

# Adams County Legal Journal

Vol. 63

November 12, 2021

No. 28, pp. 59-65

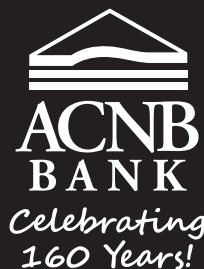
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ROXANN B. SMITH VS. DOUGLAS E. SENTZ

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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, Edward G. Puhl, Esq., Editor and Business Manager.

Business Office – 117 BALTIMORE STREET, ROOM 305, GETTYSBURG, PA 17325-2313. Telephone: (717) 334-1553

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CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on November 8, 2021, a petition for name change was filed in the Court of Common Pleas of Adams County, Pennsylvania requesting a decree to change the name of Petitioner Kevin Rasheen Jenkins to Sami Rasheen Abdul Qareeb.

The Court has affixed January 21, 2022 at 11:30 a.m. in courtroom #4, third floor of the Adams County Courthouse as the time and place for the hearing of said petition, when and where all persons interested may appear and show cause, if any they have, why the Petition should not be granted.

11/12

NOTICE

Growing Central Pennsylvania law firm is looking for a motivated attorney to join our Municipal and Land Use Law practice group. Experience and strong interest in land use, litigation and regulatory matters a plus. This position will support an existing municipal practice representing Boroughs, Townships, Authorities and Zoning Hearing Boards as well as a rapidly growing regional solar energy land use practice. The ideal candidate will ideally have 2-5 years' experience in any of these practice areas. This position requires strong academic credentials, excellent written and verbal communications skills, excellent organizational skills, the ability to work

independently as well as be part of a team and a high level of integrity and professional accountability. Attendance at some evening meetings will be necessary. Salary: DOE. Benefits available: health insurance; dental insurance; retirement plan; and paid time off. Please submit resumes and references confidentially to: lawposition8735@gmail.com

11/5 & 11/12



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## KENNETH A. STAKE VS. GREGORY A. SMITH AND ROXANN B. SMITH VS. DOUGLAS E. SENTZ

1. According to the Complaint, Stake observed the saturation of the Field was so extensive in the spring of 2017 and 2018 that farming was impossible. In the spring of 2018, Stake observed a white PVC pipe on Smith's land located approximately 20 feet from their common border. The PVC pipe was allegedly discharging water that flowed onto the Field. The source of the PVC pipe is a pond on the Smith property that Smith built in the fall of 2015. Smith contracted with Additional Defendant, Douglas E. Sentz ("Sentz"), for installation of the pond.

2. Pennsylvania courts have long applied special rules regarding riparian rights, i.e., the flow of surface water from one property onto another. "The right of the upper landowner to discharge water on the lower lands of his neighbor is, in general, a right of flowage only, in the natural ways and the natural quantities."

3. However, if the higher-elevated landowner "alters the natural conditions so as to change the course of the water, or concentrates it at a particular point, or by artificial means ... increases its volume" the property owner is "liable for any injury caused thereby" to the lower elevated property.

4. Sentz argues that the current litigation is precluded by the two-year statute of limitations applicable to both negligence and nuisance claims. Sentz argues that the pond was installed in 2015 at approximately the same time the Field became unusable to increased water saturation. Since the original Complaint in this matter was not filed until August 19, 2019, Sentz concludes the litigation is untimely. Stake counters that he first observed the PVC pipe draining from the pond in the spring of 2018. He suggests that the Complaint was timely filed as the statute of limitations did not begin to run until his discovery of the PVC pipe in 2018.

5. [A] panel of the Superior Court concluded that the breach of duty underlying the negligence claim occurred when the property owner, including the plaintiff's preceding owner of the property, first "noticed flooding due to excessive surface water flowing onto his property."

6. These allegations palpably establish Stake's awareness of excessive surface water flowing onto his property from the Smith property in early 2017. The Complaint, however, was not filed until August 19, 2019, a period in excess of 24 months later.

7. In the Complaint, Stake has raised a separate count seeking punitive damages. As claims for punitive damages are not a stand-alone cause of action, the current claim for punitive damages is dependent upon the viability of the underlying causes of action. This Court's grant of summary judgment on both the negligence and nuisance counts is fatal to the claim of punitive damages as a remedy on these claims.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,  
PENNSYLVANIA, 2019-SU-989, KENNETH A. STAKE VS.  
GREGORY A. SMITH AND ROXANN B. SMITH VS. DOUGLAS  
E. SENTZ

Joseph A. Macaluso, Esquire, Attorney for Plaintiff  
George B. Fuller, Jr., Esquire, Attorney for Defendants  
Michael B. Scheib, Esquire and Stephen M. Hickey, Esquire,  
Attorneys for Additional Defendant  
George, P. J., October 22, 2021

## OPINION

In this litigation, Plaintiff, Kenneth A. Stake (“Stake”), seeks damages and injunctive relief against Defendants, Gregory A. Smith and Roxann B. Smith (collectively “Smith”), for water run-off allegedly flowing from Smith’s higher ground to Stake’s lower-lying property. Stake owns approximately 171 acres of farmland located on Mummasburg Road, Adams County, Pennsylvania, which straddles the Willoughby Run Creek. Smith owns a higher-elevated property bordering Stake’s property on the east side. Lying between Willoughby Run and the Stake/Smith border lies approximately 10 acres of Stake’s property (hereinafter “Field”). Prior to Stake’s purchase of the property on July 31, 2013, the 171 acres, including the Field, were farmed as a turf farm.

Beginning in 2014, Stake leased the entire property for crop farming operations. In the spring of 2014, the tenant noticed the Field to be saturated. His attempts to farm the Field were futile as machinery bogged down in the wet soil. Observing the same conditions in the spring of 2015, the tenant abandoned farming the Field. According to the Complaint, Stake observed the saturation of the Field was so extensive in the spring of 2017 and 2018 that farming it was impossible. In the spring of 2018, Stake observed a white PVC pipe on Smith’s land located approximately 20 feet from their common border. The PVC pipe was allegedly discharging water that flowed onto the Field. The source of the PVC pipe is a pond on the Smith property that Smith built in the fall of 2015. Smith contracted with Additional Defendant, Douglas E. Sentz (“Sentz”), for installation of the pond.

Stake brings the current action seeking injunctive relief and raises causes of action sounding in negligence and private nuisance to recover damages for lost rent and property damage allegedly caused by the drainage and leakage from the Smith pond. Smith in turn has joined Sentz as an Additional Defendant; Smith alleges Sentz is solely liable and/or jointly and severally liable for any damages due Stake as a result of Sentz’s negligent installation of the pond. Smith has moved for summary judgment, alleging the claims are insufficient pursuant to Pennsylvania law concerning riparian rights. Smith further seeks summary judgment on Stake’s claim of lost rental revenue, arguing that the Field was unable to be leased as farmable

land prior to installation of the pond. Sentz joins in both Motions for Summary Judgment and additionally alleges that the cause of action against him is barred by the applicable statute of limitations.

The standard for granting a motion for summary judgment is well known. “[W]here there is no genuine issue of material fact and the moving party is entitled to relief as a matter of law, summary judgment may be entered.” *Carlino East Brandywine, L.P. v. Brandywine Village Assoc.*, 197 A.3d 1189, 1199 (Pa. Super. 2018) (quoting *Gubbiotti v. Santey*, 52 A.3d 272, 273 (Pa. Super. 2012)). In determining whether a genuine issue of material fact exists, the record must be reviewed “in the light most favorable to the non-moving party[,] and all doubts as to the existence of an issue of material fact must be resolved against the moving party.” *Id.* However, “[w]here the non-moving party bears the burden of proof on an issue,” the non-moving party’s “failure . . . to adduce sufficient evidence on the issue” entitles the moving party to judgment as a matter of law as the non-moving party may not merely rely on their pleadings in order to survive summary judgment. *Id.* at 1199–200.

In order to prove a claim of negligence, a complaining party must prove: (1) a duty of care on the part of the defendant; (2) the defendant’s breach of the duty; (3) a causal connection between the conduct and the resulting injury; and (4) actual loss or damage resulting to the complaining party. *Bowman v. Rand Spear & Assocs., P.C.*, 234 A.3d 848, 860 (Pa. Super. 2020). In order for a person to be liable for private nuisance, their conduct must be a legal cause of an invasion of another’s interest in the private use and enjoyment of land, and the invasion must be either: (a) “intentional and unreasonable”; or (b) “unintentional and otherwise actionable under the rules controlling liability for negligent or reckless conduct, or for abnormally dangerous conditions or activities.” *Youst v. Keck’s Food Serv., Inc.*, 94 A.3d 1057, 1072 (Pa. Super. 2014) (citing Restatement (Second) of Torts § 822).

Pennsylvania courts have long applied special rules regarding riparian rights, i.e., the flow of surface water from one property onto another. “The right of the upper landowner to discharge water on the lower lands of his neighbor is, in general, a right of flowage only, in the natural ways and natural quantities.” *Pfeifer v. Brown*, 30 A. 844, 845 (Pa. 1895). This instruction confirms that, “[b]ecause water

is descendible by nature, the owner of a dominant or superior heritage has an easement in the servient or inferior tenement for the discharge of all waters which by nature rise in or flow or fall upon the superior.” *Chamberlin v. Ciaffoni*, 96 A.2d 140, 142 (Pa. 1953) (quoting *Kauffman v. Griesemer*, 26 Pa. 407, 413 (1856)). As such, an owner of higher-elevated land is not liable for damages to the owner of a lower-elevated land caused by water that naturally flows from the higher land to the lower. *Chamberlin*, 96 A.2d at 142. However, if the higher-elevated landowner “alters the natural conditions so as to change the course of the water, or concentrate[s] it at a particular point, or by artificial means . . . increase[s] its volume,” the property owner is “liable for any injury caused thereby” to the lower elevated property. *Pfeifer v. Brown*, 30 A. 844, 845 (Pa. 1895).

Applying this instruction instantly, there is sufficient evidence in the record to create an issue of material fact relative to both the negligence and nuisance actions. Unquestionably, Sentz constructed a pond on property owned by Smith. Expert reports from soil scientist Thomas Johnston and civil engineer Justin Doty both opine that the pond on the higher-elevated Smith property is draining onto the lower-elevated Stake property. Johnston specifically opines that the Smith pond “leaks along the base of the pond embankment” and that “[s]urface water flow and surface saturation originating from the leaking Smith pond enters the Stake property.” Similarly, Doty concludes “that the area downstream of this pond was not saturated prior to pond construction.”

The remaining consideration is whether, as a matter of law, Stake is precluded from recovery pursuant to Pennsylvania law relating to riparian rights. In support of their argument for summary judgment, Smith notes their property is naturally at a higher elevation than the Stake property and the saturation appearing on the Stake property is the result of surface waters. This argument, however, ignores one critical inquiry as to whether the liability shield provided by Pennsylvania law on riparian rights is available: Did the upper landowner alter the natural course of the water, concentrate it at a particular point, or artificially increase its volume?

Instantly, there is no question that in 2015, Smith altered the natural topography of their property to collect and concentrate water

in a pond that funnels the overflow to a single discharge pipe approximately 20 feet uphill from the Stake property. Additionally, both previously mentioned experts, Johnston and Doty, chronologically relate the increased water saturation on the Stake property as occurring subsequent to the construction of the Smith pond. Johnston specifically opines that the surface water flow and saturation originating from the leaking Smith pond have expanded the size of wetland on the Stake property. Finally, hidden in the report generated by a geotechnical study of the Smith pond conducted by the civil engineering firm, GCS Mid-Atlantic LLC, is the claim that Smith artificially filled the pond with water for recreational use. *See* GCS Mid-Atlantic LLC, July 14, 2021 Report 3 n.2, 4. *See also* Johnston Report 2 (“There is no apparent surface water source draining into the [Smith] pond.”). Under these circumstances, it is clear that a critical issue of material fact exists concerning whether the upper landowner altered, concentrated, or added to the natural flow of surface water. Accordingly, summary judgment is not appropriate on this issue.

Defendants also challenge Stake’s claim for lost rental income for the use of the Field as farmland. Their objection is well placed as the unquestionable factual background reveals that the Field for which Stake seeks to claim loss of rental income actually was not farmable prior to Smith’s construction of the pond. Indeed, Stake concedes as much. Accordingly, judgment will be entered in favor of Smith on Stake’s claim for lost rental income on both the negligence and nuisance causes of action.

Finally, Sentz seeks summary judgment on Stake’s sole remaining claim for monetary damages on the basis of alleged physical harm to his property. Sentz argues that the current litigation is precluded by the two-year statute of limitations applicable to both negligence and nuisance claims. Sentz argues that the pond was installed in 2015 at approximately the same time the Field became unusable due to increased water saturation. Since the original Complaint in this matter was not filed until August 19, 2019, Sentz concludes the litigation is untimely. Stake counters that he first observed the PVC pipe draining from the pond in the spring of 2018. He suggests that the Complaint was timely filed as the statute of limitations did not begin to run until his discovery of the PVC pipe in 2018.

Recently, this specific issue was addressed by the Pennsylvania Superior Court in *Kowalsky v. TOA PA V, L.P.*, 206 A.3d 1148 (Pa. Super. 2019). In *Kowalsky*, the court considered when the statute of limitations began to run for a negligence claim seeking damages for flooding allegedly caused by the design, construction, and maintenance of a storm water management system. *Id.* at 1156. The property owner argued that since he only owned the property for 16 months prior to filing suit, his action could not be barred by a two-year statute of limitations commencing prior to his knowledge of the conditions of the property. *Id.* Additionally, the property owner argued that a new cause of action arose each and every time the storm water management system flooded onto his property. *Id.* In rejecting both claims, a panel of the Superior Court concluded that the breach of duty underlying the negligence claim occurred when the property owner, including the plaintiff's preceding owner of the property, first "noticed flooding due to excessive surface water flowing onto his property." *Id.* at 1159.

In his Complaint, Stake claims that "[d]uring the growing seasons for 2017, 2018, and 2019, neither the Tenant nor plaintiff have been able to plant or grow crops in the Field due to extensive flooding." Complaint 9. He further alleges "[t]he flooding in the Field was so extensive in Spring of 2017 and 2018 that when Tenant and plaintiff attempted to enter the Field, the farming vehicles and farming equipment became stuck in deep ruts in the Field caused by water flowing from defendants' land into the Field." Complaint 10. These allegations palpably establish Stake's awareness of excessive surface water flowing onto his property from the Smith property in early 2017. The Complaint, however, was not filed until August 19, 2019, a period in excess of 24 months later. As such, *Kowalsky* is controlling, and judgment will be entered in favor of Smith on this issue.<sup>1</sup>

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<sup>1</sup> Although Smith has not raised the statute of limitations issue by a motion for summary judgment, they have properly raised it in their New Matter to the original Complaint. *Devine v. Hutt*, 863 A.2d 1160, 1167 (Pa. 2004) ("[A]n affirmative defense of a statute of limitations is not properly raised in preliminary objections; it is properly raised in new matter."). As the statute of limitations defense raised by Smith in their New Matter is identical to that currently under review by the Court in Sentz's Motion for Summary Judgment, summary judgment will be granted as to all Defendants so as to avoid further unnecessary litigation in the nature of a jury trial on an issue that, as a matter of law, ultimately will be decided in favor of Smith.

In light of the foregoing, the sole remaining cause of action is one for injunctive relief.<sup>2</sup> The parties' request for a jury trial is therefore moot. The parties are not entitled to a trial by jury in an action for injunctive relief. See *Rosenberg v. Rosenberg*, 419 A.2d 167, 168 (Pa. Super. 1980) ("Article I, Section 6 of the Pennsylvania Constitution does not permit a jury trial in an ordinary equity action.").

For the foregoing reasons, the attached Order is entered.

### ORDER OF COURT

AND NOW, this 22nd day of October, 2021, it is hereby Ordered that the Motion for Summary Judgment filed by Defendants, Gregory A. Smith and Roxann B. Smith, and Additional Defendant, Douglas E. Sentz, is granted as to Counts I and II of the Complaint. Accordingly, judgment is entered in favor of Defendants and Additional Defendants on those counts and against Plaintiff, Kenneth A. Stake.

It is further Ordered that a one day non-jury trial on Plaintiff's claim for injunctive relief is scheduled for November 16, 2021 at 9:00 a.m. in Courtroom No. 1, fourth floor of the Adams County Courthouse. Jury selection scheduled for November 15, 2021 is cancelled.

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<sup>2</sup> In the Complaint, Stake has raised a separate count seeking punitive damages. As claims for punitive damages are not a stand-alone cause of action, the current claim for punitive damages is dependent upon the viability of the underlying causes of action. This Court's grant of summary judgment on both the negligence and nuisance counts is fatal to the claim of punitive damages as remedy on these claims. Nevertheless, on the remaining claim for injunctive relief, it is appropriate for the Court to award economic relief. See *Solomon v. Cedar Acres E., Inc.*, 317 A.2d 283, 285 (Pa. 1974) ("Once equity has assumed jurisdiction of an action, money damages may be awarded to insure a just result."); *Korman Corp. v. Franklin Town Corp.*, 34 Pa. D. & C.3d 495, 519 (Pa. Com. Pl. 1984) (citations omitted) ("[O]nce equity jurisdiction attaches, the equity court is permitted to administer both equitable and legal relief. . . . [A] court of equity should not be precluded from awarding punitive damages where the facts warrant such recovery."). Accordingly, Stake's request for punitive damages on the claim for injunctive relief remains alive as no party has sought summary judgment on that issue. Nevertheless, it is noted that neither mere negligence nor gross negligence will justify an award of punitive damages. *Castetter v. Mr. "B" Storage*, 699 A.2d 1268, 1271–72 (Pa. Super. 1997). The Court does not act on Smith's motion for summary judgment on Plaintiff's request for punitive damages as Smith's motion was filed approximately 30 days prior to trial; the relatively late filing date precludes meaningful review of the record prior to trial. See Pa.R.C.P. 1035.2 (permitting summary judgment motions "within such time as not to unreasonably delay trial").



**ESTATE NOTICES**

**NOTICE IS HEREBY GIVEN** that in the estates of the decedents set forth below, the Register of Wills has granted letters, testamentary of or 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 MICHAEL P. BIRSTER, DEC'D**

Late of Tyrone Township, Adams County, Pennsylvania

Executor: Brenda Birster, 600 Company Farm Road, Aspers, PA 17304

Attorney: Robert L. McQuaide, Esq., Barley Snyder, 123 Baltimore Street, Suite 101, Gettysburg, PA 17325

**ESTATE OF MARLIN R. FISCEL, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Co-Executors: John R. Fiscel, 115 Friendship Lane, Gettysburg, PA 17325; Lee Ann Feagin, 6154 Fairway Drive West, Fayetteville, PA 17222

Attorney: Bernard A. Yannetti, Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF LORETTA FAYE KNIPPLE, DEC'D**

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Administrator: Floyd R. Knipple, c/o Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

Attorney: Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

**ESTATE OF H. ELIZABETH KRAUSE, DEC'D**

Late of Mt. Joy Township, Adams County, Pennsylvania

Executor: Jeffrey J. Krause, 2228 W Greenleaf Drive, Frederick, MD 21702

Attorney: Bernard A. Yannetti, Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF NORMA JEAN MANCINI, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Richard C. Mancini, 28 Winding Drive, Gettysburg, PA 17325

Attorney: Bernard A. Yannetti, Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF MARIAN E. MARTIN, DEC'D**

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Executor: Jacob Martin, 43 Main Street, Yorkana, PA 17406

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

**ESTATE OF JOHN ALAN MENDENHALL, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Rebecca Mendenhall, 2715 Emmitsburg Road, Gettysburg, PA 17325

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

**ESTATE OF VICTOR L. REYNOLDS, DEC'D**

Late of the Borough of Littlestown, Adams County, Pennsylvania

Co-Executors: Randall V. Reynolds, 390 McSherry Woods Drive, Littlestown, PA 17340; Wendall R. Study, 1110 Sleighhill Court, Mt. Airy, MD 21771

Attorney: Bernard A. Yannetti, Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF HENRY WARREN SHANOLTZ, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Administrator: Eric Shanoltz, 125 Barlow Road, Gettysburg, PA 17325

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

**ESTATE OF LYNN E. TREWHELLA, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executor: Ed Trehwella, 615 Harmony Drive, Unit 202, New Oxford, PA 17350

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

**SECOND PUBLICATION****ESTATE OF ROY A. BASLER, JR., DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executor: Jacqueline A. Frederick, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin, PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin, PA 17316

**ESTATE OF BARBARA A. CLAAR, DEC'D**

Late of Butler Township, Adams County, Pennsylvania

Executor: Daun N. Claar, 3568 Lauren Court, Ellenton, FL 34222

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

**ESTATE OF EARLE E. CUMMINGS, DEC'D**

Late of the Borough of Littlestown, Adams County, Pennsylvania

Executrix: Darlene J. Trimper, 160 Feeser Road, Littlestown, PA 17340

Attorney: Matthew L. Guthrie, Esq., Barley Snyder LLP 14 Center Square Hanover, PA 17331

**ESTATE OF MURIEL R. DUNLOP, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executor: James Dunlop, 1907 Roxbury Court, Mechanicsburg, PA 17055

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

**ESTATE OF JANE HARRISON-SHORT, a/k/a JANE B. HARRISON- SHORT, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Joseph Harrison, 280 Country Club Lane, Gettysburg, PA 17325

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

**ESTATE OF MARGARET L. KECKLER, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Tracey D. Speelman, 570 Farm View Road, York Springs, PA 17372; Gary W. Keckler, 550 Gooseville Road, New Oxford, PA 17350

Attorney: Teeter Law Office, 108 West Middle Street, Gettysburg, PA 17325

**SECOND PUBLICATION CONTINUED**

ESTATE OF JUANITA M. KEECH a/k/a  
JUANITA MARY KEECH, DEC'D

Late of Hamilton Township, Adams  
County, Pennsylvania

Co-Executors: Brent A. Keech and  
John R. Schnitzer, c/o Scott L.  
Kelley, Esq., Barley Snyder, LLP, 14  
Center Square, Hanover, PA 17331

Attorney: Scott L. Kelley, Esq., Barley  
Snyder, LLP, 14 Center Square,  
Hanover, PA 17331

ESTATE OF BEATRICE M. MICKLO,  
DEC'D

Late of the Borough of McSherrystown,  
Adams County, Pennsylvania

Co-Executors: Sandra M. Smay, 5555  
Bentz Road, Spring Grove, PA 17362;  
Douglas A. Hartlaub, 247 Vincent  
Drive, McSherrystown, PA 17344

Attorney: Brian J. Hinkle, Esq., Mette,  
Evans & Woodside, 3401 N. Front  
Street, Harrisburg PA 17110

ESTATE OF IRIS MAE MUMMERT, DEC'D

Late of Huntingdon Township, Adams  
County, Pennsylvania

Administrator: Cody Mummert, 114 ½  
W. King Street, Littlestown, PA 17340

Attorney: Erin K. Rudert, Esq., 310  
Grant Street, 15th Floor, Pittsburgh,  
PA 15219

ESTATE OF EVELYN REGINA POWELL  
a/k/a REGINA O. POWELL, DEC'D

Late of Conewago Township, Adams  
County, Pennsylvania

Executor: Robert Scott Powell, c/o  
Rachel L. Gates, Esq., Gates &  
Gates, P.C., 250 York Street,  
Hanover, PA 17331

Attorney: Rachel L. Gates, Esq., Gates  
& Gates, P.C., 250 York Street,  
Hanover, PA 17331

ESTATE OF MAX ALEXANDER RUFALO,  
DEC'D

Late of Mount Pleasant Township,  
Adams County, Pennsylvania

Administrators: Lisa Rufalo and Keith  
Rufalo, c/o Dean E. Reynosa, Esq.,  
Griest, Himes, Herrold, Reynosa  
LLP, 129 East Market Street, York  
PA 17401

Attorney: Dean E. Reynosa, Esq.,  
Griest, Himes, Herrold, Reynosa  
LLP, 129 East Market Street, York  
PA 17401

ESTATE OF SHIRLEY R. SHOWWAKER,  
DEC'D

Late of Mount Joy Township, Adams  
County, Pennsylvania

Wanda Ann Golden, 977 Hoffman  
Road, Gettysburg, PA 17325

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

ESTATE OF KENNETH H. TRIMMER,  
DEC'D

Late of Menallen Township, Adams  
County, Pennsylvania

Executor: Kevin L. Trimmer, 50 Old  
Railroad Road, Biglerville, PA 17307

Attorney: Robert E. Campbell, Esq.,  
Salzmann Hughes, P.C., 112 Baltimore  
Street, Gettysburg, PA 17325

ESTATE OF ALLEN R. WALKER, DEC'D

Late of Oxford Township, Adams  
County, Pennsylvania

Executor: Barbara E. Walker, c/o  
Sharon E. Myers, Esq., CGA Law  
Firm, PC, P.O. Box 606, East Berlin,  
PA 17316

Attorney: Sharon E. Myers, Esq., CGA  
Law Firm, PC, P.O. Box 606, East  
Berlin, PA 17316

**THIRD PUBLICATION**

ESTATE OF LORRAINE T. BARBOUR,  
DEC'D

Late of the Borough of Bendersville,  
Adams County, Pennsylvania

Co-Executors: Kimberly O. Ridinger  
and Vincent W. Warren, c/o John C.  
Zepp, III, Esq., P.O. Box 204, 8438  
Carlisle Pike, York Springs, PA 17372

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

ESTATE OF OPAL ELMEDA BARNES  
a/k/a OPAL E. BARNES, DEC'D

Late of Conewago Township, Adams  
County, Pennsylvania

Executor: Douglas K. Barnes, c/o  
Samuel A. Gates, Esq., Gates &  
Gates, P.C., 250 York Street,  
Hanover, PA 17331

Attorney: Samuel A. Gates, Esq.,  
Gates & Gates, P.C., 250 York  
Street, Hanover, PA 17331

ESTATE OF DANNY W. FLING a/k/a  
DANNY WILLIAM FLING, DEC'D

Late of Germany Township, Adams  
County, Pennsylvania

Executors: Danielle M. Windsor, 5 A  
Bonniefield Circle, Gettysburg, PA  
17325; Justin T. Fling, 506 Baltimore  
Street, Hanover, PA 17331

Attorney: Robert L. McQuaide, Esq.,  
Barley Snyder, Suite 101, 123  
Baltimore Street, Gettysburg, PA  
17325

ESTATE OF JANICE L. QUINT, DEC'D

Late of Cumberland Township, Adams  
County, Pennsylvania

Executrix: Louise Quint Dean, 10  
Aldridge Court, Sterling, VA 20165

Attorney: Puhl & Thrasher, 220  
Baltimore Street, Gettysburg, PA  
17325

**NOTICE OF FICTITIOUS NAME  
REGISTRATION**

NOTICE IS HEREBY GIVEN that  
pursuant to the provisions of Section  
311 of the Act of December 16, 1982,  
P.L. 1309, No. 295, codified as amended  
(54 Pa. C.S.A. §311), there was filed in  
the Office of the Secretary of the  
Commonwealth of Pennsylvania,  
Department of State, Bureau of  
Corporations and Charitable  
Organizations, at Harrisburg,  
Pennsylvania, an application for  
Registration of Fictitious Name of  
BONNEAUVILLE EVENT CENTER with  
the address of the principal place of  
business being 12 Elm Avenue,  
Gettysburg, PA 17325, located in the  
Borough of Bonneauville, Adams  
County, Pennsylvania. The name and  
address of the entity to said registration  
and interested in such business are:  
Redding Auction Service, Inc., 1085  
Table Rock Road, Gettysburg, PA  
17325.

Barley Snyder  
Attorneys at Law

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