

Adams County Legal Journal

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ABCO

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PRESENTS

RESPA UPDATE and NEW HUD-1

A complimentary seminar
for our customers

DATE: Tuesday, December 1, 2009

TIME: 8:30 am - 9:00 am Registration & Continental Breakfast
9:00 am - 11:00 am Presentation

PLACE: Jury Assembly Room
Adams County Court House, 4th floor
117 Baltimore Street, Gettysburg, PA 17325

FEATURING: Anne Anastasi



Anne Anastasi is President-Elect of the American Land Title Association and has been a member of the ALTA board, working with HUD on the reform rule for the past 5 years.

Anne has personally met with the Secretary of HUD and conducted Congressional Briefings on Capital Hill in Washington, DC. A long time title agent and advocate for the industry, Anne will share the massive changes taking place on January 1, 2010 that will effect the entire real estate transactional process with the lending and settlement services community bearing the brunt of these sweeping changes.

.....
FILL OUT THE FORM BELOW, DETACH & E-MAIL OR FAX TO:

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DEADLINE FOR SIGN-UP IS NOVEMBER 20, 2009. SPACE IS LIMITED

ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-994 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Fairfield Borough, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pin for a corner located on the North side of a public alley at land now or formerly of The Fairfield Shoe Company; thence running by land of the said Fairfield Shoe Company North 30.5 degrees West 112 feet to an iron pin; thence running by land now or formerly of Lorraine S. Berghaus North 59.75 degrees East 44 feet to a pin; thence running by land now or formerly of Joseph Harbaugh South 30.5 degrees East 112 feet to an iron pin on the North side of a public alley; thence running on the North side of said public alley South 59.75 degrees West 44 feet to an iron pin; the place of BEGINNING, CONTAINING 18 perches and 144 square feet.

BEING THE SAME PREMISES which Maria Poulson, widow, by Deed dated August 28, 1998 and recorded August 31, 1998, in the Office for the Recorder of Deeds in and for the County of Adams, in Deed Book 1652 Page 98, granted and conveyed unto the Edward L. Gray, Jr., in fee.

PARCEL NO. (11) 005-0049

Premises Being: 135 Steelman Street, Fairfield, PA 17320

SEIZED and taken into execution as the property of **Edward L. Gray, Jr.** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days

after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/6, 13 & 20

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1022 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Carroll Valley Borough, formerly Liberty Township, County of Adams, Commonwealth of Pennsylvania, being Lot No. 65 in Section R1, more particularly bounded and described as follows:

BEGINNING at a point in the center of McGlaughlin Trail Lot No. 64; thence by said lot, South 02 degrees 37 minutes 20 seconds West, 225 feet to the other lands, now or formerly of Charnita, Inc.; thence by said lands, North 87 degrees 22 minutes 49 seconds West, 100 feet to Lot No. 66; thence by said lot, North 02 degrees 37 minutes 20 seconds East 225 feet to a point in the center of said McGlaughlin Trail; thence in said McGlaughlin Trail, South 87 degrees 22 minutes 40 seconds East, 100 feet to the place of BEGINNING.

The above description was taken from a plan of lots labeled Section R 1 of Charnita, Inc. dated May 29, 1970, Prepared by Gordon L. Brown, R.S., recorded in Adams County Plat Book I Pages 83 and 84.

BEING THE SAME PREMISES which Timothy N. Fraley and Carolyn D. Fraley, husband and wife, by Deed dated July 5, 2006 and recorded July 8, 2006, in the Office for the Recorder of Deeds in and for the County of Adams, in Deed Book 4-180 Page 64, granted and conveyed unto the Edward L. Gray, Jr., in fee.

SEIZED and taken into execution as the property of **Edward L. Gray, Jr.** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/6, 13 & 20

CERTIFICATE OF REGISTRATION

NOTICE IS HEREBY GIVEN THAT in compliance with the requirements of 15 Pa.C.S. § 8913, a Certificate of Registration – Domestic Limited Liability Company was filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg for the purpose of registering a limited liability company.

The name of the limited liability company is EJAKE CONSULTING, LLC with the principal place of business at 24 Setter Trail, Fairfield, PA 17320.

The purpose for which the limited liability company was organized is: To engage in and do any lawful act concerning any and all lawful business for which limited liability companies may be formed in accordance with the laws of the Commonwealth of Pennsylvania.

Wendy Weikal-Beauchat, Esq.
Beauchat & Beauchat, L.L.C.
63 W. High Street
Gettysburg, PA 17325

11/20

MORRIS VS. PARICHUK

1. To sustain preliminary objections it must appear with certainty that the law will not permit recovery, and any doubt should be resolved by a refusal to sustain them. The court's review is confined to the contents of the complaint.

2. Although Plaintiffs have failed to comply with the strict terms of Rule 1019(i), writings that are in the possession of the opposing party need not be attached to the Complaint.

3. When a party uses a preliminary objection in the nature of a petition raising a question of subject matter jurisdiction, the court's function is to determine whether the law will bar recovery due to the lack of such jurisdiction.

4. A preliminary objection is the exclusive method to challenge venue as being improper.

5. The amount of damages in a breach of contract action can usually be determined only after discovery and, if necessary, a trial. Preliminary objections in the nature of a demurrer are an appropriate means by which to challenge the legality of the damages sought in a complaint.

In the Court of Common Pleas of Adams County, Pennsylvania,
Civil, No. 08-S-1500, JOHN E. MORRIS AND MICHELE MORRIS VS. JOHN PARICHUK PAVING, INC.

Matthew R. Battersby, Esq., for Plaintiff

George W. Swartz, Esq., for Defendant

Kuhn, P.J., January 7, 2009

ORDER

AND NOW, this 7th day of January, 2009, in consideration of Defendant's Preliminary Objections filed November 19, 2008 the Court enters the following:

BACKGROUND

1. On September 22, 2008 Default Judgment was entered by Magisterial District Judge Mark Beauchat for Plaintiffs and against Defendant in the amount of \$8,120.00.
2. On October 15, 2008 Defendant filed a Notice Of Appeal From Magisterial District Judge Judgment.
3. On October 28, 2008 Plaintiffs filed a pro-se "Complaint of Appeal by Defendant, John Parichuk Paving" [Complaint] wherein they allege that Defendant failed to comply with a written agreement to install Plaintiffs' driveway. Plaintiffs failed to attach a copy of the alleged agreement to the Complaint.

4. Plaintiffs allege:

- a. On February 7, 2007 employees of Defendant visited Plaintiffs' property at "106 Sour Mash Trail"¹ and provided an estimate for installation of a driveway, noting the need for a stone base.
- b. On March 20, 2008 the Plaintiffs returned to Defendant a signed proposal which indicated the driveway was guaranteed for residential use on March 20, 2008.
- c. On April 15, 2008 the Defendant installed the driveway without proper base preparation.
- d. On or about May 19, 2008 Plaintiffs informed Defendant that the driveway was sinking.
- e. On June 6, 2008 Defendant's employees inspected the driveway, took pictures, and stated that "someone would be in trouble for this one."
- f. Between June 10 and 12, 2008 Plaintiffs made several attempts to contact Defendant. Defendant scheduled an appointment and did not show.
- g. Plaintiffs contacted Defendant's office and scheduled another appointment.
- h. On June 18, 2008 Defendant's employees inspected the driveway and explained that something went wrong, that they would have to look into it and could not explain it. Defendant indicated they would call to schedule a repair by Friday. Defendant failed to do so.
- i. On June 20, 2008 Plaintiffs attempted to contact Defendant several times. When they finally reached Defendant they were "disrespected, hung up on, and dismissed."
- j. Plaintiffs sent Defendants a certified letter in a final attempt to resolve the matter.
- k. Plaintiffs collected several estimates to fix the driveway and a Condition Evaluation Report from an Engineering Consulting Firm.
- l. Plaintiffs are requesting \$24,000 in treble damages.

¹ Plaintiffs did not specify where this address is located.

5. On November 19, 2008 Defendant filed Preliminary Objections, with a brief filed November 26, 2008.
6. Plaintiffs responded on December 5, 2008.

ISSUES

1. Whether the Complaint should be dismissed because of Plaintiffs' failure to attach a copy of the alleged written agreement entered into between Plaintiffs and Defendant.
2. Whether the Complaint should be dismissed for failure to establish subject matter jurisdiction.
3. Whether the Complaint should be dismissed because of failure to state a cause of action for which relief can be granted.

CONCLUSIONS OF LAW

1. The Complaint should not be dismissed because of failure to attach a copy of the alleged agreement.
2. The Complaint should not be dismissed because of failure to establish subject matter jurisdiction.
3. The Complaint should not be dismissed because of failure to state a cause of action for which relief can be granted.

DISCUSSION

Pursuant to Pa. R.C.P. 1028(a):

- (a) Preliminary objections may be filed by any party to any pleading and are limited to the following grounds:
 - (1) lack of jurisdiction over the subject matter of the action or the person of the defendant...;
 - (2) failure of the pleading to conform to law or rule of court...;
 - (3) insufficient specificity in a pleading;
 - (4) legal insufficiency of a pleading (demurrer).

In ruling on Preliminary Objections the court must accept as true all well-pleaded material allegations as well as inferences reasonably deduced from them. *Envirotest Partners v. Dept. of Transp.*, 664 A.2d 208 (Commw. Ct. 1995). The Court need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations or expressions of opinion. *Id.* To sustain preliminary objections it must appear with certainty that the law will not permit recovery, and any doubt should be resolved by a refusal to sustain them. *Id.*

The court's review is confined to the contents of the complaint. *In Re Adoption of S.P.T.*, 783 A.2d 779, 782 (Pa. Super. 2001). The court may not consider any evidence or facts outside the four corners of the pleadings. *Id.* The relative merits of the complaint have no bearing on the disposition of the matter. *Id.*

Defendant's first preliminary objection is filed pursuant to Rule 1028(a)(2). Defendant alleges that Plaintiffs have failed to comply with Pa. R.C.P. 1019(i) by not attaching a copy of the agreement allegedly entered between Plaintiffs and Defendant. Plaintiffs agree that they have failed to attach the writing upon which the Complaint relies but that it is easily cured,² that Defendant has a copy of said writing in its possession as a party to the agreement, and the subject of the dispute is clear to Defendant since it was the basis of the matter before the Magisterial District Judge and the subject of this appeal.

Pa. R.C.P. 1019(i) provides:

When any claim or defense is based upon a writing, the pleader shall attach a copy of the writing, or the material part thereof, but if the writing or copy is not accessible to the pleader, it is sufficient so to state, together with the reason, and to set forth the substance in writing.

Plaintiffs did not attach the writing to the complaint and have not stated that it is not accessible to them.³

Although Plaintiffs have failed to comply with the strict terms of Rule 1019(i), "[w]ritings that are in the possession of the opposing party need not be attached to the Complaint." *Street v. Siemens Medical Solutions Health Services Corp.*, 2003 WL 21673183 (Pa. Com. Pl. 2003). In *Humphrey v. Dept. of Corrections*, 939 A.2d 987 (Commw. Ct. 2007), plaintiff, acting pro se, failed to attach a copy of a DOC regulation he was challenging because the prison's law library request policy prevented him from timely access to the photocopier. *Id.* at 990. Because of plaintiff's attempt to follow the rule, his pro-se status, the submission of the writing with his brief, and because DOC possessed the writing in question, the preliminary

²Plaintiffs attached a copy of the writing to their Brief in Support of dismissal of Defendant's preliminary objections.

³In fact, considering Plaintiffs attached a copy of the writing to their Brief, it is obviously accessible to them.

objection pursuant to Rule 1019(i) was denied. *Id.*⁴ In this matter the Plaintiffs filed pro-se, the alleged agreement between would have been in the possession of the Defendant as a party to the agreement, it would have been presented at the magisterial district justice hearing, and it was eventually submitted with Plaintiffs' brief. Therefore, Defendant's first preliminary objection is overruled.⁵

Defendant's second preliminary objection is filed pursuant to Rule 1028(a)(1). Defendant alleges that the Complaint refers only to "106 Sour Mash Trail," and therefore does not establish subject matter jurisdiction of this Court or venue. Although the body of the Complaint does not indicate where "106 Sour Mash Trail" is located, the address listed under Plaintiffs' signature indicates that "106 Sour Mash Trail" is located in "Fairfield, PA 17320." This Court takes judicial notice of the fact that "Fairfield, PA" is in Adams County. A fair reading of the Complaint also indicates that the driveway was to be installed at the Plaintiff's property at "106 Sour Mash Trail." Paragraph 1 avers "Defendant visited Plaintiffs (sic) property, 106 Sour Mash Trail, on February 7, 2007 and provided and (sic) estimate for installation of driveway at which time they inspected the condition of the previous driveway..."

"When a party uses a preliminary objection in the nature of a petition raising a question of subject matter jurisdiction, the court's function is to determine whether the law will bar recovery due to the lack of such jurisdiction." *Kazos v. Diakakis*, 660 A.2d 1359, 1360-61 (Pa. Super. 1995). In this matter the body of the Complaint infers that work was to be done by Defendant at "106 Sour Mash Trail." The signature line on the Complaint indicates that "106 Sour Mash Trail" is in "Fairfield, PA." Therefore, the Plaintiffs have pleaded facts sufficient to establish subject matter jurisdiction.

Furthermore, although not raising an issue as to venue in its Preliminary Objections, Defendant alleges "improper venue" in its brief in support of its Preliminary Objections. A preliminary objection is the

⁴See also, *FOP v. AFSCME*, 780 A.2d 863, 869 (Commw. Ct. 2001) (FOP's failure to attach AFSCME's collective bargaining agreement with the Office of Attorney General did not warrant dismissal because the agreement would be in the possession of AFSCME).

⁵The Court is not, however, generally condoning the failure to attach a writing as required by the Rules. Instead, the disposition entered herein is limited to the unique circumstances of this case.

exclusive method to challenge venue as being improper. *Zappala v. Brandolini Property Management, Inc.*, 909 A.2d 1272, 1281 (Pa. 2006). Here, the Complaint adequately avers that both Plaintiffs reside in Adams County and the alleged contract was executed in Adams County. The Complaint avers that the contract was entered into with “John Parichuk Paving, Inc.” The Contract heading shows that Defendant corporation has its address at “1261 Pine Run Road, Abbottstown, PA. 17301.” Therefore venue is proper in Adams County.

Accordingly, Defendant’s Second Preliminary Objection is overruled.

Defendant’s Third Preliminary Objections is filed pursuant to Rule 1028(a)(4), legal insufficiency of a pleading (demurrer).⁶ In its Motion Defendant alleges, “Plaintiffs pleading fails to establish a cause of action for which relief may be granted, specifically, Plaintiffs pleading fails to state any duty required of Defendant which has been breached as well as any grounds for relief under the

⁶In its complaint Defendant alleges the objection is being brought pursuant to Rule 1028(a)(4), legal insufficiency of pleading, because plaintiff has failed to state a cause of action for which relief can be granted. In its brief, Defendant alleges, “[p]ursuant to Pennsylvania Rule of Civil Procedure 1028(a)(4) a Preliminary Objection may be filed where a party fails to state a cause of action for which relief can be granted as well as 1028(a)(3) for legal insufficiency.” This statement by Defendant is inaccurate. A preliminary objection may be filed pursuant to rule 1028(a)(3) for insufficient specificity in a pleading, not legal insufficiency. Despite citing to Rule 1028(a)(3) once in its brief, it does not appear that Defendant has raised any preliminary objection pursuant to that rule.

Even if Defendant had filed a preliminary objection pursuant to Rule 1028(a)(3), it would be overruled. In determining whether a pleading is insufficiently specific pursuant to Rule 1028(a)(3) the question is whether the pleading is sufficiently clear to enable the defendant to prepare his defense. *Unified Sportsmen of Pennsylvania v. PGC*, 950 A.2d 1120, 1134 (Pa. Commw. Ct. 2008). “A breach of contract action involves (1) the existence of a contract, (2) a breach of a duty imposed by the contract, and (3) damages.” *Sullivan v. Chartwell Investment Partners, LP*, 873 A.2d 710, 716 (Pa. Super. 2005). “A more specific pleading should not be required as to matters about which the objecting party has, or should have, as much or better knowledge than the pleader.” *Paz v. Com., Dep’t. of Corrections*, 580 A.2d 452, 456 (Pa. Commw. 1990). In this matter, Plaintiffs have alleged that an agreement existed between Plaintiffs and Defendant, that Defendant had a duty to install a driveway that was ready for residential use, and that Defendant failed to properly install that driveway and Plaintiffs have suffered damages. Further, the information upon which the Complaint is based is information that would have been within the knowledge of the Defendant. There is enough information presented by the complaint to allow Defendant to prepare its defense and any further information can be obtained through the discovery process.

Unfair Trade Practice Consumer Protection Act.” In its brief Defendant further claims that Plaintiffs have failed to indicate how they arrived at the damage claim of \$24,000.00.

A demurrer will be sustained only where the plaintiff’s complaint shows with certainty that upon the facts averred the law will not permit the plaintiff to recover. *Firetree, Ltd. v. Dept. of General Services*, 920 A.2d 906, 911 (Pa. Commw. 2007). If there is any doubt, the matter should be resolved in favor of overruling the demurrer. *Id.* In this matter Plaintiffs have asserted that Defendant breached an agreement to properly install a driveway and that they are entitled to treble damages under the Unfair Trade Practice and Consumer Protection Law (UTCPL). The UTCPL provides:

Any person who purchases....services primarily for personal, family, or household purposes and thereby suffers any ascertainable loss of money or property, real or personal, as a result of the use or employment by any person of a method, act, or practice declared unlawful by section 3 of this act, may bring a private action to recover actual damages...The court may, in its discretion, award up to three times the actual damages sustained.

73 P.S. § 201-9.2(a). Section 3 declares unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce as defined by subclauses (i) through (xxi) of clause (4) of Section 2 of the UTCPL as unlawful. 73 P.S. § 201-3. Subclause xvi of clause (4) in Section (2) provides that “[m]aking repairs, improvements or replacements on tangible, real or personal property, of a nature or quality inferior to or below the standard of that agreed to in the writing” is an unfair method of competition and an unfair or deceptive act or practice. 73 P.S. § 201-2(4)(xvi). In the complaint Plaintiffs allege the signed writing indicates that the driveway is to be guaranteed for residential use and then indicate that the driveway was sinking. A reasonable inference from this is that a driveway that is sinking is not suitable for residential use and therefore below the standard of that agreed to in the writing. Although the allegations in the Complaint could have been more artfully drafted, it is not clear from the material allegations that Plaintiffs are not entitled to treble damages for breach of the UTCPL, and therefore a demurrer is inappropriate.

Additionally, Defendants challenge how Plaintiffs arrived at the amount of \$24,000. The amount of damages in a breach of contract action can usually be determined only after discovery and, if necessary, a trial. *Klemow v. Time*, 352 A.2d 12, 15 (Pa. 1976). “Preliminary objections in the nature of a demurrer are an inappropriate means by which to challenge the legality of the damages sought in a complaint.” *Hudock v. Donegal Mut. Ins. Co.*, 264 A.2d 668, 671 n. 2 (Pa. 1970). Therefore, a demurrer to the actual measurement of damages is not appropriate.

Finally, it is not clear from the pleadings themselves that Plaintiffs are not entitled to the relief sought. The complaint alleges an agreement existed for Defendant to construct a driveway for Plaintiffs and Defendant failed to do so according to that agreement. “A cause of action for breach of contract must be established by pleading (1) the existence of a contract, including its essential terms, (2) a breach of a duty imposed by the contract and (3) resultant damages.” *CoreStates Bank, N.A. v. Cutillo*, 723 A.2d 1053, 1058 (Pa. Super. 1999). While not every term of a contract must be stated in complete detail, every element must be specifically pleaded. *Id.*

Plaintiffs have alleged the existence of a contract, (Complaint ¶ 2).⁷ Plaintiffs have alleged that Defendant had a duty to install the driveway guaranteed for residential use and that they failed to do so. (Complaint ¶¶ 2 & 4).⁸ Finally, Plaintiffs have pleaded damages. (Complaint ¶ 11 & Conclusion).⁹ While Plaintiffs have not pleaded with as much detail as may be preferred they have clearly met the threshold of sufficiency required to survive a demurrer. It is not clear from the facts alleged in the pleadings that Plaintiffs are not entitled to some form of relief and therefore a demurrer is inappropriate.

Therefore, Defendant’s third preliminary objection is overruled.

Accordingly, Defendant’s preliminary objections are overruled and they are directed to file an Answer to the Complaint within 20 days of the date of filing of this Opinion.

⁷“Plaintiffs returned signed proposal which states that the driveway is guaranteed for residential use on March 20, 3[sic]008.”

⁸Paragraph 4 states, “Plaintiffs reported to Defendants that driveway was sinking the week of May 19, 2008.” It is a reasonable inference from the material allegations that a sinking driveway would not be fit for residential use.

⁹In Paragraph 11 Plaintiffs alleged that they obtained estimates to correct the defective driveway and in the Conclusion they have requested damages for the cost of repair.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-583 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those three (3) tracts of land situate, lying and being in Germany Township, Adams County, Pennsylvania, bounded and described as follows:

TRACT NO. 1:

BEGINNING at a point in the center of the State Highway running between Littlestown, Pennsylvania, and Taneytown, Maryland, on line of lands of Clayton Harget, said point of beginning being North sixty-five (65) degrees thirty (30) minutes West, three hundred five and twenty-five hundredths (305.25) feet from a stone corner of the original tract of which the lot hereby conveyed was prior to this deed a part; thence along said lands of Clayton Harget, North sixty-seven (67) degrees thirty (30) minutes West, one hundred sixty (160) feet to an iron pin on line of the aforesaid original tract; thence along the original tract of the Grantors, North thirty-one (31) degrees thirty-nine (39) minutes East, sixty (60) feet to an iron pin on line of the original tract; thence continuing along same, and running through an iron pin on the West side of the State Highway aforesaid, South sixty-seven (67) degrees thirty (30) minutes East, one hundred sixty (160) feet to a point in the center of the Littlestown-Taneytown State Highway aforesaid; thence running in and along the center of said State Highway, South thirty-one (31) degrees thirty-nine (39) minutes West, sixty (60) feet to a point in the center of said Highway, the place of BEGINNING. CONTAINING 35 perches.

The above description was taken from a draft of survey made by LeRoy H. Winebrenner, Registered Surveyor, dated November 14, 1949, for the use of the Grantors, and to be conveyed to Kingsdale Volunteer Fire Company.

IT BEING THE SAME TRACT OF LAND which Walter F. Crouse and Laura M. Crouse, husband and wife, by their deed dated January 2, 1950, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 190 at Page 90, sold and conveyed unto Kingsdale Volunteer Fire Company, a Pennsylvania nonprofit corporation, the MORTGAGOR herein.

TRACT NO. 2:

BEGINNING at a point in the center of Pennsylvania State Highway Route No.

194 running between Littlestown, Pennsylvania, and Taneytown, Maryland, at corner or on line of land now or formerly of H. Snyder; thence running along said Snyder land, through a steel pin twenty-five (25) feet from the beginning of this course, and by land of Harold Study, South eighty-nine (89) degrees forty-six (46) minutes five (5) seconds West, one thousand ninety-nine and fifty-one hundredths (1,099.51) feet to a steel pin at the Southeast edge of a twelve inch cedar tree; thence along land of Marvin Wolfe, North thirteen (13) degrees three (3) minutes East, one thousand fifty-three (1,053) feet to a steel pin; thence by land now or formerly of Walter F. Crouse, and by land of the Grantee herein, South seventy-three (73) degrees thirty (30) minutes East, one thousand ninety-eight and sixty-two hundredths (1,098.62) feet to a point in the center of said State Highway Route 194; thence running for the next three courses in the center of said Highway, South twenty-six (26) degrees eighteen (18) minutes thirty (30) seconds West, thirty-three and five hundredths (33.05) feet to a point; thence with a curve to the left with a radius of one thousand two hundred thirty-two and fifty-seven (1,232.57) feet with an arc length of three hundred twenty-eight and six hundredths (328.06) feet, the long chord of which is South eighteen (18) degrees forty-one (41) minutes West, three hundred twenty-seven and ten hundredths (327.10) feet; thence South eleven (11) degrees three (3) minutes thirty (30) seconds West, three hundred seventy-six and eighty-five hundredths (376.85) feet to a point in the center of said State Highway, the place of BEGINNING. CONTAINING 21.9016 Acres, neat measure.

IT BEING THE SAME TRACT OF LAND which Glenn E. Crouse and Patricia K. Crouse, husband and wife, by Deed dated August 29, 1967 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 263 at Page 536, sold and conveyed unto Kingsdale Volunteer Fire Company, a Pennsylvania nonprofit corporation, the MORTGAGOR herein.

LESS, HOWEVER, all that tract of land which Kingsdale Volunteer Fire Company by Deed, dated December 3, 1970 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 288 at Page 949, sold and conveyed unto Clyde P. Leferre and Margaret L. Leferre. The tract of land contains 2.3567 Acres.

LESS, HOWEVER, all that tract of land which Kingsdale Volunteer Fire Company by Deed dated June 6, 1975 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 322 at Page 1035, sold and conveyed unto Walter F.

Crouse and Laura M. Crouse. The tract of land contains 17,471 feet.

TRACT NO. 3:

BEGINNING at a point in the center line of State Route #194, at the Southwest corner of other land now owned by Kingsdale Volunteer Fire Company; thence by said other land of Kingsdale Fire Company, North sixty-nine (69) degrees fourteen (14) minutes fifty-nine (59) seconds West, one hundred sixty and zero hundredths (160.00) feet to a point; thence through the original land of Grantors, Walter F. Crouse and wife, North thirty (30) degrees fifty-eight (58) minutes one (01) second East, fifty and zero hundredths (50.00) feet to a point at land of Walter F. Crouse; thence along said land of Walter F. Crouse and the Northern side of a twenty-five (25) foot wide right of way, and running through a steel pin set back along the line eighteen and fifty hundredths (18.50) feet from the end of this course, South sixty-nine (69) degrees fourteen (14) minutes fifty-nine (59) seconds East, one hundred sixty and zero hundredths (160.00) feet to a P. K. nail in the center of Penna. State Route #194; thence in the center line of said State Highway, South thirty (30) degrees fifty-eight (58) minutes one (01) second West, fifty and zero hundredths (50.00) feet to a point in the center of said Road, at the Southwest corner of land presently owned by Kingsdale Fire Company, the place of BEGINNING, CONTAINING 7,873 square feet, neat measure.

This description was taken from a draft of survey dated December 14, 1972, by J. H. Rife, Reg. Engr.

IT BEING THE SAME TRACT OF LAND which Walter F. Crouse and Laura M. Crouse, husband and wife, by Deed dated June 16, 1975 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 322 at Page 1037, sold and conveyed unto Kingsdale Volunteer Fire Company, a Pennsylvania nonprofit corporation, the MORTGAGOR herein.

BEING THE SAME PREMISES which Walter F. Crouse and Laura M. Crouse, husband and wife, by deed dated January 2, 1950 and recorded April 12, 1950 in the Recorder of Deeds Office, in and for Adams County, Pennsylvania in Deed Book 190, Page 90, granted and conveyed unto Kingsdale Volunteer Fire Company, a Pennsylvania nonprofit corporation.

BEING THE SAME PREMISES which Glenn E. Crouse and Patricia K. Crouse, husband and wife, by deed dated August 29, 1967 and recorded August 29, 1967 in the Recorder of Deeds Office, in and for Adams County, Pennsylvania in Deed Book 263, Page 536, granted and conveyed unto Kingsdale Volunteer Fire

(continued on page 4)

Company, a Pennsylvania nonprofit corporation.

EXCEPTING THEREFROM, premises which Kingsdale Volunteer Fire Company conveyed to Clyde P. Leferre and Margaret L. Leferre, by deed dated December 3, 1970 and recorded in Deed Book 288, Page 949.

EXCEPTING THEREFROM, premises which Kingsdale Volunteer Fire Company conveyed to Walter F. Crouse and Laura M. Crouse by deed dated June 6, 1975 and recorded in Deed Book 322, Page 1035.

BEING THE SAME PREMISES which Walter F. Crouse and Laura M. Crouse, husband and wife, by deed dated June 16, 1975 and recorded February 9, 1976 in the Recorder of Deeds Office, in and for Adams County, Pennsylvania in Deed Book 322, Page 1037, granted and conveyed unto Kingsdale Volunteer Fire Company, its successors and assigns.

Premise Being: 1787 – 1789 Frederick Pike, Littlestown PA 17340

Parcel No. (15) I – 18 – 0044 - 000

SEIZED and taken into execution as the property of **Kingsdale Volunteer Fire Company, Inc.** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/6, 13 & 20

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1617 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those two tracts of land situate, lying and being in the Borough of Biglerville, Adams County, Pennsylvania, being more particularly bounded and described as follows:

TRACT NO. 1: BEGINNING at a nail set on the curb line of East York Street at corner of Lot No. 3 on the hereinafter referred to draft of survey, said point of beginning being South 87 degrees 30 minutes 00 seconds West, 62.81 feet from the corner of lands now or formerly of Christopher A. Edwards; thence along the curb line of East York Street, South 87 degrees 30 minutes 00 seconds West, 52.68 feet to a chisel mark set on the curb line at corner of Lot No. 1 on the hereinafter referred to draft of survey; thence by said Lot No. 1, North 02 degrees 41 minutes 12 seconds West, 165.60 feet to an iron pipe set on the Southern edge of an alley; thence along the Southern edge of said alley, North 87 degrees 54 minutes 20 seconds East, 9.00 feet to an existing iron pipe; thence continuing along same, North 88 degrees 02 minutes 33 seconds East, 47.30 feet to a railroad spike set at corner of Lot No. 3, aforesaid; thence along said Lot No. 3, South 01 degree 25 minutes 55 seconds East, 165.12 feet to a nail set on the curb line of East York Street, the point and place of beginning. CONTAINING 9,010 square feet, more or less.

The above description was taken from a draft of survey prepared by Boyer Surveys dated March 28, 1983, and recorded in Adams County Plat Book 38 at page 28, designating the above as Lot No. 2.

TRACT NO. 2: BEGINNING at an existing nail on the curb line of East York Street at corner of land now or formerly of Ronald L. Fox; thence by said Fox lands, North 02 degrees 41 minutes 15 seconds West, 165.98 feet to an existing steel pin on the Southern edge of an alley; thence along the Southern edge of said alley, North 87 degrees 54 minutes 20 seconds East, 54.00 feet to an iron pipe set at corner of Lot No. 2, South 02 degrees 41 minutes 12 seconds East, 165.60 feet to a chisel mark set on the curb line of East York Street; thence along the curb line of East York Street, South 87 degrees 30 minutes 00 seconds West, 54.00 feet to an existing nail on the curb line, the point and place of BEGINNING. CONTAINING 8,953 square feet, more or less.

The above description was taken from a draft of survey prepared by Boyer Surveys dated March 28, 1983, and recorded in Adams County Plat Book 38 at page 28, designating the above as Lot No. 1.

BEING the same premises which Nelson H. Leiphart, Sr. and Laura M. Leiphart, by Deed dated April 10, 2008 and recorded in the Recorder of Deeds of Adams County on April 11, 2008, granted and conveyed unto James P. Decker.

Parcel No. (5) 004-0011

Premises Being: 88 East York Street, Biglerville PA 17307

SEIZED and taken into execution as the property of **James P. Decker** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

NOTICE BY THE ADAMS COUNTY CLERK OF COURTS

NOTICE IS HEREBY GIVEN to all heirs, legatees and other persons concerned that the following accounts with statements of proposed distribution filed therewith have been filed in the Office of the Adams County Clerk of Courts and will be presented to the Court of Common Pleas of Adams County—Orphan's Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on Friday, December 4, 2009 at 9:00 a.m.

ARENTZ—Orphan's Court Action Number – OC-106-2009. The First and Final Account of Carol Ann Gastley and Lisa Jane McIntyre, Co-Executrices of the Estate of Mary Jane Arentz, late of Conewago Township, Adams County, Pennsylvania, deceased.

LITTLE—Orphan's Court Action Number – OC-112-2009. The First and Final Account of Eugene F. Little and Theresa A. Shank, Co-Executors of the Estate of Mildred E. Little, late of Reading Township, Adams County, Pennsylvania, deceased.

WAGNER—Orphan's Court Action Number – OC-123-09. The First and Final Account of Harold R. Lau, Executor of the Estate of Fern E. Wagner, late of Oxford Township, Adams County, Pennsylvania, deceased.

Kelly A. Lawyer
Clerk of Courts

11/20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-95 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

BEGINNING at a point in the centerline of White Oak Tree Road (T-594), said point being located for the reference purposes, North 38 degrees 45 minutes 00 seconds East, a distance of 450 feet from the point in the center of said roadway, which marks the common point of adjoiner of Lot No. 17 on the hereinafter mentioned plan of subdivision with lands now or formerly of William C. Decker; thence extending in and through the centerline of White Oak Tree Road, North 38 degrees 45 minutes 00 seconds East, for a distance of 150 feet to a point in the centerline of said roadway at Lot No. 13 on the hereinafter mentioned plan of subdivision; thence departing from the centerline of White Oak Tree Road and extending along Lot No. 13, South 57 degrees 15 minutes 45 seconds East (erroneously referred to in a prior instrument of record as West) through a steel pin set 25.14 feet from the origin of this call, for a total distance of 280.86 feet to a steel pin at Lot No. 12 on the hereinafter mentioned plan of subdivision; thence continuing along Lot No. 12, South 57 degrees 15 minutes 49 seconds East (erroneously referred to in prior instrument as West for a distance of 200 feet to a steel pin which marks the common point of adjoiner of Lots Nos. 3, 43, 12, and 14; thence extending along Lot No. 3 of Section 1 of the Peakview Manor Subdivision, South 47 degrees 39 minutes 10 seconds West, for a distance of 151.01 feet to a steel pin at Lot No. 15, North 57 degrees 40 minutes 15 seconds West, through a steel pin set on the southernmost dedicated right-of-way line of White Oak Tree Road, a distance of 25.16 feet from the terminus of this call, for a total distance of 457.71 feet to the place of point of centerline of White Oak Tree Road, said point marking the place of BEGINNING.

CONTAINING 1.589 acres and being designated as Lot No. 14 on the final plan of subdivision of Sleepy Hollow, Section 2, prepare for KIMBCA, INC. by Mort Brown & Associates, dated June 19, 1984, recorded in the Office of the Recorder of Deeds for Adams County, PA, in Plat Book 40, at Page 58.

HAVING erected thereon, a single family dwelling, known and numbered as: 115 White Oak Tree Road.

UNDER AND SUBJECT nevertheless, to all restrictions, easements, and rights-of-way of record.

The improvements thereon being known as: 115 White Oak Tree Rd., York Springs, PA 17372.

TITLE TO SAID PREMISES IS VESTED IN Albert D. Davis and Janis M. Davis, h/w, as tenants of an estate by the entirety, by Deed from Esther M. Sloan, widow, by her attorney-in-fact, Esther M. Fisher, duly authorized by Power of Attorney Dated February 12, 2004, dated 11/23/2004, recorded 12/03/2004 in Book 3794, Page 68.

And the said Albert D. Davis died on 10/15/08 thereby vesting title in Janis M. Davis, surviving tenants by the entirety.

Tax Parcel: 22, H05-00060--000

Premises Being: 115 White Oak Tree Road, York Springs, PA 17372-8856

SEIZED and taken into execution as the property of **Albert D. Davis & Janis M. Davis** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1842 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Cumberland Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the center of State Highway leading from Arendtsville to Gettysburg with an iron pin set back along the line; thence running in the center of said highway South 42 degrees

East, 100 feet to a point in the center of said highway with an iron pin set back along the line; thence running by land now or formerly of Grace A. Scott South 48 degrees West, 300 feet to an iron pipe; thence running by land of the same North 42 degrees West, 100 feet to an iron pin; thence running by land of the same North 48 degrees East, 300 feet to a point in the center of said highway with an iron pin set back along the line of the place of BEGINNING.

CONTAINING 11 Perches and 52.5 Square Feet.

Being the same premises by deed from Efrain Avila and Cecilia Avila, husband and wife dated 05/15/2006 and recorded 05/16/2006 in Book 4419 Page 166 granted and conveyed unto Jennifer L. McKinney, single and Robert L. Doyle, single as joint tenants with the right of survivorship.

TAX PARCEL#: 9-E-1-52

Property Address: 1762 Mummasburg Road, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Robert L. Doyle & Jennifer L. McKinney** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

INCORPORATION NOTICE

GETTYSBURG CHILDREN'S CHOIR has filed for incorporation under the provisions of the Nonprofit Corporation Law of Pennsylvania on October 14, 2009. The purpose of the organization is charitable, educational, and civic carried out through a community-based instructional music program for children.

Jane L. Jones
5 Battalion Ln.
Gettysburg, PA 17325

11/20

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1608 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described real estate, lying and being situate in Liberty Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at an existing iron pin on the southeastern edge of Shirley Trail; thence with lands now or formerly of Wayne E. Wivell, South 69 degrees 05 minutes 24 seconds East 515.46 feet to an existing iron pin; thence with lands now or formerly of Stephen M. Farkas, South 36 degrees 09 minutes 03 seconds West 206.75 feet to a set iron pin; thence with Lot No. 5 on the hereinafter described plan, North 69 degrees 05 minutes 24 seconds West 475.56 feet to a set iron pin at the southwestern edge of Shirley Trail; thence with the edge of Shirley Trail, North 25 degrees 03 minutes 14 seconds East 327.58 feet to an existing iron pin, the place of BEGINNING. CONTAINING 2.27 acres and being designated as Lot No. 4 on that plan of lots of R. Lee Royer and Associates Surveying dated June 17, 2004, and recorded in Adams County Plat Book 87, Page 61.

BEING the same real estate conveyed to Richard Carl Jackson, Jr. and Patricia L. Jackson, husband and wife, by deed of David M. Rawlings, single, dated April 27th, 2005, and intended to be recorded immediately prior hereto.

Parcel No. (25) B 17-0084 D

Premises Being: 69 Shirley Trail, Fairfield, PA 17320

SEIZED and taken into execution as the property of **Richard Carl Jackson, Jr. & Patricia L. Jackson** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost,

whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1025 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or parcel of land situate in Reading Township, Adams County, Pennsylvania, designated County Map No. 20, Lake Meade Lot No. 906 as shown on the records of the Adams County Mapping Department, Miscellaneous Deed Book 1, page 6.

UNDER AND SUBJECT, NEVERTHELESS, to all rights of way, easements, restrictions and/or conditions of record.

Being Known As: 12 Stuart Drive, East Berlin, PA 17316

BEING the same premises by deed from Kevin L. Strickhouser and Sandi Michele Strickhouser, husband and wife dated 05/27/99 and recorded 05/28/99 in Book 1840 Page 88, granted and conveyed unto Rebekah S. Bodkin, single woman.

TAX PARCEL NO: (37)13-20

SEIZED and taken into execution as the property of **Rebekah S. Bodkin** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-650 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN piece, parcel or tract of land situate, lying and being in the Township of Berwick, County of Adams, Commonwealth of Pennsylvania, as bounded and described, on a plan of lots entitled "Test Estates Phases IV", a planned residential community, dated March 30, 2005 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 89, Page 93 to wit:

BEING known and designated as Lot No. 59 in said Plan.

Being known as: 125 Deer Trail Drive, Hanover, PA 17331.

TITLE TO SAID PREMISES IS VESTED IN Joy Oparanozie by deed from NVR, Inc. dated May 30, 2007 and recorded June 14, 2007 in Deed Book 4871, Page 219, Instrument #200700011094.

TAX ID.: 04-L 11-0217-000

SEIZED and taken into execution as the property of **Joy Oparanozie** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-705 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land situated, lying and being in Cumberland Township, Adams County, Pennsylvania, being known as Unit No. 26 in Roselawn, a Planned Community, more particularly bounded and described in the As Built House Location Plan dated April 22, 2004 and recorded 3/24/2005 in the Office of the Recorder of Deeds for Adams County, Pennsylvania in Miscellaneous Drawer, Record Book 5907 at Page 126 and the Declaration Plan relating to Roselawn, a Planned Residential Community, recorded on June 1, 2002 in the Office of the Recorder of Deeds for Adams County, Pennsylvania, in Record Book 2702 at Page 326, and the Declaration Plat recorded in the aforementioned Declaration Plan as Exhibit "D" and recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania in the Miscellaneous Drawer as set forth in Plan Book 76 at Page 51 which unit includes an undivided interest in the Common Expenses as defined and provided for in said Declaration all as amended which the first amendment is recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania in Record Book 2949 at Page 29 and the second amendment is recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania in Record Book 3459 at Page 231. Together with the right to use and enjoyment of the Common Elements as defined and provided for in said Declaration. Subject nevertheless, to conditions and covenants contained in the said Declaration and Exhibits thereto, as well as the Bylaws for the Roselawn Homeowners Association, Inc. recorded June 1, 2002 in the Office of the Recorder of Deeds for Adams County, Pennsylvania in Record Book 2703 at Page 1.

TAX PARCEL : (9) F-12-255

Property Address: 41 Delaware Ridge, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Patricia A. Lenhart & Michael K. Lenhart** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a

schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-796 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described tract of land, together with a HUD certification label number PFS922503/504 make Fleet Wood Homes built 10/05/2005 Manufacturers Serial Number 4563K affixed to and made apart of the real property situate, lying and being in Oxford Township, Adams County, Pennsylvania, bounded and described as follows: see Exhibit "A" attached hereto and made a part hereof.

ALL that lot of ground situate in Oxford Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin located at the northernmost corner of Lot No. 10 on the plan of lots referred to below and at the center of a proposed 50 foot street; thence South 51 degrees East, 155.65 feet to a steel pin; thence South 39 degrees 10 minutes West, 129.5 feet to an iron pin thence through Lot No. 9 on the plan of lots referred to below North 50 degrees 50 minutes West, 155.65 feet to an iron pin; thence along the northernmost boundary line of said Lot Nos. 9 and 10 and through the center of a proposed 50 foot street North 38 degrees 50 minutes East, 129.05 feet to an iron pin, the place of BEGINNING. CONTAINING 20,121 square feet.

BEING all of Lot No. 10 and a portion of Lot No. 9 as shown on the plan of lots prepared by J. H. Rife, Registered Engineer, on April 6, 1966, revised May 28, 1968, revised September 22, 1969, and revised by Richard W. Boyer, Registered Surveyor, on September 14, 1972.

TOGETHER WITH a right of way in perpetuity to the Grantee, her heirs and

assigns, to be used in common with the Grantors, their heirs and assigns: as a means of ingress, egress and regress to Township Route T-498, said right of way is described as follows:

BEGINNING at the curb or Township Route T-498 at the common corner of Lot Nos. 7, 8 and 12 on the plan of lots above referred to thence along the northern boundary lines of Lot Nos. 8 and 0 North 38 degrees 50 minutes East, 211.59 feet to an iron pin; thence through Lot No. 9 South 50 degrees 50 minutes East 25 feet to a point; thence through Lot Nos. 8 and 9 South 38 degrees 50 minutes West, 211.59 feet to a point located on the northeastern boundary line of Lot No. 7; thence along said northeastern boundary of Lot No. 7; North 51 degrees 25 minutes West, 25 feet to a point at the curb of Township Route T-498, the place of BEGINNING.

BEING the same premises by deed dated 07/23/2007, given by Stephanie M. Lookenbill, Executrix under the Last Will and Testament of Pauline Marie Hoffman, deceased to Roger S. McDannell and recorded 09/19/2007 in Book 4982 Page 149 instrument #200700017841.

SEIZED and taken into execution as the property of **Roger S. McDannell** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-895 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those two (2) tracts of land situate, lying and being in Straban Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

Tract No. 1

BEGINNING at a railroad spike situated on the east side of the Highway leading from Granite Station to Hunterstown at corner of lands now or formerly of Esther B. Rutt; thence by said lands North 87 degrees 23 minutes East 250 feet to an iron pin at other lands now or formerly of David W. McDannell; thence by other land now or formerly of David W. McDannell South 02 degrees 37 minutes East 110.0 feet to an iron pin; thence by the same South 87 degrees 23 minutes West 250.0 feet to an iron pin on the east side of the Highway leading from Granite Station to Hunterstown; thence along the eastern side of said Highway North 02 degrees 37 minutes West 110.0 feet to a railroad spike, the place of BEGINNING. CONTAINING 101 Perches.

The above description was taken from a draft of survey by LeRoy H. Winebrenner, C.S., dated August 1, 1963.

Tract No. 2

BEGINNING at a railroad spike on the east side of the State Highway leading from Hunterstown to Granite Station, which spike is situated North 2 degrees 37 minutes West, 293.0 feet from a large oak at corner of lands now or formerly of Harry W. Luckenbaugh; thence in and along said State Highway, North 2 degrees 37 minutes West, 120.0 feet to a spike in the center of said State Highway; thence by other lands now or formerly of David W. McDannell and Charlotte K. McDannell, husband and wife, North 87 degrees 23 minutes East, 250.0 feet to an iron pin; thence by the same, South 2 degrees 37 minutes East, 120.0 feet to an iron pin; thence by the same, South 87 degrees 23 minutes West, 250.0 feet to a railroad spike, the place of BEGINNING. CONTAINING 110 Perches.

The above description was taken from a draft of survey prepared by LeRoy H. Winebrenner, C.S., dated August 1, 1963.

Property address: 1715 Granite Station Road, Gettysburg, PA 17325

Being the same which Ann E. Harman, single by deed dated July 26, 2004, which deed is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 3650 at page 287, sold and conveyed unto Karl R. Shively and Christi C. Shively, husband and wife.

Parcel No. (38) H 11-0038

SEIZED and taken into execution as the property of **Karl R. Shively & Christi C. Shively** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1851 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

BEGINNING at a point in or near the centerline of an alley and at Lot No. 3 of the hereinafter named development; thence extending along said alley South 20 degrees 43 minutes 26 seconds east 44 and 29 hundredths 44.29 feet to a point at a curve; thence by a curve to the right having a call of 94 degrees 13 minutes 26 seconds a radius of 25 feet an arc distance of 41.11 feet a chord bearing South 26 degrees 23 minutes 17 seconds West, a chord length of 36.63 feet; thence along Atlantic Avenue the following courses and distances: South 73 feet 30 minutes 00 seconds West 45.87 feet to a curve; thence by a curve to the right having an angle of 2 degrees 58 minutes 20 seconds, a radius of 495 feet, an arc distance of 25.68 feet a chord bearing of South 74 degrees 59 minutes, 10 seconds, West a chord length of 25.88; thence by another curve having a central angle of 82 degrees 48 minutes 15 seconds, a radius of 25 feet, an arc of 36.13

feet, a chord bearing of North 62 degrees 07 minutes 33 seconds West, a chord length of 33.07 feet; thence along the Northern line of Cider Drive, 20 degrees 43 minutes 26 seconds West 38 and 50/100's feet to a point at lot No. 3; thence along lot No. 3 North 69 degrees 16 minutes 34 seconds East 120 feet to a point in or near the centerline of said alley and place of BEGINNING.

BEING Lot No. 2 on a final plan, section 1 of Apple Hill prepared by Morrow Engineering Company dated February 1978. Said plan is recorded in the Adams County Recorder's Office in Plat Book 35 at page 82 and 82A.

Being Known As: 102 Cider Drive, York Springs, PA 17372.

TITLE TO SAID PREMISES IS VESTED IN Jason E. Swartz and Sarah Swartz by deed from Jason E. Swartz, a married person dated September 26, 2005 and recorded October 6, 2005 in Deed Book 4155, Page 172.

TAX ID. #: (42)-002-0057

SEIZED and taken into execution as the property of **Jason E. Swartz & Sarah Swartz** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-155 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract or parcel of land situated in Conewago Township, Adams County, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point along Sterling Drive right-of-way and running with said right-of-way South 01 degree 33 minutes 27 seconds West, a distance of 90.00 feet to a point; thence leaving said right-of-way North 88 degrees 26 minutes 33 seconds West, a distance of 170.00 feet to a point; thence North 01 degree 33 minutes 27 seconds East, a distance of 90.00 feet to a point; thence South 88 degrees 26 minutes 33 seconds East, a distance of 170.00 feet to a point; to the place of BEGINNING.

BEING known as Lot No. 108, The Preserves, Phase II, as shown on the aforementioned Final Subdivision and Land Development Plan and having an area of 15,300 square feet, 0.351 acres. The foregoing legal description is in conformance with the Final Subdivision and Land Development Plan for The Preserves, Phase II, dated January 5, 2004, last revised March 11, 2004, prepared by KPI Technology, recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania, in Subdivision Plan Book 87, page 30.

UNDER AND SUBJECT to any and all conditions, restrictions, easements, rights-of-way, agreements and covenants of record as well as those which a physical inspection of the property would disclose, including but not limited to those outlined in the Declaration of The Preserves, a Planned Community, dated March 23, 2004, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, on April 21, 2004, in Record Book 3537, page 1; First Amendment dated October 14, 2004, and recorded October 26, 2004, in Record Book 3748, page 319; Second Amendment dated June 10, 2005, and recorded on June 22, 2005, in Record Book 4015, page 1, (as the same may be amended from time to time) and the aforementioned Final Subdivision and Land Development Plan.

TITLE TO SAID PREMISES IS VESTED IN Terri L. Smithburger, by Deed from Harvest Investment Group, LLC, dated 12/19/2006, recorded 04/11/2007 in Book 4799, Page 220.

Tax Parcel: (08) 003-0087---000

Premises Being: 23 Sterling Drive, Hanover, PA 17331

SEIZED and taken into execution as the property of **Terri L. Smithburger** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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11/20, 25 & 12/4

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-545 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land situate, lying and being in Union Township, Adams County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING for a point on the westerly side of public highway known and identified as Pennsylvania Legislative Route No. 01070, said point being thirty (30) feet, West of the center of said public highway, and at Lot No. 5, Section 1 of Tanglewood Heights, said point of beginning being located in the center of a fifteen (15) feet wide drainage easement hereinafter referred to; thence along the westerly side of the aforementioned Pennsylvania Legislative Route No. 01070, South twenty-eight (28) degrees, fifty-seven (57) minutes twenty-seven (27) seconds East, one hundred (100) feet to a point at Lot No. 7, Section 1 of Tanglewood Heights; thence along Lot No. 7, Section 1 of Tanglewood Heights; South sixty-one (61) degrees two (02) minutes thirty-three (33) seconds West, two hundred (200) feet to a point at lands now or formerly of Tanglewood Heights, Inc.; thence along said lands, North twenty-eight (28) degrees fifty-seven (57) minutes twenty-seven (27) seconds West, one hundred (100) feet to a point in the middle of the aforementioned

fifteen (15) feet wide drainage easement and Lot No. 5, Section 1 of Tanglewood Heights; thence through the middle of the aforementioned fifteen (15) feet wide drainage easement and along Lot No. 5, Section 1 of Tanglewood Heights, North sixty-one (61) degrees two (02) minutes thirty-three (33) seconds East, two hundred (200) feet to a point on the western side of the aforementioned Pennsylvania Legislative Route No. 01070, the place of BEGINNING.

CONTAINING 20,000 square feet and being identified as Lot No. 6, Section 1, of Tanglewood Heights, Inc., the place of Section 1 of Tanglewood Heights being recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plat Book No. 1, at page 8.

TAX PARCEL: 41-K-18-0054

Property Address: 1067 Pine Grove Road, Hanover, PA 17331

SEIZED and taken into execution as the property of **Patricia C. Slater & Timothy C. Slater** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/20, 25 & 12/4

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-862 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of ground, situate on the north side of Main Street in the Borough of McSherrystown, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the north side of Main Street at land now or formerly of Melvin Ohier, thence by said lands in a northerly direction for a distance of 176.3 feet to a point at a public alley direction for a distance of 176.3 feet to a point at a public alley thence by said alley in a westerly direction for a distance of 54.5 feet, more or less, to a point at lands now or formerly of Paul Topper, thence by said lands in a southerly direction for a distance of 178.5 feet to a point on the north side of Main Street aforesaid, thence by the same in an easterly direction for a distance of 81.5 feet, more or less, to a point, the place of beginning.

Tax Id#: (28) 002-0093

TITLE TO SAID PREMISES IS VESTED IN Shellie L. Neiderer, a single woman, by Deed from Beverley A. Neiderer, dated 03/21/2003, recorded 03/26/2003 in Book 3027, Page 254.

Tax Parcel: 28-002-0093-000

Premises Being: 81 Main Street, McSherrystown, PA 17344-2103

SEIZED and taken into execution as the property of **Shellie L. Neiderer** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/20, 25 & 12/4

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-779 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground known on the Town of Hampton, in the Township of Reading, County of Adams, and State of Pennsylvania, as Lot No. 4, bounded and described as follows:

BEGINNING at Lot No. 3; thence along Baltimore Street, South 20 degrees East, 65 feet to an alley; thence North 60-1/2 degrees East 200 feet to an alley; thence North 20 degrees West, 65 feet to Lot No. 3; thence South 60-1/2 degrees West, 200 feet to the place of BEGINNING.

UNDER AND SUBJECT, nevertheless, to restrictions and easements of record. This conveyance is made subject to any existing easements and restrictions on the premises.

TITLE TO SAID PREMISES IS VESTED in Elwood M. Stambaugh, by Deed from Brandi L. West, dated 09/16/2005, recorded 02/14/2006 in Book 4314, Page 106.

Tax Parcel: (36) 001-0048---000

Premises Being: 5375 Carlisle Pike, New Oxford, PA 17350-9629

SEIZED and taken into execution as the property of **Elwood M. Stambaugh** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-644 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following piece, parcel or tract of land situate, lying and being in Berwick Township, Adams County, Pennsylvania, more particularly described as follows, to wit:

BEING shown on a plan of lots entitled 'Test Estates Phase III', a Planned Residential Community, dated July 30, 2003 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 86, page 55, and designated as Lot No. 48 thereon.

TITLE TO SAID PREMISES IS VESTED IN Pearl E. Nicely, a married woman, by Deed from NVR, Inc., a Virginia Corporation trading as Ryan Homes, dated 12/23/2005, recorded 01/06/2006 in Book 4274, Page 25.

Tax Parcel: (04) L 11-0228---000

Premises Being: 125 North Orchard View Drive, Hanover, PA 17331

SEIZED and taken into execution as the property of **Pearl E. Nicely a/k/a Pearl E. Grant** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/13, 20 & 25

ESTATE NOTICES

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

FIRST PUBLICATION**ESTATE OF WILLIAM E. BROWN, DEC'D**

Late of Latimore Township, Adams County, Pennsylvania

Executors: William L. Brown, Donald J. Brown and Janet L. Brown, c/o Jane M. Alexander, Esq., 148 S. Baltimore St., Dillsburg, PA 17019

Attorney: Jane M. Alexander, Esq., 148 S. Baltimore St., Dillsburg, PA 17019

ESTATE OF EUGENE G. JURASINSKI, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Charlotte A. Jurasinski, 42 Battalion Lane, Gettysburg, PA 17325

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

SECOND PUBLICATION**ESTATE OF VIOLA BAUGHER a/k/a ELSIE VIOLA BAUGHER, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executrices: Phyllis M. Baugher and Janet L. Riley, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

ESTATE OF KENNETH T. FROCK, SR. a/k/a KENNETH THOMAS FROCK, SR., DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Executrix: Virginia F. Frock, 325 W. King St., Littlestown, PA 17340

Attorney: George W. Swartz, II, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF GLADYS M. GARRETT, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

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

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

ESTATE OF DONALD E. KROFT, DEC'D

Late of Latimore Township, Adams County, Pennsylvania

Executor: Linda M. Kroft, c/o Morris & Vedder, 32 N. Duke St., P.O. Box 544, York, PA 17405

Attorney: Rand A. Feder, Esq., Morris & Vedder, 32 N. Duke St., P.O. Box 544, York, PA 17405

ESTATE OF DOROTHY A. STRAS-BAUGH, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Administratrix: Judith A. Holmes, c/o Martson Law Offices, 10 East High Street, Carlisle, PA 17013

Attorney: Christopher E. Rice, Esq., Martson Law Offices, 10 East High Street, Carlisle, PA 17013

ESTATE OF ANDREW B. TAYLOR, DEC'D

Late of the Borough of Biglerville, Adams County, Pennsylvania

Administrator: Ryan E. Taylor, 50 Ditzler Avenue, Biglerville, PA 17307

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

ESTATE OF KATHRYN E. YINGLING, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Carl G. Yingling, 105 Park Avenue, Gettysburg, PA 17325

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

THIRD PUBLICATION**ESTATE OF VIVIAN S. HOLMES, DEC'D**

Late of Hamiltonban Township, Adams County, Pennsylvania

Executor: William Kelly, 3220 Fallstown Road, Falston, MD 21047

Attorney: Matthew R. Battersby, Esq., Battersby Law Office, P.O. Box 215, Fairfield, PA 17320

ESTATE OF GRACE A. KERRIGAN, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Co-Executors: Ronald C. Kerrigan, 276 Studebaker Lane, New Oxford, PA 17350; Sharon E. Shaffer, 255 New Chester Road, New Oxford, PA 17350; Joyce A. Funk, 8 Locust Lane, Gettysburg, PA 17325

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF GEORGE P. KRAMER, DEC'D

Late of Liberty Township, Adams County, Pennsylvania

Executrix: Mary A. Kramer, c/o Appel & Yost, LLP, 33 N. Duke Street, Lancaster, PA 17602

Attorney: Peter B. Astorino, Esq., Appel & Yost, LLP, 33 N. Duke Street, Lancaster, PA 17602

ESTATE OF SHIRLEY M. NACE, DEC'D

Late of Highland Township, Adams County, Pennsylvania

Executor: Andrew P. Nace, 6670 Pigeon Hill Rd., Hanover, PA 17331-7982

ESTATE OF JEAN PACE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Charles C. Pace III and Sandra R. Pace, c/o Matthew L. Guthrie, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

ESTATE OF ANNA C. WILSON, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Co-Executors: Richard G. Wilson and Brian P. Wilson, c/o Patricia Carey Zucker, Esq., Daley Zucker Meilton Miner & Gingrich, LLC, 1035 Mumma Road, Suite 101, Wormleysburg, PA 17043

Attorney: Patricia Carey Zucker, Esq., Daley Zucker Meilton Miner & Gingrich, LLC, 1035 Mumma Road, Suite 101, Wormleysburg, PA 17043

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-795 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground situate, lying and being in Mt. Pleasant Township, Adams County, Pennsylvania, being Lot No. 682 of Lake Heritage Subdivision, and more particularly bounded and described as follows:

BEGINNING at an existing 3/4 inch steel rod on the eastern edge of Grant Drive at corner of Lot No. 681, now or formerly of Jimmy Artis; thence by said Lot No. 681, South 62 degrees 31 minutes 00 seconds East, 210.00 feet to an existing 3/4 inch steel rod on line of land now or formerly of Kenneth Dayhoff; thence by said land of Kenneth Dayhoff, South 27 degrees 30 minutes 42 seconds West, 75.00 feet to an existing concrete monument at corner of Lot No. 683, now or formerly of David Flood; thence by said Lot No. 683, North 62 degrees 31 minutes 00 seconds West, 210.00 feet to a point in 10 inch cedar (said point being North 3 degrees 15 minutes 00 seconds East, 0.72 feet from an existing concrete

monument) on the eastern edge of Grant Drive, aforesaid; thence along Grant Drive, North 27 degrees 30 minutes 42 seconds East, 75.00 feet to an existing 3/4 inch steel rod, the point and place of BEGINNING. CONTAINING 15,750 Square Feet.

The above description was taken from a draft of survey prepared by Adams County Surveyors dated March 15, 1995.

TOGETHER WITH rights and SUBJECT TO restrictions referred to in the above recited deed and contained in Deed Book 353 at page 958.

TITLE TO SAID PREMISES IS VESTED in Brian R. Dougherty, by Deed from Shawn J. Smith and Christina L. Smith, his wife, dated 06/25/1999, recorded 06/25/1999 in Book 1861, Page 39.

Tax Parcel: 33.005-0158.000

Premises Being: 682 Grant Drive, Gettysburg, PA 17325-8946

SEIZED and taken into execution as the property of **Brian R. Dougherty** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless

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11/20, 25 & 12/4

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