LARRY LEE BAILEY, LARRY BAILEY, LARRY L. BAILEY, SR., DECEASED

Late of Springfield Twp., York County, PA.
Administrator-Executor: Roger Bailey
c/o William H. Poole, Jr., Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402

Attorney: William H. Poole, Jr., Esquire, Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402 10.05-3t

ESTATE OF BRIAN E. CLOCKER, DECEASED

Late of Shrewsbury Twp., York County, PA.
Administratrix: Nancy G. Clocker, c/o 129 E. Market St., York, PA 17401

Attorney: John C. Herrold, Esquire, Griest, Himes, Herrold, Reynosa LLP, 129 East Market Street, York, PA 17401 10.05-3t

ESTATE OF JEAN M. SHUPP-DELLINGER a/k/a JEAN M. DELLINGER, DECEASED

Late of Manchester Twp., York County, PA.
Administrator-Executor: Chris Kesser and James Shupp, c/o Kearney Galloway, LLC, 940 S. Queen St., York, PA 17403

Attorney: Jennifer A. Galloway, Esquire, Kearney Galloway, LLC, 940 S. Queen St., York, PA 17403 10.05-3t

ESTATE OF ROBERT J. DONNELLY, DECEASED

Late of Warrington Twp., York County, PA.
Administrator-Executor: Jennie E. Gates-Donnelly, 540 Mt. Zion Road, Dillsburg, PA 17019

Attorney: Scott M. Dinner, Esquire, 3117 Chestnut Street- 2nd Street, Camp Hill, PA 17011 10.05-3t

ESTATE OF CALVIN M. DOVERSPIKE, JR., a/k/a CALVIN MYRON DOVERSPIKE, JR., a/k/a CALVIN M. DOVERSPIKE, DECEASED
Late of York Twp., York County, PA.

Executor: Ronald L. Doverspike, c/o Wayne M. Pecht, Esquire, Smigel, Anderson & Sacks, LLP, 4431 North Front Street, 3rd Floor, Harrisburg, PA 17110

Attorney: Wayne M. Pecht, Esquire, Smigel, Anderson & Sacks, LLP, 4431 North Front Street, 3rd Floor, Harrisburg, PA 17110 10.05-3t

ESTATE OF JAMES H. EINSIG, DECEASED
Late of North Codorus Twp., York County, PA.

Executor: James D. Einsig, c/o Gregory H. Gettle, Esquire, 13 E. Market St., York, PA 17401

Attorney: Gregory H. Gettle, Esquire, GETTLE & VELTRI, 13 E. Market St., York, PA 17401 10.05-3t

ESTATE OF FRANCES V. GARDNER, DECEASED

Late of Codorus Twp., York County, PA.
Executrix: Joan A. Krebs, c/o Law Offices of Craig A. Diehl, 119 A West Hanover Street, Spring Grove, PA 17362

Attorney: Craig A. Diehl, Esquire, CPA, Law Offices of Craig A. Diehl, 119 A West Hanover Street, Spring Grove, PA 17362 10.05-3t

ESTATE OF DONALD E. GOUKER, DECEASED

Late of Manheim Twp., York County, PA.
Executrix: Victoria L. Utz, c/o Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331

Attorney: Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331 10.05-3t

ESTATE OF PAUL W. HOFFNAGLE, DECEASED

Late of Heidelberg Twp., York County, PA.
Executrix: Benaë M. Hoffnagle, c/o Law Offices of Craig A. Diehl, 119 A West Hanover Street, Spring Grove, PA 17362

Attorney: Craig A. Diehl, Esquire, CPA, Law Offices of Craig A. Diehl, 119 A West Hanover Street, Spring Grove, PA 17362 10.05-3t

ESTATE OF LESTER W. KERCHNER, DECEASED

Late of Penn Twp., York County, PA.
Executors: Terry L. Kerchner and Sandra K. Masenheimer, c/o Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331

Attorney: Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331 10.05-3t

ESTATE OF OF WILLIAM J. KNOKEY, JR., DECEASED

Late of Manchester Borough, York County, PA.
Executor: Larry Lewis Knokey c/o Elizabeth H. Feather, Esquire, CALDWELL & KEARNS, PC, 3631 N. Front St. Harrisburg, PA 17110

Attorney: Elizabeth H. Feather, Esquire, CALDWELL & KEARNS, PC, 3631 N. Front St. Harrisburg, PA 17110 10.05-3t

ESTATE OF RUBY R. LINGG, DECEASED

Late of Dover Twp., York County, PA.
Co-Executors: Thomas H. Emig and Paul D. Lingg, c/o Richard R. Reilly, Esquire, 54 N. Duke Street, York, PA 17401-1402

Attorney: Richard R. Reilly, Esquire, 54 N. Duke Street, York, PA 17401-1402 10.05-3t

ESTATE OF MARK EARL LITZAU, DECEASED

Late of North Codorus Twp., York County, PA.
Administrator-Executor: Sharon Bognanni, 5303 Stambaugh Road, Spring Grove, PA 17362

Attorney: John L. Senft, Esquire, 105 Leader Heights Road, York, PA 17403 10.05-3t

ESTATE OF HELENE M. MORRIS, a/k/a HELENE MORRIS, DECEASED

Late of Manchester Twp., York County, PA.
Executrix: Carol A. Schintz, c/o GARBER & GARBER LAW, 40 South Duke Street, York, PA 17401

Attorney: John M. Garber, Esquire, GARBER & GARBER LAW, 40 South Duke Street, York, PA 17401 10.05-3t

ESTATE OF HAROLD B. MYERS, a/k/a HAROLD BENTZ MYERS, DECEASED

Late of York City, York County, PA.
Administrator: Jason Alan Myers, c/o 2025 E. Market Street, York, PA 17402

Attorney: Richard H. Mylin, III, Esquire, 2025 E. Market Street, York, PA 17402 10.05-3t

ESTATE OF HELEN H. OSBORN, DECEASED

Late of Penn Twp., York County, PA.
Co-Executors: Kevin J. Hawn, 2008 Yingling Dr., Spring Grove, PA 17362 and Patrick C. Hawn, 886 Goldenville Rd., Gettysburg, PA 17325

Attorney: James T. Yingst, Esquire, Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331 10.05-3t

ESTATE OF DOROTHY J. SCHWARTZ, DECEASED

Late of Dover Twp., York County, PA.
Administrator-Executor: Cheryl L. Sheeder, 729 Linden Ave, York, PA 17404 10.05-3t

ESTATE OF MARY JANE SMITH, DECEASED

Late of Dover Twp., York County, PA.
Administrator: Mr. Robert L. Crist, Jr., 86 Hemlock Drive, Hanover, PA 17331
Attorney: Arthur J. Becker, Jr., Esquire, Becker & Strausbaugh, P.C., 544 Carlisle Street, Hanover, PA 17331 10.05-3t

ESTATE OF CAROL LEE TOWERS, a/k/a CAROL L. TOWERS, DECEASED

Late of Carroll Twp., York County, PA.
Executor: Jayne Kuhner, c/o Law Office of Wm. D. Schrack, III, 124 West Harrisburg Street, Dillsburg, PA 17019-1268

Attorney: Wm. D. Schrack, III, Esquire, 124 West Harrisburg Street, Dillsburg, PA 17019-1268 10.05-3t

CO-SUCCESSOR TRUSTEES NOTICE

WILLIAM C. FISHER, late of West Manchester Township, York County, deceased.

All persons having claims or demands against the William C. Fisher and Gertrude R. Fisher Living Trust dated October 19, 2000, are requested to present the same without delay to Keith Owen Hoke and William C. Fisher, Jr., Co Successor Trustees, c/o 129 E. Market St., York, PA 17401.

/s/ Keith Owen Hoke
Keith Owen Hoke, Co-Successor Trustee

/s/ William C. Fisher, Jr.
William C. Fisher, Jr., Co-Successor Trustee

Attorney: Suzanne H. Griest, Esquire, 129 E. Market St., York, PA 17401 10.05-3t

SECOND PUBLICATION**ESTATE OF MABEL I. BARRICK,
DECEASED**

Late of West Manheim Twp., York County, PA.
Executrices: Elaine M. Forry and Joan
I. Wentz, c/o Elinor Albright Rebert,
Esquire, 515 Carlisle Street, Hanover, PA
17331
Attorney: Elinor Albright Rebert, Esquire,
515 Carlisle Street, Hanover, PA 17331
09.28-3t

**ESTATE OF ELVA OLIVIA CONNOLLY,
DECEASED**

Late of West Manheim Twp., York County, PA.
Executor: George R. Connolly, Jr., 467
Lexington Way, Littlestown, PA 17340
Attorney: James T. Yingst, Esquire, Guthrie,
Nonemaker, Yingst & Hart, LLP, 40 York
Street, Hanover, PA 17331 09.28-3t

**ESTATE OF RONALD RAY DIERDORFF,
DECEASED**

Late of E. Manchester Twp., York County, PA.
Executor: Sandra S. Wynegar, c/o 327 Locust
Street, Columbia, PA 17512
Attorney: John F. Markel, Esquire, Nikolaus
& Hohenadel, LLP, 327 Locust Street,
Columbia, PA 17512 09.28-3t

ESTATE OF JACK E. FOLK, DECEASED

Late of Spring Garden Twp., York County, PA.
Administratrix: Melinda R. Bixler, c/o Stock
and Leader, Susquehanna Commerce
Center East, 221 West Philadelphia Street,
Suite 600, York, PA 17401-2994
Attorney: MacGregor J. Brillhart, Esquire,
STOCK AND LEADER, Susquehanna
Commerce Center East, 221 West
Philadelphia Street, Suite E600,
York, PA 17401-2994 09.28-3t

**ESTATE OF ARLINE L. JANISON, a/k/a
ARLINE LOUISE JANISON, ARLINE
JANISON, DECEASED**

Late of York City, York County, PA.
Executrix: Christine R. Janison, c/o Bellomo
& Associates, LLC, 3198 East Market
Street, York, PA 17402
Attorney: William H. Poole, Jr., Esquire,
Bellomo & Associates, LLC, 3198 East
Market Street, York, PA 17402 09.28-3t

**ESTATE OF GLORIA A. MILLER,
DECEASED**

Late of Spring Garden Twp., York County, PA.
Executor: Thomas R. Miller, c/o Stock and
Leader, Susquehanna Commerce Center
East, 221 West Philadelphia Street, Suite
600, York, PA 17401-2994
Attorney: Thomas M. Shorb, Esquire,
STOCK AND LEADER, Susquehanna
Commerce Center East, 221 West
Philadelphia Street, Suite E600, York, PA
17401-2994 09.28-3t

**ESTATE OF TIMOTHY Z. MILLER, a/k/a
TIMOTHY MILLER, DECEASED**

Late of Springfield Twp., York County, PA.
Administratrix: Samantha Ann Duchaine,
c/o Kurt A. Blake, Esquire of Blake
& Schanbacher Law, LLC, 29 East
Philadelphia Street, York, PA 17401
Attorney: Kurt A. Blake, Esquire, Blake
& Schanbacher Law, LLC, 29 East
Philadelphia Street, York, PA 17401
09.28-3t

**ESTATE OF CHARLOTTE R. MYERS,
DECEASED**

Late of Spring Garden Twp., York County, PA.
Executor: Shane M. Dupler, c/o 135 North
George Street, York, PA 17401
Attorney: Peter D. Solymos, Esquire, CGA
Law Firm, PC, 135 North George Street,
York, PA 17401 09.28-3t

**ESTATE OF WARREN H. REISINGER,
DECEASED**

Late of Shrewsbury Borough, York County, PA.
Administrator: Robert A. Hinkle, c/o Richard
R. Reilly, Esquire, 54 North Duke Street,
York, PA 17401-1210
Attorney: Richard R. Reilly, Esquire, 54
North Duke Street, York, PA 17401-1210
09.28-3t

**ESTATE OF CHARLES H. ROBERTSON,
DECEASED**

Late of York City, York County, PA.
Executor: James R. Robertson, c/o Kearney
Galloway, LLC, 940 S. Queen Street,
York, PA 17403
Attorney: Jennifer A. Galloway, Esquire,
Kearney Galloway, LLC, 940 S. Queen
Street, York, PA 17403 09.28-3t

**ESTATE OF LINETTE J. STERNER,
DECEASED**

Late of Penn Twp., York County, PA.
Executrix: Charlene Stonesifer, Stonesifer
and Kelley, a division of Barley Snyder,
14 Center Square, Hanover, PA 17331
Attorney: Stonesifer and Kelley, a division of
Barley Snyder, 209 Broadway, Hanover,
PA 17331 09.28-3t

**ESTATE OF DENNIS A. SUROVCIK, a/k/a
DENNIS SUROVCIK, DECEASED**

Late of West Manchester Twp., York County, PA.
Executor: Dennis A. Surovcik, II, 4959 East
Acoma Drive, Scottsdale, Arizona 85254
Attorney: Niles S. Benn, Esquire,
BENNLAWFIRM, 103 E. Market Street,
P.O. Box 5185, York, PA 17405-5185
09.28-3t

**ESTATE OF CARLTON E. WALLICK a/k/a
CARLTON WALLICK, DECEASED**

Late of Spring Garden Twp., York County, PA.
Executor: Stacy L. Wallick, c/o Rand A
Feder, Esquire, Morris & Vedder, LLP,
32 N. Duke St., P.O. Box 149, York, PA
17405-0149
Attorney: Rand A Feder, Esquire, Morris &
Vedder, LLP, 32 N. Duke St., P.O. Box
149, York, PA 17405-0149 09.28-3t

THIRD PUBLICATION**ESTATE OF JEFFREY L. ALTLAND,
DECEASED**

Late of Jackson Twp., York County, PA.
Executor: Kenneth E. Altland, c/o John M.
Hamme, Esq., 1946 Carlisle Road, York,
PA 17408
Attorney: John M. Hamme, Esquire, 1946
Carlisle Road, York, PA 17408 09.21-3t

**ESTATE OF MARY E. AMSPACHER,
DECEASED**

Late of Penn Twp., York County, PA.
Co-Executors: Andrew M. Amspacher, 395
A Heidlersburg Rd., Biglerville, PA 17307

and Benjamin D. Amspacher, 1030 Lockes
Hill Rd., Wilcox, PA 15870
Attorney: James T. Yingst, Esquire, Guthrie,
Nonemaker, Yingst & Hart, LLP, 40 York
Street, Hanover, PA 17331 09.21-3t

**ESTATE OF PHILIP C. BEALING,
DECEASED**

Late of Hanover Borough, York County, PA.
Administratrix: Elisa A. Laughman, 854
Lingg Rd., New Oxford, PA 17350
Attorney: Keith R. Nonemaker, Esquire,
Guthrie, Nonemaker, Yingst & Hart, LLP,
40 York Street, Hanover, PA 17331
09.21-3t

**ESTATE OF PATRICK S. BEATY a/k/a P.
SHAWN BEATY a/k/a SHAWN BEATY a/k/a
PATRICK SHAWN BEATY, DECEASED**

Late of York Twp., York County, PA.
Administratrix: Linda S. Beaty, c/o 340 Pine
Grove Commons, York, PA 17403
Attorney: Erik D. Spurlin, Esquire, Elder
Law Firm of Robert Clofine, 340 Pine
Grove Commons, York, PA 17403
09.21-3t

ESTATE OF ROBERT L. BLOSS, DECEASED

Late of Mount Wolf Borough, York County, PA.
Administrator-Executor: Suzanne E. Becker,
c/o Amanda Snoke Dubbs, Esq., 294 Dew
Drop Road, York, PA 17402
Attorney: Amanda Snoke Dubbs, Esquire,
294 Dew Drop Road, York, PA 17402
09.21-3t

**ESTATE OF RICHARD E. BOWEN a/k/a
RICHARD E. BOWEN, SR., DECEASED**

Late of Springettsbury Twp., York County, PA.
Executors: Ronald E. Bowen and Richard E.
Bowen, Jr., c/o 340 Pine Grove Commons,
York, PA 17403
Attorney: Robert Clofine, Esquire, Elder Law
Firm of Robert Clofine, 340 Pine Grove
Commons, York, PA 17403 09.21-3t

**ESTATE OF PETER T. CALABRETTA,
DECEASED**

Late of York Twp., York County, PA.
Executor: Roger P. Calabretta, c/o
Katherman, Heim & Perry, 345 East
Market Street, York, PA 17403
Attorney: Ronald Perry, Esquire, Katherman,
Heim & Perry, 345 East Market Street,
York, PA 17403 09.21-3t

**ESTATE OF MARIE H. DILLON a/k/a MARIE
HUGHES DILLON, DECEASED**

Late of West Manchester Twp., York County, PA.
Executor: Bruce J. Dillon, c/o Stock and
Leader, Susquehanna Commerce Center
East, 221 West Philadelphia Street, Suite
600, York, PA 17401-2994
Attorney: MacGregor J. Brillhart, Esquire,
STOCK AND LEADER, Susquehanna
Commerce Center East, 221 West
Philadelphia Street, Suite E600,
York, PA 17401-2994 09.21-3t

**ESTATE OF ANNETTE DOWLING,
DECEASED**

Late of York City, York County, PA.
Administratrix: Villa G. Rhodes, a/k/a Val
Rhodes, c/o Richard R. Reilly, Esquire, 54
North Duke Street, York, PA 17401-1210
Attorney: Richard R. Reilly, Esquire, 54
North Duke Street, York, PA 17401-1210
09.21-3t

ESTATE OF JOHN W. FISHER a/k/a JOHN WALLACE FISHER, DECEASED
Late of Mt. Wolf Borough, York County, PA.
Executor: John Wayne Fisher, c/o 48 South Duke Street, York, PA 17401
Attorney: Bruce C. Bankenstein, Esquire, 48 South Duke Street, York, PA 17401 09.21-3t

ESTATE OF RITA C. FROCK, DECEASED
Late of Hopewell Twp., York County, PA.
Executrix: Joyce H. Phelps, c/o Michael R. Caum, Esquire, PO Box 272, Shrewsbury, PA 17361
Attorney: Michael R. Caum, Esquire, PO Box 272, Shrewsbury, PA 17361 09.21-3t

ESTATE OF REGINA B. FRY, a/k/a REGINA FRY, a/k/a REGINA BELLE FRY, DECEASED
Late of Hellam Twp., York County, PA.
Executor: Thomas E. Fry, c/o GARBER & GARBER LAW, 208 Hellam Street, Wrightsville, PA 17368
Attorney: John M. Garber, Esquire, GARBER & GARBER LAW, 208 Hellam Street, Wrightsville, PA 17368 09.21-3t

ESTATE OF MYRTLE GARLAND, DECEASED
Late of Windsor Twp., York County, PA.
Executor: Roger Garland, c/o Michael R. Caum, Esquire, PO Box 272, Shrewsbury, PA 17361
Attorney: Michael R. Caum, Esquire, PO Box 272, Shrewsbury, PA 17361 09.21-3t

ESTATE OF JEAN E. GASS, DECEASED
Late of Penn Twp., York County, PA.
Co-Executors: Frederick M. Gass, 911 West Whitehall Rd., State College, PA 16801 and Anne P. Zangara, 3047 MacKenzi Lane, Apt. 4, York, PA 17408
Attorney: Keith R. Nonemaker, Esquire, Guthrie, Nonemaker, Yingsst & Hart, LLP, 40 York Street, Hanover, PA 17331 09.21-3t

ESTATE OF JAMES B. GROVE, DECEASED
Late of Lower Windsor Twp., York County, PA.
Executor: Philip K. Smith, c/o Bradley J. Leber, Esquire, Blakey, Yost, Bupp & Rausch, LLP, 17 East Market Street, York, PA 17401
Attorney: Bradley J. Leber, Esquire, Blakey, Yost, Bupp & Rausch, LLP, 17 East Market Street, York, PA 17401 09.21-3t

ESTATE OF DAVID J. HART a/k/a DJ HART, DECEASED
Late of Hanover, York County, PA.
Administrator-Executor: Kristin A. Hart, 304 Clearview Road, Hanover, PA 17331
Attorney: William A. Johnson, Esquire, 105 Woodcliff Drive, Washington, PA 15301 09.21-3t

ESTATE OF GEORGE ERWIN HART, SR., DECEASED
Late of Penn Twp., York County, PA.
Administrator: Sharon Lynn Brady, 4659 Kridlers Schoolhouse Rd., Manchester, MD 21102
Attorney: Dennis M. Twigg, Esquire, Hoffman, Comfort, Offutt, Scott & Halstad, LLP, 24 North Court Street, Westminster, MD 21157 09.21-3t

ESTATE OF FRANK E. HAZLEHURST, DECEASED
Late of Springettsbury Twp., York County, PA.
Executor: Jeffrey R. Dubbs, c/o 135 North George Street, York, PA 17401
Attorney: Robert M. Strickler, Esquire, CGA Law Firm, PC, 135 North George Street, York, PA 17401 09.21-3t

ESTATE OF BLANCHE M. HOKE, DECEASED
Late of Hanover Borough, York County, PA.
Co-Administrators: Darryl E. Hoke and Sharon E. Winter, c/o Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362
Attorney: Craig A. Diehl, Esquire, CPA, Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362 09.21-3t

ESTATE OF JO-ANN L. KAUFFMAN a/k/a JOANN L. KAUFFMAN, DECEASED
Late of Spring Grove Borough, York County, PA.
Co-Executors: Linda E. Swift and Thomas T. Black, c/o PO BOX 606, East Berlin PA 17316
Attorney: Sharon E. Myers, Esquire, CGA Law Firm, PC, PO BOX 606, East Berlin PA 17316 09.21-3t

ESTATE OF RODNEY K. KIMMEL, a/k/a RODNEY KIMMEL, DECEASED
Late of Lower Windsor Twp., York County, PA.
Executrix: Tina Sue Keller, c/o David A. Mills, Esquire, Blakey, Yost, Bupp & Rausch, LLP, 17 East Market Street, York, PA 17401
Attorney: David A. Mills, Esquire, Blakey, Yost, Bupp & Rausch, LLP, 17 East Market Street, York, PA 17401 09.21-3t

ESTATE OF JAN E. KINLEY, DECEASED
Late of East Manchester Twp., York County, PA.
Administratrix: Michele D. Krepps, c/o John M. Hamme, Esq., 1946 Carlisle Road, York, PA 17408
Attorney: John M. Hamme, Esquire, 1946 Carlisle Road, York, PA 17408 09.21-3t

ESTATE OF CLAUDIA S. KOTHMAN, DECEASED
Late of North Codorus Twp., York County, PA.
Administrator: Patricia L. Spicer, 1000 Weller Circle, Apt. 106, Westminster, MD 21158
Attorney: Dennis M. Twigg, Esquire, Hoffman, Comfort, Offutt, Scott & Halstad, LLP, 24 North Court Street, Westminster, MD 21157 09.21-3t

ESTATE OF SHIRLEY G. LANDES, DECEASED
Late of Springettsbury Twp., York County, PA.
Executrix: Dawn S. Landes, c/o 340 Pine Grove Commons, York, PA 17403
Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403 09.21-3t

ESTATE OF JEANNE F. MARSH, DECEASED
Late of Borough of Hanover, York County, PA.
Personal Representative: Andrew Marsh, 18 Seldom Home Dr., Black Mountain, NC

28711
Attorney: G. Steven McKonly, Esquire, 119 Baltimore Street, Hanover, PA 17331 09.21-3t

ESTATE OF ROSALEE D. MATTHEWS, DECEASED
Late of Spring Garden Twp., York County, PA.
Executrix: C. Diane Grove, c/o Stock and Leader, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2994
Attorney: MacGregor J. Brillhart, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite E600, York, PA 17401-2994 09.21-3t

ESTATE OF ALBERT C. MCFATRIDGE, DECEASED
Late of York City, York County, PA.
Administrator: Terry L. McFatrige, c/o Richard R. Reilly, Esquire, 54 North Duke Street, York, PA 17401-1210
Attorney: Richard R. Reilly, Esquire, 54 North Duke Street, York, PA 17401-1210 09.21-3t

ESTATE OF DORIS J. MOORE, DECEASED
Late of Hallam Borough, York County, PA.
Administrator-Executor: Stephen J. Moore and Amy M. Dietz, c/o 50 East Market Street, Hellam, PA 17406
Attorney: Alexis K. Sipe, Esquire, 50 East Market Street, Hellam, PA 17406 09.21-3t

ESTATE OF STEPHEN M. MURPHY, DECEASED
Late of East Manchester Twp., York County, PA.
Co-Executors: Michael S. Murphy and Tammy A. Barlett, c/o Eveler & DeArment LLP, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356
Attorney: Eveler & DeArment LLP, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356 09.21-3t

ESTATE OF EVELYN J. PETROSKI, DECEASED
Late of Franklin Twp., York County, PA.
Administrator-Executor: Peter Petroski, c/o Gregory J. Katshir, Esq., 900 Market Street, Lemoyne, PA 17043
Attorney: Gregory J. Katshir, Esquire, 900 Market Street, Lemoyne, PA 17043 09.21-3t

ESTATE OF JAMES E. ROBERTSON JR. a/k/a JAMES EDWARD ROBERTSON JR., DECEASED
Late of Springfield Twp., York County, PA.
Executor: Dennis D. Robertson, c/o Samuel A. Gates, Esq., Gates & Gates, P.C., 250 York Street, Hanover, PA 17331
Attorney: Samuel A. Gates, Esquire, Gates & Gates, P.C., 250 York Street, Hanover, PA 17331 09.21-3t

ESTATE OF DELORES ROSENGRANT a/k/a DELORES CATHERINE ROSENGRANT, DECEASED
Late of Spring Garden Twp., York County, PA.
Executor: Kathy L. Guthmann, 5009 Admire Road, Thomasville, PA 17364
Attorney: Rand A. Feder, Esquire, Morris & Vedder, LLP, 32 N. Duke St., P.O. Box 149, York, PA 17405-0149 09.21-3t

ESTATE OF ROBERT B. ROSENGRANT
a/k/a ROBERT B. ROSENGRANT, SR.,
DECEASED
Late of Spring Garden Twp., York County,
PA.
Administrator d.b.n: Kathy L. Guthmann,
5009 Admire Road, Thomasville, PA
17364
Attorney: Rand A. Feder, Esquire, Morris
& Vedder, LLP, 32 N. Duke St., P.O. Box
149, York, PA 17405-0149 09.21-3t

ESTATE OF ROBERT ROSENGRANT,
JR. a/k/a ROBERT B. ROSENGRANT, JR.,
DECEASED
Late of Spring Garden Twp., York County,
PA.
Executor: Kathy L. Guthmann, 5009 Admire
Road, Thomasville, PA 17364
Attorney: Rand A. Feder, Esquire, Morris
& Vedder, LLP, 32 N. Duke St., P.O. Box
149, York, PA 17405-0149 09.21-3t

ESTATE OF ROBERT E. SHIREY,
DECEASED
Late of Red Lion Borough, York County, PA.
Administrator: Toni Shirey, c/o Stock and
Leader, Susquehanna Commerce Center
East, 221 West Philadelphia Street, Suite
600, York, PA 17401-2994
Attorney: MacGregor J. Brillhart, Esquire,
STOCK AND LEADER, Susquehanna
Commerce Center East, 221 West
Philadelphia Street, Suite E600,
York, PA 17401-2994 09.21-3t

ESTATE OF JACQUELINE LOUISE
WILLIAMS, DECEASED
Late of Prince George's County, Maryland.
Administratrix: Maria B. Williams-Turner,
c/o Hazen Law Group, 2000 Linglestown
Road, Suite 202, Harrisburg, PA 17110
or Estate of Jacqueline Louise Williams
c/o Hazen Law Group, 2000 Linglestown
Road, Suite 202, Harrisburg, PA 17110
Attorney: Hazen Law Group, 2000
Linglestown Road, Suite 202, Harrisburg,
PA 17110 09.21-3t

ESTATE OF BRAD G. WINEBRENNER,
DECEASED
Late of Heidelberg Twp., York County, PA.
Administrator-Executor: Andrew S.
Winebrenner, c/o 118 Carlisle Street,
Suite 202, Hanover, PA 17331
Attorney: Donald W. Dorr, Esquire, 118
Carlisle Street, Suite 202, Hanover, PA
17331 09.21-3t

ESTATE OF DORIS ZEPP a/k/a DORIS
LARUE ZEPP, DECEASED
Late of Codorus Twp., York County, PA.
Administrator-Executor: Peggy A.
Hollerbush, c/o 940 South Queen Street,
York, PA 17403
Attorney: Jennifer A. Galloway, Esquire, 940
South Queen Street, York, PA 17403
09.21-3t

CIVIL NOTICES

ACTION IN MORTGAGE FORECLOSURE

In The Court of Common Pleas
Civil Division
York County
No. 2017-SU-002159

Notice of Action in Mortgage Foreclosure
Bayview Loan Servicing, LLC, a Delaware
Limited Liability Company, Plaintiff vs.
Unknown Heirs, Successors, Assigns, and
All Persons, Firms, or Associations Claiming
Right, Title or Interest from or under Charles
L. Lehman, Sr., deceased and Romaine
McGlaughlin, Known Heir of Charles L.
Lehman, deceased, Defendant(s)
To the Defendant(s), Unknown Heirs,
Successors, Assigns, and All Persons, Firms, or
Associations Claiming Right, Title or Interest
from or under Charles L. Lehman, Sr., deceased,
and Romaine McGlaughlin, Known Heir of
Charles L. Lehman, deceased: TAKE NOTICE
THAT THE Plaintiff, Bayview Loan Servicing,
LLC, a Delaware Limited Liability Company
has filed an action Mortgage Foreclosure, as
captioned above.

NOTICE

IF YOU WISH TO DEFEND, YOU MUST
ENTER A WRITTEN APPEARANCE
PERSONALLY OR BY ATTORNEY AND
FILE YOUR DEFENSES OR OBJECTIONS
WITH THE COURT. YOU ARE WARNED
THAT IF YOU FAIL TO DO SO THE CASE
MAY PROCEED WITHOUT YOU AND A
JUDGMENT MAY BE ENTERED AGAINST
YOU WITHOUT FURTHER NOTICE
FOR THE RELIEF REQUESTED BY THE
PLAINTIFF. YOU MAY LOSE MONEY
OR PROPERTY OR OTHER RIGHTS
IMPORTANT TO YOU. YOU SHOULD
TAKE THIS NOTICE TO YOUR LAWYER
AT ONCE. IF YOU DO NOT HAVE A
LAWYER GO TO OR TELEPHONE THE
OFFICE SET FORTH BELOW. THIS OFFICE
CAN PROVIDE YOU WITH INFORMATION
ABOUT HIRING A LAWYER. IF YOU
CANNOT AFFORD TO HIRE A LAWYER,
THIS OFFICE MAY BE ABLE TO PROVIDE
YOU WITH INFORMATION ABOUT
AGENCIES THAT MAY OFFER LEGAL
SERVICES TO ELIGIBLE PERSONS AT A
REDUCED FEE OR NO FEE. York County
Lawyer Referral Service, 137 E. Market St.,
York, PA 17401. Christopher A. DeNardo,
Kristen D. Little, Kevin S. Frankel, Samantha
Gable, Daniel T. Lutz, Leslie J. Rase, Alison H.
Tulio & Katherine M. Wolf, Attys. for Plaintiff,
Shapiro & DeNardo, LLC, 3600 Horizon
Dr., Ste. 150, King of Prussia, PA 19406,
610.278.6800

10.05-1t

Solicitor

York County
Court of Common Pleas
Number: 2017-SU-002387

Notice of Action in Mortgage Foreclosure

Finance of America Reverse LLC, Plaintiff v.
Timothy Wertz, Known Surviving Heir of Rob-
ert D. Wertz, Michael Wertz, Known Surviv-
ing Heir of Robert D. Wertz, Evelyn Munchel,
Known Surviving Heir of Robert D. Wertz and
Unknown Surviving Heirs of Robert D. Wertz,
Defendants

TO: Unknown Surviving Heirs of Robert D. Wertz. Premises subject to foreclosure: 1788
Route 116, Spring Grove, Pennsylvania 17362.
NOTICE: If you wish to defend, you must enter
a written appearance personally or by attorney
and file your defenses or objections in writing
with the court. You are warned that if you fail
to do so the case may proceed without you and
a judgment may be entered against you with-
out further notice for the relief requested by the
Plaintiff. You may lose money or property or
other rights important to you. You should take
this notice to your lawyer at once. If you do
not have a lawyer, go to or telephone the office
set forth below. This office can provide you
with information about hiring a lawyer. If you
cannot afford to hire a lawyer, this office may
be able to provide you with information about
agencies that may offer legal services to eligible
persons at a reduced fee or no fee. **Pennsylvania
Lawyer Referral Service, York County
Bar Association, 137 East Market Street,
York, Pennsylvania 17401, (717) 854-8755.**
McCabe, Weisberg & Conway, LLC, Attorneys
for Plaintiff, 123 S. Broad St., Ste. 1400, Phila.,
PA 19109, 215-790-1010

10.05-1t

Solicitor

ARTICLES OF INCORPORATION

NOTICE is hereby given that Articles of
Incorporation for AVA Assessment Associates,
Inc. were filed with the Department of State
of the Commonwealth of Pennsylvania on
September 20, 2017, under the provisions of
the Business Corporation Law of 1988 of the
Commonwealth of Pennsylvania.

GUTHRIE, NONEMAKER,
YINGST & HART, LLP

10.05-1t

Solicitor

Notice is hereby given that Articles of
Incorporation were filed in the Department of
State of The Commonwealth of Pennsylvania for
SAMURAI HIBACHI Inc under the provisions
of the Pennsylvania Business Corporation Law
of 1988, as amended.

10.05-1t

Solicitor

ARTICLES OF INCORPORATION NON-PROFIT CORPORATION

NOTICE is hereby given that Articles of Incorporation – Non-Profit were filed with the Department of State of the Commonwealth of Pennsylvania on the 6th day of September, 2017. The name of the corporation is Lot 5B Eastern Blvd. York Condominium Association. The corporation has been organized under the provisions of the Nonprofit Corporation Law of 1988, as amended.

Stacey R. MacNeal, Esq.

10.05-1t Solicitor

CHANGE OF NAME

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on September 19, 2017 a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: ABBY ELAINE SPANGLER to: ABBY ELAINE PATRICK. The Court has fixed the day of November 30, 2017 at 10:00 am in Courtroom #6003 at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

D. Michael Craley, Esq.
246 West Broadway, Lower Level
Red Lion, PA 17356

10.05-1t Solicitor

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on September 19, 2017 a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: SHAUN PATRICK BUTT to: SHAUN BENJAMIN PATRICK. The Court has fixed the day of November 30, 2017 at 10:00 am in Courtroom #6003 at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

D. Michael Craley, Esq.
246 West Broadway, Lower Level
Red Lion, PA 17356

10.05-1t Solicitor

NOTICE IS HEREBY GNEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania, seeking to change the name of (1) Kelly Lynn Trzaska to (6) Kelly Kennedy. A hearing on the Petition will be held on (8) November 14, 2017 at

2:30 o'clock p.m. in Courtroom No: 3 at the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

10.05-1t Solicitor

DISSOLUTION NOTICE

NOTICE is hereby given to all creditors, claimants, or persons interested or who may be affected by the Dissolution of HANOVER HERITAGE ASSOCIATION, with its registered office located at 601 W. Middle Street, Hanover, PA 17331, that the Directors of the Corporation approved a Plan of Liquidation and Dissolution of the Corporation or about August 1, 2017, and that the Board of Directors is now engaged in winding up and settling the affairs of the Corporation so that its corporate existence shall be ended by issuance of a Certificate of Dissolution by the Department of State of the Commonwealth of Pennsylvania, under the provisions of the Nonprofit Corporation Law of 1933, and that all claims shall be presented to 601 W. Middle Street, Hanover, PA 17331.

The deadline for making any claim shall be sixty (60) days after the date of the first publication of this notice, and the Corporation must receive the claims by that deadline. Any claim which is not timely made shall forever be barred and no payment will be made upon that claim.

10.05-1t Solicitor

FICTITIOUS NAME

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, on September 18, 2017, pursuant to the Fictitious Name Act, setting forth that Jeffrey R. Stern and Elaine E. Stern, of 402 Hedgerow Court, Hanover, PA 17331 and Rick A. Martz and Karen L. Martz, of 716 Washington Avenue, Hanover, PA 17331, are the only individuals owning or interested in a business, the character of which is real estate ownership and property management and that the name, style and designation under which said business is and will be conducted is Jeffrey R. Stern and Elaine C. Stern, husband and wife; Joel R. Stern and Barbara A. Stern, husband and wife; and Franklin R. Free, Jr. and Sharon R. Free, husband and wife, and the location where said business is and will be conducted is 110 Hickory Lane, Hanover, PA 17331.

GUTHRIE, NONEMAKER,
YINGST & HART, LLP

10.05-1t Solicitor

NOTICE

**PUBLIC NOTICE TO
JULIE ANN SUMMERSON &
ROBERT LEWIS THOMPSON**

**In Re: Adoption of Jolene Rose Thompson,
A Minor**

A petition has been filed asking the Court to put an end to all rights you have as a parent to your child, Jolene Rose Thompson. A Termination of Parental Rights Hearing has been scheduled for Tuesday, October 17, 2017, at 1:30 p.m. in Court Room No. 7001, Seventh Floor, of the York County Judicial Center, 45 North George Street, York, Pennsylvania 17401, to terminate your parental rights to Jolene Rose Thompson (DOB 02-12-2015), whose mother is Julie Ann Summerson and whose father is Robert Lewis Thompson. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without you being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone one of the offices set forth below to find out where you can get legal help.

York County Bar Association located at 137 East Market Street, York, Pa 17401. Phone (717) 854-8755

York County Clerk of Orphans' Court, located at the York County Judicial Center, 45 North George Street, 2nd Floor, York, Pa 17401. Telephone (717) 771-9288

Kristopher Accardi, Esquire
Solicitor for York County Office
of Children, Youth & Families

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

09.21-3t Solicitor



UNITED STATES POSTAL SERVICE®

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1. Publication Title York Legal Record	2. Publication Number 6961-40	3. Filing Date 9/29/17
4. Issue Frequency Weekly	5. Number of Issues Published Annually 52	6. Annual Subscription Price \$45⁰⁰
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4®) 137 East Market Street, York, PA 17401		Contact Person Victoria Connor Telephone (include area code) 717 854-8755

8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer)
137 East Market Street, York, PA 17401

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)

Publisher (Name and complete mailing address)
York Legal Record
137 East Market Street, York, PA 17401

Editor (Name and complete mailing address)
Carolyn J. Pugh
115 E. Philadelphia Street, York, PA 17401

Managing Editor (Name and complete mailing address)
Carolyn J. Pugh
115 E. Philadelphia Street, York, PA 17401

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Full Name	Complete Mailing Address
York County Bar Association	137 East Market Street York, PA 17401

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box None

Full Name	Complete Mailing Address

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15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
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If the publication is a general publication, publication of this statement is required. Will be printed
in the 10-5-2017 issue of this publication.

Publication not required.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner

Date

7/29/2017

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