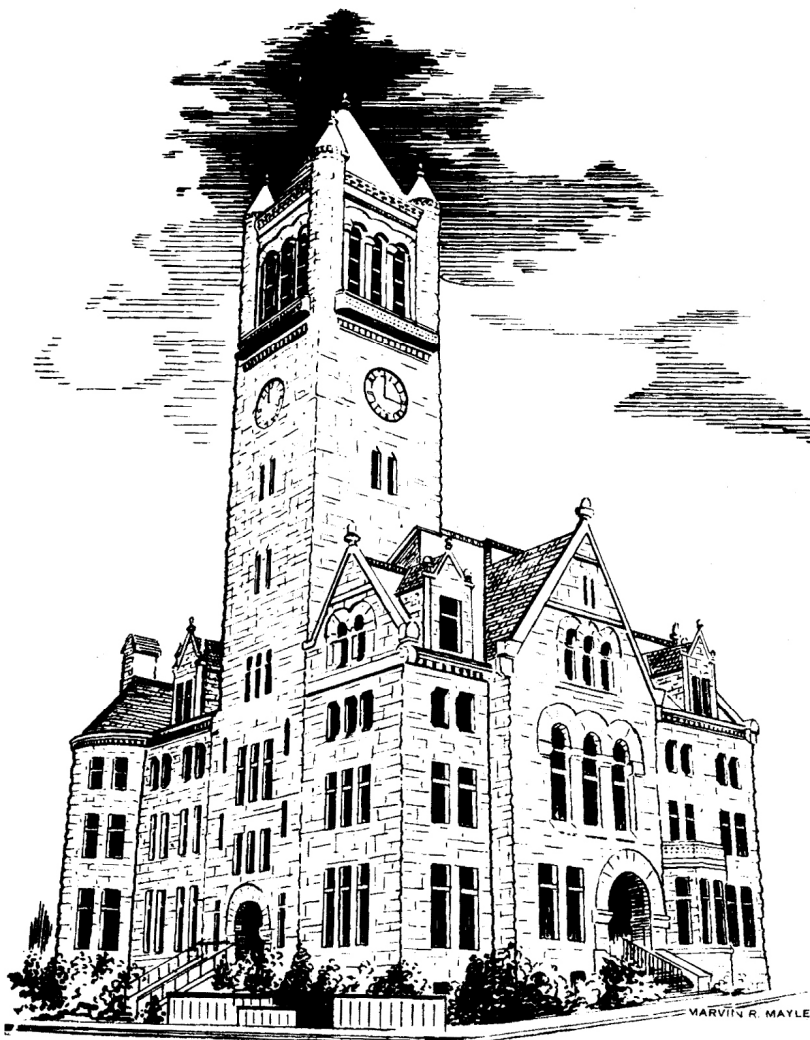


# FAYETTE LEGAL JOURNAL

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## FAYETTE LEGAL JOURNAL

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

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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

**JOAN A. BARCHETTI**, late of Uniontown, Fayette County, PA <sup>(3)</sup>

Executor: Christopher Scott Barchetti  
c/o 51 East South Street  
Uniontown, PA 15401  
Attorney: Anthony S. Dedola, Jr.

**CHRISTOPHER RAY CAVANAUGH**, late of Luzerne Township, Fayette County, PA <sup>(3)</sup>

*Personal Representative:*  
Sandra E. Cavanaugh  
c/o Davis & Davis  
107 East Main Street  
Uniontown, PA 15401  
Attorney: James T. Davis

**DANIEL L. CHESS**, late of South Union Township, Fayette County, PA <sup>(3)</sup>

*Personal Representative:* Gertrude S. Chess  
c/o Watson Mundorff Brooks & Sepic  
720 Vanderbilt Road  
Connellsville, PA 15425  
Attorney: Charles W. Watson

**JOYCE COFFMAN, a/k/a H. JOYCE COFFMAN, a/k/a H. J. COFFMAN**, late of Connellsville, Fayette County, PA <sup>(3)</sup>

*Executrix:* Karen S. Coffman  
c/o 120 South Third Street  
Connellsville, PA 15425  
Attorney: David B. Reiss

**DONNA COOLEY, a/k/a DONNA JEAN COOLEY**, late of North Union Township, Fayette County, PA <sup>(3)</sup>

*Administrator:* Jacquelin Fritts  
170 North Gallatin Avenue  
Uniontown, PA 15401  
c/o 4 North Beeson Boulevard  
Uniontown, PA 15401  
Attorney: Ewing D. Newcomer

**RENELDA THOMAS, a/k/a RENELDA A. THOMAS, a/k/a RENELDA ANNE THOMAS**, late of Uniontown, Fayette County, PA <sup>(3)</sup>

*Co-Executors:*  
Nancy L. Otto  
44370 Maltese Falcon Square  
Ashburn, VA 20147  
and Lori A. Frazee  
5660 A Wade Court  
Frederick, MD 21703

### Second Publication

**JOHN M. ANTOON**, late of Uniontown, Fayette County, PA <sup>(2)</sup>

*Administrator:* John M. Antoon, II  
c/o 4 North Beeson Boulevard  
Uniontown, PA 15401  
Attorney: Carl E. Micarelli

**EVELYN K. CRIST, a/k/a EVELYN KATHERINE CRIST**, late of North Union Township, Fayette County, PA <sup>(2)</sup>

*Personal Representative:* Evelyn M. Crist  
c/o Davis & Davis  
107 East Main Street  
Uniontown, PA 15401  
Attorney: Gary J. Frankhouser

**PAULINE C. ESPER, a/k/a PAULINE ESPER**, late of Connellsville, Fayette County, PA <sup>(2)</sup>

*Co-Executors:* Constance Johnson and Paul Mongell, Jr.  
c/o P.O. Box 760  
Connellsville, PA 15425  
Attorney: Carolyn W. Maricondi

**VERONICA THERESA LOWE, a/k/a  
VERONICA T. LOWE**, late of Georges  
Township, Fayette County, PA (2)

*Personal Representative:* Brenda L. Trump  
c/o Davis & Davis  
107 East Main Street  
Uniontown, PA 15401  
*Attorney:* Gary J. Frankhouser

**JANET ANN MIRALLES, a/k/a JANET  
MIRALLES**, late of Perryopolis, Fayette  
County, PA (2)

*Executor:* Anthony Miralles, III  
125 Howie Road  
Waynesburg, PA 15370  
c/o Meyer Law Office, P.C.  
136 East High Street  
Waynesburg, PA 15370  
*Attorney:* Brandon K. Meyer

**HERSHELL D. MORGAN**, late of Uledi,  
South Union Township, Fayette County, PA (2)

*Executor:* Richard W. Morgan  
80 Ivy Drive  
Lancaster, MA 01523  
c/o 76 East Main Street  
Uniontown, PA 15401  
*Attorney:* Douglas S. Sholtis

**MARJORIE W. SCHROEDER**, late of  
Bullskin Township, Fayette County, PA (2)

*Executrix:* Suzanne M. Clark  
c/o P.O. Box 760  
Connellsville, PA 15425  
*Attorney:* Carolyn W. Maricondi

## First Publication

**LENA LAZZARO**, late of Belle Vernon,  
Fayette County, PA (1)

*Personal Representative:* Holle Lazzaro  
218 Vernon Avenue  
Belle Vernon, PA 15012  
c/o 142 Fallowfield Avenue  
Charleroi, PA 15022  
*Attorney:* Kris A. Vanderman

**JAMES D. ORLANDO**, late of Vanderbilt,  
Fayette County, PA (1)

*Administrator:* James D. Orlando, II  
437-C Santiago Road  
Virginia Beach, VA 23451  
c/o 32 West Third Street  
Greensburg, PA 15601  
*Attorney:* Peter P. Cherellia

**RUSSELL L. PETROFF**, late of Brownsville,  
Fayette County, PA (1)

*Executrix:* Christine Adams  
c/o DeHaas Law, LLC  
51 East South Street  
Uniontown, PA 15401  
*Attorney:* Ernest P. DeHaas, III

## LEGAL NOTICES

### FICTITIOUS NAME REGISTRATION

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on May 4, 2018 for Abrams Lawn Care at 55 E. Highland Ave. Uniontown, PA 15401. The name and address of the individuals interested in the business is Eric Michael Abrams at 55 E. Highland Ave. Uniontown, PA 15401. This was filed in accordance with 54 Pa.C.S. 311.

**NOTICE OF 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, as amended. The name of the company is: Abrasive Blasting Services, LLC.

Randall G. Klimchok  
Attorney at Law  
101 North Church Street  
Mount Pleasant, PA 15666  
(724) 542-4514

**NOTICE**

Westgate Cleaning Village, Inc., a Pennsylvania corporation with its registered office at 139 South Eighth Street, Connellsville, Fayette County, Pennsylvania, 15425, has filed Articles of Amendment with the Commonwealth of Pennsylvania, Department of State, at Harrisburg, Pennsylvania, under the provisions of the Business Corporation Law of 1933.

The Articles of Incorporation of Westgate Cleaning Village, Inc. have been amended to correct the Articles of Amendment filed on May 17, 1972.

The Articles of Amendment were filed with the Department of State on May 23, 2018.

Watson Mundorff & Sepic, LLP  
720 Vanderbilt Road  
Connellsville, PA 15425  
Phone: 724-626-8882

IN THE COURT OF COMMON PLEAS OF  
WESTMORELAND COUNTY,  
PENNSYLVANIA  
CIVIL ACTION - LAW  
No. 1295 of 2018

ESTATE OF NORA J. CHEARNEY,  
Plaintiff,  
v.  
COMMERCIAL CREDIT SAVINGS AND  
LOAN ASSOCIATION,  
Defendant.

**NOTICE**

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court within further notice for any money claimed in the complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER  
TO YOUR LAWYER AT ONCE. IF YOU  
DO NOT HAVE A LAWYER OR CANNOT  
AFFORD ONE, GO TO OR TELEPHONE  
THE OFFICE SET FORTH BELOW TO  
FIND OUT WHERE YOU CAN GET  
LEGAL HELP.**

LAUREL LEGAL SERVICES  
Westmoreland County Bar Association  
P.O. Box 565  
Greensburg, PA 15601  
Telephone: (724) 834-8490

Scott A. Walker, Esq.  
CAROLANN A. YOUNG AND ASSOCIATES  
530 North Center Avenue  
P.O. Box 344  
Somerset, PA 15501  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS  
 OF FAYETTE COUNTY, PENNSYLVANIA  
 CIVIL DIVISION  
 NO. 652 of 2017-GD  
 NOTICE OF ACTION IN MORTGAGE  
 FORECLOSURE

PNC Bank, National Association, Plaintiff vs. Angalene Sims, Known Heir of Constance L. Sims and Possible Known Heir of Eddie Sims, Darlene Sims, Known Heir of Constance L. Sims and Possible Known Heir of Eddie Sims, Estate of Constance L. Sims, c/o Latricia B. Sims, Personal Representative, Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or Under James D. Robinson, Known Heir of Constance L. Sims and Possible Known Heir of Eddie Sims, Kathleen Feist, Known Heir of Constance L. Sims and Possible Known Heir of Eddie Sims, Latricia B. Sims, Personal Representative of the Estate of Constance L. Sims and Possible Known Heir of Eddie Sims, Linda D. Sims a/k/a Linda Mills Sims, Individually and as a Known Heir of Eddie Sims, Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or Under Constance L. Sims, Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or Under Eddie Sims and Ann Clark a/k/a Ann R. Robinson, Known Heir of James D. Robinson, Defendants  
 TO: Ann Clark a/k/a Ann R. Robinson, Known Heir of James D. Robinson, Defendant, whose last known addresses are 35 Pershing Avenue, Uniontown, PA 15401; 1079 Strathdon Avenue, Fayetteville, NC 28304-0346 and 601 Elderberry Drive, Fayetteville, NC 28311-6906.

AMENDED COMPLAINT IN MORTGAGE  
 FORECLOSURE

You are hereby notified that Plaintiff, PNC Bank, National Association, has filed an Amended Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Fayette County, PA, docketed to NO. 652 of 2017-GD, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 35 Pershing Avenue, Uniontown, PA 15401, whereupon your property would be sold by the Sheriff of Fayette County. NOTICE: YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the notice above,

you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH THE 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. Fayette County Lawyer Referral Service, PA Bar Assn., 100 South St., P.O. Box 186, Harrisburg, PA 17108, 800.692.7375. Udren Law Offices, P.C., Attys. For Plaintiff, 111 Woodcrest Rd., Ste. 200, Cherry Hill, NJ 08003, 856.669.5400.

**SHERIFF'S SALE**

**Date of Sale: August 16, 2018**

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, August 16, 2018, at 2:00 p.m. in Courtroom Number Five at the Fayette County Courthouse, Uniontown, Pennsylvania.

The terms of sale are as follows:

Ten percent of the purchase price, or a sufficient amount to pay all costs if the ten percent is not enough for that purpose. Same must be paid to the Sheriff at the time the property is struck off and the balance of the purchase money is due before twelve o'clock noon on the fourth day thereafter. Otherwise, the property may be resold without further notice at the risk and expense of the person to whom it is struck off at this sale who in case of deficiency in the price bid at any resale will be required to make good the same. Should the bidder fail to comply with conditions of sale money deposited by him at the time the property is struck off shall be forfeited and applied to the cost and judgments. All payments must be made in cash or by certified check. The schedule of distribution will be filed the third Tuesday after date of sale. If no petition has been filed to set aside the sale within 10 days, the Sheriff will execute and acknowledge before the Prothonotary a deed to the property sold. (1 of 3)

James Custer  
 Sheriff Of Fayette County

KML Law Group, P.C.  
 Suite 5000 - BNY Independence Center  
 701 Market Street  
 Philadelphia, PA 19106  
 215-627-1322

No. 2608 of 2017 GD  
 No. 87 of 2018 ED

**BAYVIEW LOAN SERVICING, LLC, 4425 Ponce de Leon Blvd, 5th Floor Coral Gables, FL 33146,**

**Plaintiff,**

**v.**

**RITA L ABBOTT,  
 Mortgagor(s) and Record Owner(s)  
 100 Nicholson Street  
 Martin, PA 15460,  
 Defendant(s).**

ALL THAT CERTAIN LOT OR PARCEL OF LAND situate in the TOWNSHIP OF NICHOLSON, County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #24-09-0046

PROPERTY ADDRESS: 100 Nicholson Street  
 Martin, PA 15460

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF: RITA L ABBOTT

McCABE, WEISBERG & CONWAY, LLC  
 BY: ANDREW L. MARKOWITZ, ESQUIRE  
 123 South Broad Street, Suite 1400  
 Philadelphia, PA 19109  
 (215) 790-1010

No. 164 of 2018 GD  
 No. 98 of 2018 ED

**LSF10 Master Participation Trust,  
 Plaintiff,**

**v.**

**Michael Adamsky, Jr. and Shelia Adamsky,  
 Defendants.**

ALL THAT CERTAIN PIECE, PARCEL, OR LOT OF LAND SITUATE IN GERMAN TOWNSHIP, FAYETTE COUNTY, COMMONWEALTH OF PENNSYLVANIA, AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF GRAY STREET, AS

EXTENDED AND AS SHOWN UPON A PLAN OF LOTS LAID OUT BY THE HILLMAN-NEFF COKE COMPANY AND RECORDED IN THE RECORDER'S OFFICE OF FAYETTE COUNTY, PENNSYLVANIA, IN PLAN BOOK 4, PAGE 46, WHICH POINT IS 200 FEET EASTWARD FROM THE SOUTHEAST CORNER OF LOT NO. 26 IN SAID PLAN or LOTS; THENCE IN AN EASTERLY DIRECTION ALONG THE NORTHERLY SIDE OF SAID GRAY STREET, 60 FEET TO A POINT; THENCE ALONG A LINE AT RIGHT ANGLES TO SAID GRAY STREET IN A NORTHERLY DIRECTION, A DISTANCE OF 150 FEET TO A 20 FOOT ALLEY; THENCE ALONG THE SOUTHERLY LINE OF SAID ALLEY IN A WESTERLY DIRECTION, A DISTANCE OF 60 FEET TO A POINT; THENCE ALONG A LINE RUNNING AT RIGHT ANGLES TO SAID ALLEY AND IN A SOUTHERLY DIRECTION, A DISTANCE OF 150 FEET TO THE PLACE OF BEGINNING.

HAVING ERECTED THEREON A DWELLING HOUSE AND OUTBUILDINGS, BEING LOT GENERALLY KNOWN AS NO. 90 AT THE GRIFFIN PLANT OF THE HECLA COAL AND COKE COMPANY.

EXCEPTING AND RESERVING THEREOUT AND THEREFROM ALL THE COAL AND MINING RIGHTS AND A PUBLIC EASEMENTS AS MORE FULLY DESCRIBED IN THE DEED FROM THE HECLA COAL AND COKE COMPANY TO ALBERT ADAMSKI AND KADA ADAMSKI, DATED FEBRUARY 1, 1928 AND RECORDED IN THE OFFICE FOR THE RECORDING OF DEED IN DEED BOOK VOLUME 755, PAGE 482.

Being known as: 307 Gray Avenue, Masontown, Pennsylvania 15461

Title vested in Michael Adamsky, Jr. by Deed from L.D. McDaniel, Administrator of the Estate of Louis V. Adamsky a/k/a Louis Adamsky, deceased, L.D. McDaniel, Administrator D.B.N of the Estate of Mary Frances Adamsky a/k/a Mary F. Adamsky, deceased, Fayette Bank & Trust Co., Guardian of the Estate of Joseph Albert Adamsky a/k/a Joseph A. Adamsky, an incompetent and Michael Adamsky, Sr. dated April 4, 1985 and recorded May 17, 1985 in Deed Book 36, Page 80

Tax Parcel Number: 15-41-0025

No. 1065 of 2017 GD  
No. 154 of 2018 ED

**Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, as indenture trustee, for the CSMC 2015-RPL2 Trust, Mortgage- Backed Notes, Series 2015-RPL2,**

**Plaintiff,**

**Vs.**

**Richard A. Bass, Jr., Known Heir of Barbara A. Bass, Deceased Mortgage and Real Owner**

**Joseph Bass, Known Heir of Barbara A. Bass, Deceased Mortgage and Real Owner Angel Bass, Known Heir of Barbara A. Bass, Deceased Mortgage and Real Owner**

**Unknown heirs, successors, assigns and all persons, firms, or associations claiming right, title, or interest from or under Barbara A.**

**Bass, Deceased Mortgage and Real Owner, Defendants.**

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF RICHARD A. BASS, JR., KNOWN HEIR OF BARBARA A. BASS, DECEASED MORTGAGER AND REAL OWNER, JOSEPH BASS, KNOWN HEIR OF BARBARA A. BASS, DECEASED MORTGAGER AND REAL OWNER, ANGEL BASS, KNOWN HEIR OF BARBARA A. BASS, DECEASED MORTGAGER AND REAL OWNER, UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE, OR INTEREST FROM OR UNDER BARBARA A. BASS, DECEASED MORTGAGER AND REAL OWNER, BARBARA A. BASS AND RICHARD BASS OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN REDSTONE TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 2944 PAGE 54

BEING KNOWN AS 2016 MAIN ST, CARDALE, PA 15420

TAX MAP NO. 30-26-0193



Phelan Hallinan Diamond & Jones, LLP

No. 478 of 2018 GD  
 No. 136 of 2018 ED

Stephen M. Hladik, Esquire  
 Hladik, Onorato & Federman, LLP  
 298 Wissahickon Avenue  
 North Wales, PA 19454

**Ditech Financial LLC,**  
**Plaintiff,**  
**v.**

**Thomas Blaho, IV a/k/a Thomas Blaho,**  
**Defendant(s).**

No. 2450 of 2013 GD  
 No. 153 of 2018 ED

**Partners for Payment Relief DE III, LLC,**  
**Plaintiff,**  
**vs.**

**Michael Burkus and Teresa M. Burkus,**  
**Defendants.**

By virtue of a Writ of Execution No. 478-OF-2018-GD, Ditech Financial LLC v. Thomas Blaho, IV a/k/a Thomas Blaho, owner(s) of property situate in the UNIONTOWN CITY, Fayette County, Pennsylvania, being 118 Cleveland Avenue, Uniontown, PA 15401

Parcel No.: 38-03-0260  
 Improvements thereon: RESIDENTIAL DWELLING

By virtue of Writ of Execution No. No. 2450 of 2013, G.D., Partners for Payment Relief DE III, LLC (Plaintiff) vs. Michael Burkus and Teresa M. Burkus (Defendants)

Property Address 205 East Green Street, Connellsville, PA 15425

Parcel I.D. No. 05-07-0413  
 Improvements thereon consist of a residential dwelling.

Judgment Amount: \$93,538.22

No. 216 of 2018 GD  
 No. 144 of 2018 ED

**United Midwest Savings Bank,**  
**Plaintiff,**  
**Vs.**

**Rodney Blare a/k/a Rodney Blair**  
**Mary Blare a/k/a Mary Blair,**  
**Defendants.**

UDREN LAW OFFICES, P.C.  
 WOODCREST CORPORATE CENTER  
 111 WOODCREST ROAD, SUITE 200  
 CHERRY HILL, NJ 08003-3620  
 856-669-5400  
 pleadings@udren.com

No. 213 of 2018 GD  
 No. 91 of 2018 ED

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF RODNEY BLARE A/K/A RODNEY BLAIR AND MARY BLARE A/K/A MARY BLAIR OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN GERMAN TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 3046 PAGE 1481

BEING KNOWN AS 810 EAST CHURCH STREET, MASONTOWN, PA 15461

TAX MAP NO. 15-39-0003

**HSBC Bank USA, National Association, as Trustee for Fremont Home Loan Trust 2006-C, Mortgage-Backed Certificates, Series 2006-C,**  
**Plaintiff,**  
**V.**

**ALBERT CELLURALE**  
**KATHY CELLURALE,**  
**Defendant(s).**

ALL THAT CERTAIN LOT OF LAND SITUATE IN SOUTH UNION TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA:

BEING KNOWN AS 112 Duall Drive, Hopwood (South Union Township), PA 15445  
 PARCEL NUMBER: 34-12-0091  
 IMPROVEMENTS: Residential Property

KML Law Group, P.C.  
Suite 5000 - BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322

No. 2692 of 2017 GD  
No. 95 of 2018 ED

**QUICKEN LOANS INC.**  
**635 Woodward Avenue**  
**Detroit, MI 48226,**  
**Plaintiff,**  
**Vs.**

**MICHAEL D. COLLAGE**  
**Mortgagor(s) and Record Owner(s)**  
**112 Leggs Street**  
**Belle Vernon, PA 15012**  
**Defendant(s).**

ALL THAT CERTAIN tract of land situate in the TOWNSHIP OF WASHINGTON, County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #41-15-0031

PROPERTY ADDRESS: 112 Leggs Street Belle Vernon, PA 15012

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF:  
MICHAEL D. COLLAGE

No. 2391 of 2017 GD  
No. 158 of 2018 ED

**THE BANK OF NEW YORK MELLON, AS TRUSTEE FOR CIT MORTGAGE LOAN TRUST 2007-1,**  
**Plaintiff,**  
**V.**  
**TINA M. CONAWAY,**  
**Defendant.**

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF TINA M. CONAWAY OF, IN AND TO:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF LUZERNE, COUNTY OF FAYETTE, COMMONWEALTH OF PENNSYLVANIA. HAVING ERECTED THEREON A DWELLING KNOWN AND NUMBERED AS 405 EAST STREET,

ALLISON, PA 15413. DEED BOOK VOLUME 3303, PAGE 1391, PARCEL NUMBERS 19-19-0021 AND 19-19-21-02.

KML Law Group, P.C.  
Suite 5000 - BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322

No. 509 of 2018 GD  
No. 137 of 2018 ED

**2011-2012 OPPORTUNITY FUND 6-1 LLC**  
**323 5th Street**  
**PO Box 35**  
**Eureka, CA 95502,**  
**Plaintiff,**  
**vs.**

**DOUGLAS A. FIKE AKA DOUGLAS FIKE**  
**Mortgagor(s) and Record Owner(s)**  
**4731 National Pike**  
**Markleysburg, PA 15459,**  
**Defendant(s).**

ALL THAT CERTAIN lot or parcel of land situate in the County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL # 16-11-0028

PROPERTY ADDRESS: 4731 National Pike Markleysburg, PA 15459

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF:  
DOUGLAS A. FIKE AKA DOUGLAS FIKE

KML Law Group, P.C.  
Suite 5000 - BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322

No. 185 of 2018 GD  
No. 142 of 2018 ED

**THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWABS 2006-IMI)**  
**4425 Ponce de Leon Blvd**  
**Coral Gables, FL 33146,**  
**Plaintiff,**  
**vs.**

**LENA M. HAGER AKA LENA DILLINGER  
DONALD W. HAGER JR.  
Mortgagor(s) and Record Owner(s)  
36 Hood Street  
Brownsville, PA 15417  
Defendant(s).**

ALL THAT CERTAIN lot or piece of land situate in the County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL # 02-02-0021  
PROPERTY ADDRESS: 36 Hood Street  
Brownsville, PA 15417

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF: LENA M. HAGER AKA LENA DILLINGER and DONALD W. HAGER JR.

Richard M. Squire & Associates, LLC  
By: Richard M. Squire, Esquire  
Bradley J. Osborne, Esquire  
Sarah K. McCaffery, Esquire  
ID. Nos. 04267/312169/311728  
One Jenkintown Station, Suite 104  
115 West Avenue  
Jenkintown, PA 19046  
Telephone: 215-886-8790  
Fax: 215-886-8791

No. 303 of 2018 GD  
No. 128 of 2018 ED

**J.P. Morgan Mortgage Acquisition Corp.,  
PLAINTIFF,  
v.  
Shawn M. Keefer,  
DEFENDANT(S).**

TAX PARCEL NO.: 46-06-0066  
PROPERTY ADDRESS: 115 Vernon Avenue Belle Vernon, PA 15012  
IMPROVEMENTS: Single Family Dwelling  
SEIZED AND TAKEN in execution as the property of Shawn M. Keefer

PARKER McCAY P.A.  
By: Patrick J. Wesner, Esquire  
Attorney ID # 203145  
9000 Midlantic Drive, Suite 300  
P.O. Box 5054  
Mount Laurel, NJ 08054-1539  
(856) 810-5815

No. 1202 of 2016 GD  
No. 96 of 2018 ED

STERN AND EISENBERG, PC  
JESSICA N. MANIS, ESQ.

No. 1187 of 2017 GD  
No. 97 of 2018 ED

**The Bank of New York Mellon FKA The  
Bank of New York, as Trustee for the  
certificateholders of the CWABS, Inc., Asset-  
Backed Certificates, Series 2006-26 c/o  
Specialized Loan Servicing, LLC,  
Plaintiff,  
v.  
Dorothy J. Jones  
William K Jones,  
Defendants.**

By virtue of a Writ of Execution, No. 1202 of 2016 GD, The Bank of New York Mellon, et al vs. Dorothy J. Jones and William K Jones, owner of property situate in the EIGHT WARD OF THE CITY OF UNIONTOWN, Fayette County, Pennsylvania

137 Union Street, Uniontown, PA 15401  
Parcel No. 38-10-0515  
Improvements thereon: RESIDENTIAL SINGLE FAMILY DWELLING

**Deutsche Bank National Trust Company, as  
Trustee for Popular ABS, Inc., Series 2007-A  
c/o Ocwen Loan Servicing, LLC,  
Plaintiff,  
v.  
Benjamin Knox,  
Defendant(s).**

SITUATE IN THE THIRD WARD OF THE TOWNSHIP OF GERMAN, FAYETTE COUNTY, PENNSYLVANIA, BEING KNOWN AS 643 Stevenson Street, Ronco, PA 15476

PARCEL NO. 15-31-0010 and 15-31-0002  
IMPROVEMENTS- RESIDENTIAL REAL ESTATE  
SOLD AS THE PROPERTY OF- Benjamin Knox

KML Law Group, P.C.  
Suite 5000 - BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322

No. 1700 of 2017 GD  
No. 99 of 2018 ED

**KEY BANK, NA S/B/M FIRST NIAGARA BANK**  
4224 Ridge Lea Road  
Amherst, NY 14226

**Plaintiff,**

vs.

**CAROL LEE KOLLAR AKA CAROL L. KOLLAR**

**Mortgagor(s) and Record Owner(s)**  
221 North Gallatin Avenue  
Uniontown, PA 15401,

**Defendant(s).**

ALL THAT CERTAIN lots of ground situate in the CITY OF UNIONTOWN, County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #38010099

PROPERTY ADDRESS: 221 North Gallatin Avenue Uniontown, PA 15401

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF: CAROL LEE KOLLAR AKA CAROL L. KOLLAR

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND situate in the TOWNSHIP OF CONNELLSVILLE, County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #06-09-0121

PROPERTY ADDRESS: 2113 Isabella Road Ext AKA P.O. Box 86 Isabelle Road Connellsville, PA 15425

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF: STEPHEN LAMBING

ANNE N. JOHN  
ATTORNEY AT LAW

No. 2324 of 2017 GD  
No. 143 of 2018 ED

**FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF GREENE COUNTY, a corporation,**

**Plaintiff,**

vs.

**TOLBERT THOMAS LUKACS and WHITNEY GAYLE LUKACS, a/k/a WHITNEY TUTTLE,**

**Defendants.**

All that certain piece or parcel of land situate in South Union Township, Fayette County, Pennsylvania, being designated as Lot No. 5 in the Deer Run Estates Plan of Lots, which said Plan is recorded in the Recorder of Deeds of Fayette County, Pennsylvania, in Plan Book 51 page 58.

FOR prior title see Record Book 3250 at page 1771.

Upon which is erected a two-story single-family brick dwelling known locally as 113 Lopez Drive, Uniontown, PA 15401.

Assessment Map No.: 34-05-0077-53.

KML Law Group, P.C.  
Suite 5000 - BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322

No. 1701 of 2017 GD  
No. 86 of 2018 ED

**DITECH FINANCIAL LLC F/K/A GREEN TREE SERVICING LLC**  
3000 Baypon Drive, Suite 880  
Tampa, FL 33607,

**Plaintiff,**

vs.

**STEPHEN LAMBING**

**Mortgagor(s) and Record Owner(s)**  
2113 Isabella Road Ext AKA P.O. Box 86 Isabelle Road  
Connellsville, PA 15425

**Defendant(s).**

ANNE N. JOHN Esq.  
ATTORNEY AT LAW

No. 191 of 2018 GD  
No. 161 of 2018 ED

**FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF GREENE COUNTY, a corporation,**

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

**RYAN PATRICK MAHONEY and NICHOLE MARIE HOST, a/k/a NICOLE MARIE HOST,**

**Defendants.**

ALL that certain lot of land situated in North Union Township, Fayette County, Pennsylvania, being the Northeastly portion of Lot No. 27 in Section "F" of "Evans Manor" Land Company's Plan of Lots called "Evans Manor", according to a plot thereof recorded September 4, 1923, in the office of the Recorder of Deeds of Fayette County, Pennsylvania in Plan Book Vol. 4, page 186.

UPON which is erected a single family dwelling known locally as 224 Edison Blvd., a/k/a 224 Edison Street, Uniontown, PA 15401.

Fayette County Assessment Map No.: 25-30-0024.

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KML Law Group, P.C.  
Suite 5000 - BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322

No. 2058 of 2017 GD  
No. 138 of 2018 ED

**U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE CSMC TRUST 2006-CF2 CS MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-CF2**

**3217 S. Decker Lake Drive  
Salt Lake City, UT 84119,**

**Plaintiff,**  
**VS.**

**VERNA A. MARTIN  
ROBERT D. MARTIN  
THE UNITED STATES OF AMERJCA  
Mortgagor(s) and Record Owner(s)**

**113 General Drive Uniontown, PA 15401,  
Defendant(s).**

ALL THAT CERTAIN piece or parcel of property situate in the County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #\_\_\_\_\_

PROPERTY ADDRESS: 113 General Drive Uniontown, PA 15401

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF: VERNA A. MARTIN and ROBERT D. MARTIN

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No. 735 of 2017 GD  
No. 124 of 2018 ED

**Bayview Loan Servicing, LLC, a Delaware Limited Liability Company,**

**Plaintiff,**  
**Vs.**

**Samuel Nicholson, known heir of Glenn Nicholson, Deceased Mortgagor  
Dawn Robin Behunin, known heir of Glenn Nicholson, Deceased Mortgagor  
Richard Nicholson, known heir of Glenn Nicholson, Deceased Mortgagor  
Wesley Nicholson, known heir of Glenn Nicholson, Deceased Mortgagor  
Joseph Nicholson, known heir of Glenn Nicholson, Deceased Mortgagor  
Kenneth R. Nicholson, known heir of Glenn Nicholson, Deceased Mortgagor  
Unknown heirs, successors, assigns and all persons, firms, or associations claiming right, title or interest from or under Glenn Nicholson, Deceased Mortgagor and Real Owner,**

**Defendants.**

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF SAMUEL NICHOLSON, KNOWN HEIR OF GLENN NICHOLSON, DECEASED MORTGAGOR, DAWN ROBIN BEHUNIN, KNOWN HEIR OF GLENN NICHOLSON, DECEASED MORTGAGOR, RICHARD NICHOLSON, KNOWN HEIR OF GLENN NICHOLSON, DECEASED MORTGAGOR, WESLEY NICHOLSON, KNOWN HEIR OF GLENN NICHOLSON, DECEASED MORTGAGOR, JOSEPH NICHOLSON, KNOWN HEIR OF GLENN NICHOLSON, DECEASED MORTGAGOR,

KENNETH R. NICHOLSON, KNOWN HEIR OF GLENN NICHOLSON, DECEASED MORTGAGOR, UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER GLENN NICHOLSON, DECEASED MORTGAGOR AND REAL OWNER, GLENN NICHOLSON AND DEBRA A. NICHOLSON, KNOWN HEIR OF GLENN NICHOLSON, DECEASED MORTGAGOR OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN CONNELLSVILLE CITY, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 2300 PAGE 0109

BEING KNOWN AS 517 RACE STREET, CONNELLSVILLE, PA 15425  
TAX MAP NO. 05-07-0380

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STERN & EISENBERG PC  
EDWARD J. MCKEE, ESQUIRE

No. 437 of 2018 GD  
No. 127 of 2018 ED

**Lakeview Loan Servicing, LLC,**

**Plaintiff,**  
**V.**

**Kurt E. Nightman and Marie F. Nightman,**  
**Defendant(s).**

SITUATE IN THE VILLAGE OF BANNING IN PERRY TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA, BEING KNOWN AS 1 RAILROAD STREET, DAWSON, PA 15428.

PARCEL NO. 27-03-0045  
IMPROVEMENTS- RESIDENTIAL REAL ESTATE

SOLD AS THE PROPERTY OF- KURT E. NIGHTMAN AND MARIE F. NIGHTMAN

UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620

856-669-5400

pleadings@udren.com

No. 3071 of 2007 GD

No. 160 of 2018 ED

**Deutsche Bank Trust Company Americas, as Trustee and Custodian for Meritage Mortgage Loan Trust 2005-1 by: Saxon Mortgage Services, Inc. as its attorney-in-fact,**

**Plaintiff,**  
**V.**

**GARY J. OSWALD**  
**JODY A. OSWALD,**  
**Defendant(s).**

ALL THAT CERTAIN LOT OF LAND SITUATE IN BULLSKIN TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA: BEING KNOWN AS 619 Englishman Hill Road, Connellsville, PA 15425

PARCEL NUMBER: 4-29-252-1

IMPROVEMENTS: Residential Property

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No. 104 of 2018 GD

No. 88 of 2018 ED

**WELLS FARGO BANK, N.A.,**  
**Plaintiff,**

**Vs.**

**Dana G Prinkey,**  
**Defendant.**

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF DANA G. PRINKEY OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN CONNELLSVILLE CITY, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 3290 PAGE 241

BEING KNOWN AS 207 N PROSPECT STREET, CONNELLSVILLE, PA 15425

TAX MAP NO. 05-06-0264

No. 864 of 2017 GD  
No. 108 of 2018 ED

No. 639 of 2017 GD  
No. 149 of 2018 ED

**Carrington Mortgage Services, LLC,**  
**PLAINTIFF,**  
vs.  
**John H. Shaffer,**  
**DEFENDANT.**

**J.P. Morgan Mortgage Acquisition Corp.,**  
**PLAINTIFF,**  
**VS.**  
**Dawn M. Siple and Jason R. Siple,**  
**DEFENDANTS.**

**TRACT ONE:**

ALL that certain piece or parcel of land situate in the borough of Newell (formerly Jefferson Township), Fayette County, Pennsylvania, in the Plan of Lots as laid out by Lucius Marchand as recorded in the Recorder's Office of Fayette County, Pennsylvania in Plan Book Volume 1, page 88 and more particularly bounded and described as follows:

**TRACT TWO:**

ALL that certain piece or parcel of land situate in the Borough of Newell (formerly Township), Fayette County, Pennsylvania, bounded and described as follows:

COMMONLY KNOWN AS: 308 Fourth Street, Newell, PA 15466

TAX PARCEL NOS. 23040086 (23-04-0086) & 2304008401 (23-04-008401)

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Phelan Hallinan Diamond & Jones, LLP

No. 1001 of 2017 GD  
No. 103 of 2018 ED

**U.S. Bank National Association,**  
**Plaintiff,**  
**V.**

**Thomas K. Shaw, Jr**  
**Lisa M. Shaw**  
**Defendant(s).**

By virtue of a Writ of Execution No. 1001-OF-2017-GD, U.S. Bank National Association V. Thomas K. Shaw, Jr, Lisa M. Shaw, owner(s) of property situate in the UPPER TYRONE TOWNSHIP, Fayette County, Pennsylvania, being 841 Painter Street Extention a/k/a 839 Painter ST Ext. Everson, PA 15631-1204

Parcel No.: 39090011

Improvements thereon: RESIDENTIAL DWELLING

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All that certain lot of land situate in the Borough of Dawson, Fayette County, Pennsylvania and being known as a part of Lot No. 77 in the General Plan of said Borough, said plan being of record in the Office of the Recorder of Deeds of Fayette County, Pennsylvania in Plan Book 1, page 33, said lot being bounded and described as follows:

Beginning at a point on Stauffer Street in said Borough at a corner of land conveyed by William McDonald and his wife to Beeson Joseph by deed dated November 26, 1904 and recorded in said Recorder's Office on March 16, 1937 in Deed Book 531, page 131; thence along said land conveyed, North 57 1/2" West, 150.15 feet to a point on Poplar Alley; thence along Poplar Alley, South 32 1/2° West, 59.1 feet to a point; thence South 47 1/2° East, 153.45 feet to a point on Stauffer Street, North 32 1/2° East, 85.5 feet to a point, the place of beginning.

Being Map Number 07-01-04456  
B

COMMONLY KNOWN AS: 100 Stauffer Street, Dawson, PA 15428

TAX PARCEL NO. 07010046

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No. 414 of 2018 GD  
No. 125 of 2018 ED

No. 166 of 2018 GD  
No. 102 of 2018 ED

**PENNYMAC LOAN SERVICES, LLC,**  
**Plaintiff,**  
**vs.**  
**MATTHEW V. SMITH,**  
**Defendant.**

**PENNSYLVANIA HOUSING FINANCE**  
**AGENCY,**  
**PLAINTIFF,**  
**Vs.**  
**ERIN R. TAYLOR,**  
**DEFENDANT.**

ALL THAT CERTAIN LOT OR PIECE OF GROUND SITUATE IN THE BOROUGH OF EVERSON. COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

ALL that certain lot of ground in the Township of Union, County of Fayette, Pennsylvania, being approximately 25 x 180 and HAVING THEREON ERECTED DWELLING KNOWN AND NUMBERED AS: 342 DERRICK AVENUE UNIONTOWN, PA 15401.

BEING THE SAME PREMISES which Timothy E. Frye and Brianne McAlister, husband and wife, by Deed dated February 7, 2013 and recorded February 11, 2013 in the Office of the Recorder of Deeds in and for Fayette County in Deed Book Volume 3211, Page 1088, granted and conveyed unto MATTHEW V. SMITH, unmarried.

Tax Parcel # 34-21-0005  
Fayette Deed Book 3219, page 1895  
TO BE SOLD AS THE PROPERTY OF ERIN R. TAYLOR UNDER JUDGMENT NO. 2018 -00166.

BEING KNOWN AS: 717 BROWN STREET, EVERSON, PA 15631  
IDENTIFIED AS TAX PARCEL #10-04-0038

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Phelan Hallinan Diamond & Jones, LLP

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Stephen M. Hladik, Esquire  
Hladik, Onorato & Federman, LLP  
298 Wissahickon Avenue  
North Wales, PA 19454

No. 353 of 2018 GD  
No. 151 of 2018 ED

No. 1025 of 2015 GD  
No. 152 of 2018 ED

**PNC Bank, National Association, Successor by Merger to National City Mortgage A Division of National City Bank,**  
**Plaintiff,**  
**V.**  
**Michael R. Sylvester,**  
**Defendant(s).**

**The Bank of New York Mellon f/k/a The Bank of New York , as Trustee for the Certificateholders CWABS, Inc., Asset-backed Certificates, Series 2006-22,**  
**Plaintiff,**  
**vs.**  
**Michael C.M. Taylor and Gloria Taylor,**  
**Defendants.**

By virtue of a Writ of Execution No. 353-OF-2018-GD, PNC Bank, National Association, Successor by Merger to National City Mortgage A Division of National City Bank v. Michael R. Sylvester, owner(s) of property situate in the SOUTH UNION TOWNSHIP, Fayette County, Pennsylvania, being 24 Sycamore Street, Uniontown, PA 15401-5342

By virtue of Writ of Execution No. 1025 of 2015 GD, The Bank of New York Mellon f/k/a The Bank of New York , as Trustee for the Certificateholders CWABS, Inc., Asset-backed Certificates, Series 2006-22 (Plaintiff) vs. Michael C.M. Taylor and Gloria Taylor (Defendants)

Parcel No.: 34-18-0124  
Improvements thereon: RESIDENTIAL DWELLING

Property Address 205 East Blake Avenue, Connellsville, PA 15425  
Parcel I.D. No. 06-04-0108  
Improvements thereon consist of a residential dwelling.  
Judgment Amount: \$140,115.51



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STERN AND EISENBERG, PC  
JESSICA N. MANIS, ESQ.

No. 2167 of 2017 GD  
No. 100 of 2018 ED

**The Bank of New York Mellon, f/k/a The  
Bank of New York as successor in interest to  
JP Morgan Chase Bank, N.A. as Trustee for  
NovaStar Home Equity Loan Asset-Backed  
Certificates, Series 2004-1 c/o Ocwen Loan  
Servicing, LLC,  
Plaintiff,  
V.  
Helen Ann Wilttrout,  
Defendant(s).**

SITUATE IN THE THIRD WARD OF  
THE TOWNSHIP OF BULLSKIN, FAYETTE  
COUNTY, PENNSYLVANIA, BEING  
KNOWN AS 239 Shenandoah Road,  
Connellsville, PA 15425

PARCEL NO. 04-25-0240

IMPROVEMENTS- RESIDENTIAL  
REAL ESTATE

SOLD AS THE PROPERTY OF- Helen  
Ann Wilttrout

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—————END SHERIFF'S SALE—————

**JUDICIAL OPINION**

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

S.G.S.,	:	
Plaintiff,	:	
v.	:	Custody
W.R.S.,	:	No. 398 of 2018, G.D.
Defendant.	:	Judge Steve P. Leskinen

**ORDER**

LESKINEN, J.

May 29, 2018

AND NOW, this 29th day of May, 2018, upon review of the improperly styled “Petition for Relocation,” and the request for hearing appended thereto, the request for hearing is DENIED without prejudice to re-present a proper request for hearing after compliance with the appropriate court rules and the statute—if a hearing is then required.

Mother and Father just recently (March 8, 2018) entered into a shared Custody Consent Order that calls for equally divided legal custody, with Mother having physical custody Tuesday through Saturday and Father having physical custody Saturday to Tuesday.

Just two months later, Mother filed and served a “Petition for Relocation,” which is not a pleading properly set forth in any rule or statute. There can be a “Notice of Proposed Relocation” per Pa.R.C.P. 1915.17(i), and there can be a “Petition for Modification of a Custody Order” per Pa.R.C.P. 1915.16, but nothing allows the two documents to be combined into one—or to fail to include information required by either. Father filed and served a “Counter-affidavit Regarding Relocation” stating that: “I do object to the relocation and I do object to the modification of the custody order.” However, he could not know what “modification of the custody order” he is objecting to because Mother has not filed a “Petition for Modification of a Custody Order.”

The statute governing relocation requires that “a proposal for a revised custody schedule” be included with the Notice of Proposed Relocation. 23 Pa.C.S.A. 5337(c)(3) (viii). Further, Pa.R.C.P. 1915.17(f)(1) requires that when an objection is lodged, the proponent of the relocation file: “a complaint for custody or petition for modification, as applicable.” Neither the statute nor the rule has been followed. {1} The clear implication of both the rule and the statute cited is: if no modification of the custody order is required, it probably is not actually a “relocation.” Conversely, if it is a “relocation,” and a modification of an existing order is required, the proponent needs to file a proper Petition and submit a specific proposal.

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{1} By this Court’s practice, whenever a custody complaint or petition for modification is to be scheduled for hearing, a proposed custody order setting forth the precise provisions requested will always be required anyway.

Relocation is a defined term. Per §5322 of the Domestic Relations Code, “Relocation” is “A change in a residence of the child which significantly impairs the ability of a nonrelocating party to exercise custodial rights.” Unfortunately, “significantly” is a subjective term, and a review of case law is the only way to determine exactly what it means.

Nowhere in the filings already of record can the Court determine where the children currently attend school, or exactly where they will attend school if Mother moves. Nowhere in the filings currently made of record can the Court determine how much additional driving distance would be involved in Father’s exercise of custodial rights. Those would appear to be the major issues that could possibly “significantly impair” his exercise of custodial rights.

Does an extra ten minute drive “significantly impair” the exercise of custodial rights? Does a change of schools—neither of which is in Father’s school district—“significantly impair” his exercise of custodial rights? If either of those proposed changes do “significantly impair” custodial rights, can the issues be resolved amicably simply by modifying the transportation provisions of the existing custody order? These are issues that should be clarified by the pleadings and that both of the parties should research long before making the expensive trip to a courtroom.

Pleading requirements imposed by statute and rule are not imposed to be ignored. They are not a waste of time, but rather they are designed to save time and money for the parties, and to save on expensive courtroom time that is paid for by the taxpayers. Pleading requirements can determine whether or not there is an actual controversy that needs to be resolved at all. Followed properly, those pleading requirements can lead to a cheaper resolution if there is no intractable controversy. Knowledge of and practical experience with those legal requirements is one of the main reasons people hire attorneys instead of trying to do everything themselves. {2}

In addition to the above shortcomings, the Certificate of Presentation attached to the request for hearing sets forth “5 Minutes” as the “Estimated time for hearing or argument to resolve the motion on its merits:\_\_\_\_\_” as required by F.C.R. 208.3(a).

By statute, 23 Pa.C.S.A. § 5337(h), the Court must consider the following factors in considering whether or not to grant a proposed relocation:

- (1) The nature, quality, extent of involvement and duration of the child's relationship with the party proposing to relocate and with the nonrelocating party, siblings and other significant persons in the child's life.

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{2} Attorneys have an ethical obligation to perform their job competently. Rule of Professional Conduct 1.1: “A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.”

- (2) The age, developmental stage, needs of the child and the likely impact the relocation will have on the child's physical, educational and emotional development, taking into consideration any special needs of the child.
- (3) The feasibility of preserving the relationship between the nonrelocating party and the child through suitable custody arrangements, considering the logistics and financial circumstances of the parties.
- (4) The child's preference, taking into consideration the age and maturity of the child.
- (5) Whether there is an established pattern of conduct of either party to promote or thwart the relationship of the child and the other party.
- (6) Whether the relocation will enhance the general quality of life for the party seeking the relocation, including, but not limited to, financial or emotional benefit or educational opportunity.
- (7) Whether the relocation will enhance the general quality of life for the child, including, but not limited to, financial or emotional benefit or educational opportunity.
- (8) The reasons and motivation of each party for seeking or opposing the relocation.
- (9) The present and past abuse committed by a party or member of the party's household and whether there is a continued risk of harm to the child or an abused party.
- (10) Any other factor affecting the best interest of the child.

It is obvious that those factors—if they need to be judged at all—cannot be considered in the course of a “5 minute” hearing. It is not the Court’s job to make a guess or to call counsel to get an accurate estimate of the time required. The rule requires counsel to make that accurate time estimate part of the certificate. Further, the court time required might be “zero” if following the proper procedure reveals that there is no required modification of the Custody Order, or that Father is in agreement with Mother’s proposed modification of the Custody Order. Again, observance of the statute and the rules is required to save time and money for all concerned, including the taxpayer.

For all of the above reasons, Mother’s counsel is directed to comply with the above-cited provisions of the statute, the Pennsylvania Rules of Civil Procedure, and the Fayette County Rules of Civil Procedure before filing any other request for a hearing.

BY THE COURT:  
STEVE P. LESKINEN, JUDGE

ATTEST:  
PROTHONOTARY

**D'Andrea Collision Investigation and Reconstruction LLC****D'Andrea Collision Investigation and  
Reconstruction LLC**

Pennsylvania State Police Lieutenant Joseph D'Andrea with over 30 years of experience and former collision Analysis and Reconstruction Specialist recently retired and is now conducting investigations. Investigations range from: obtain/review police crash report through collision reconstruction primarily for civil litigation. Criminal defense work done on case by case basis.

**Contacts:**

Phone (724) 438-2161

Cell (724) 984-3908

Email [dandreajp@yahoo.com](mailto:dandreajp@yahoo.com)

Joseph D'Andrea  
144 Regency Drive  
Uniontown PA 15401

**SENTENCING UPDATE CLE**

Sentencing Updates  
Presented by  
Pennsylvania Commission on Sentencing

**Thursday, June 28, 2018**  
2.0 CLE Credits

This seminar will provide an overview of recent amendments to the 7th Edition Sentencing Guidelines (amendments 1, 2, 3 and 4). It will include updates related to specific sentencing related statutes as well as an update on the development of the Commission's risk assessment tool.

Target Audience - This seminar targets individuals who already have a comprehensive understanding of sentencing guidelines and sentencing statutes and only need current updates.

The seminars are approved for CLE credits. Certificates of attendance and CLE forms will be distributed at the completion of the training sessions. Attorneys must directly return the CLE Request Form to the Pennsylvania CLE Board along with their payment.

Seminars are free of charge to anyone involved in Pennsylvania's criminal justice system. To register, please complete the online registration at <http://pasentencing.us>. You will be emailed a confirmation approximately one week prior to the seminar date. If you require special assistance, please inform the PA Commission on Sentencing prior to the seminar.

**PRE-REGISTRATION IS REQUIRED**  
**with PA Commission on Sentencing**  
Online Registration: <http://pasentencing.us>

Thursday, June 28, 2018  
1:00 p.m. to 3:15 p.m.  
Fayette County Public Service Building  
First Floor Conference Room  
22 East Main Street, Uniontown

**LUNCH AND LEARN****THE IMPAIRED LAWYER – A Call for Action**

Presented by

Brian S. Quinn, Esquire  
Education and Outreach Coordinator  
Lawyers Concerned for Lawyers of PA

**Wednesday, June 13, 2018**

1.0 Ethics CLE Credit

Recent studies show that there has been a dramatic increase in impairment due to alcoholism, addiction and mental health disorders among members of the legal profession.

As LCL's Educator, Mr. Quinn will discuss the early warning signs of impairment, how best to approach the impaired individual and the LCL services that are available to lawyers, judges, their family members and law students.

A practicing lawyer with over 40 years of experience, Mr. Quinn will also share his own story of addiction and impairment and the role that Lawyers Concerned for Lawyers played in saving his life and restoring his place in the legal profession.

**REGISTRATION:**

Cindy at the Fayette County Bar Association

(724) 437-7994 or [cindy@fcbar.org](mailto:cindy@fcbar.org)

12:00 noon to 1:00 p.m.

First Niagara Building

Lower level - Corporate Training Center

Cost to attend: \$30

\$20 young lawyer

*Quality... Experience... Results...  
It's what your clients deserve.*

*Medical Malpractice • Auto Accidents • Personal Injury*



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& ASSOCIATES

412-281-2200

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