

Adams County Legal Journal

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STRABAN TOWNSHIP

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IN THE COURT OF COMMON PLEAS,
ADAMS COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA
ORPHANS' COURT DIVISION
RT-16-2018 (A)

TO: UNKNOWN FATHER

NOTICE

YOU ARE HEREBY NOTIFIED that a Petition for Involuntary Termination of Parental Rights to Child has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for February 27, 2019 at 11:00 a.m. in the Adams County Human Services Building Courtroom, 525 Boyds School Road, Gettysburg, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the involuntary termination of your parental rights with respect to the child born on September 6, 2017.

You should contact 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.

Court Administrator
Adams County Courthouse
111-117 Baltimore Street
Gettysburg, Pennsylvania 17325
Telephone number: 717-337-9846

Melissa Tanguay Laney, Esq.,
Solicitor
Adams County Children
and Youth Services

1/18, 1/25 & 2/1

FICTITIOUS NAME REGISTRATION

An application for registration of the fictitious name FLIP FLOP BEAUTY SHOP, 935 Germany Road, East Berlin, PA 17316 has been filed in the Department of State at Harrisburg, PA, File Date 12/18/2018 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Nicole Shaffer, 935 Germany Road, East Berlin, PA 17316.

2/1

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—Orphans' Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on Friday, February 8, 2019 at 8:30 a.m.

McHALE — Orphans' Court Action Number OC-161-2018. The First and Final Account of Leta Deatrack, Administrator d.b.n.c.t.a. of the Estate of Dawn Del McHale, late of Arendtsville Borough, Adams County, Pennsylvania.

ROYSTON — Orphans' Court Action Number OC-165-2018. The First and Final Account of Ronald E. Jones, Executor of the Estate of Hilda B. Royston, late of Oxford Township, Adams County, Pennsylvania.

HANSEN — Orphans' Court Action Number OC-167-2018. The First and Final Account of Christina L. Hansen, Administratrix of the Estate of Corey Joseph Hansen, late of Oxford Township, Adams County, Pennsylvania.

Kelly A. Lawyer
Clerk of Courts

1/25 & 2/1

FICTITIOUS NAME REGISTRATION

An application for registration of the fictitious name PRISTINE OUTDOOR PROPERTY MAINTENANCE, 3668 Baltimore Pike, Littlestown, PA 17340 has been filed in the Department of State at Harrisburg, PA, File Date 12/17/2018 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is James M. Jones, 3668 Baltimore Pike, Littlestown, PA 17340.

2/1

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation for A & C USED AUTO PARTS, INC. were filed with the Department of State of the Commonwealth of Pennsylvania on July 12, 2018, under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

Barley Snyder LLP
Solicitor

2/1

CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on November 14, 2018 a Petition for Name Change was filed in the Court of Common Pleas of Adams County, Pennsylvania requesting a Decree to change the name of Petitioner, Fernanda Michelle Castillo to Fernanda Castillo Hernandez.

The Court has affixed the 8th day of February 2019 at 10:30 a.m. In Courtroom #4, Third Floor of the Adams County Courthouse as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the Petitioner should not be granted.

2/1

STONEHEDGE REAL ESTATE, LLC VS.
STRABAN TOWNSHIP

1. After sifting through the voluminous and exhaustive pleadings in this matter, the issue before the Court on the Motion for Judgment on the Pleadings is easily defined: Is the 2017 Ordinance invalid due to the Township's failure to strictly comply with the procedures outlined in the legislation authorizing its adoption? A motion for judgment on the pleadings may only be entered where there are no disputed issues of fact the moving party is entitled to judgment as a matter of law.

2. Act 209 sets forth a specific and exclusive process by which a municipality may enact an ordinance to impose a fee against new development in order to general revenue for funding the costs of transportation capital improvements necessitated by and attributable to new development.

3. Currently, there is not a factual dispute concerning the Township's failure to strictly abide with the procedural scheme directed by the legislation. In their Answer, the Township admitted StoneHedge's claim that the committee did not hold a public hearing concerning the T.C.I.P. prior to its presentation to the Township. They claim, however, the Board of Supervisors conducted a hearing in lieu thereof. Township argues that since the committee is an advisory board only, the procedural error does not render the ordinance invalid as the Board of Supervisors, the body with authority to enact the ordinance, otherwise conducted a public hearing.

4. Pennsylvania courts have long required procedural strictness when evaluating the validity of municipal ordinance enactment. Statutory steps for ordinance enactment are mandatory and non-waivable.

5. Procedural improprieties in the enactment of an ordinance render the ordinance void ab initio.

6. Although the Prothonotary has not yet issued a writ of certiorari as required by the M.P.C., the failure has no impact on the right of the parties as the Township has admitted the committee did not conduct the hearing required by Act 209. The Township's claim that a factual dispute exists, which can only be addressed by consideration of a full record of the Township proceedings is unpersuasive. In light of this Court's application of a requirement of "strict compliance" with statutory authority governing the adoption of an ordinance, the lower record is immaterial as it cannot factually change the uncontested reality that the statutory procedure was not followed.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, 17-S-750 STONEHEDGE REAL ESTATE, LLC
VS. STRABAN TOWNSHIP

Steve Rice, Esq., Attorney for Plaintiff

Marc D. Jonas, Esq., Attorney for Defendant

George, P. J., January 18, 2019

OPINION

This litigation was commenced by Complaint filed on July 3, 2017 by StoneHedge Real Estate, LLC (hereinafter “StoneHedge”) wherein StoneHedge challenged several ordinances adopted by Straban Township (hereinafter “Township”). The Complaint was styled as both a statutory land use appeal and a complaint for declaratory judgment. The target of the Complaint was three separate ordinances adopted over an 11-year period related to the Township’s enactment of impact fees on new development within the Township pursuant to Article V-A of the Municipalities Planning Code, 53 P.S. § 10501-A – 10508-A (hereinafter “Act 209”).¹ The Complaint attacked each of the ordinances on both procedural and substantive grounds.

On August 7, 2017, the Township filed Preliminary Objections to the Complaint alleging the Complaint was overly broad and contained impertinent matter. In addition, the Township challenged StoneHedge’s standing to question the 2006 and 2013 Ordinances as well as the timeliness of the challenges to those ordinances. StoneHedge’s attempt to file an Amended Complaint was initially challenged by the Township, however, the objection was subsequently withdrawn. Thereafter, StoneHedge filed a document titled “StoneHedge’s Amendments to Complaint” on October 24, 2017. This pleading, as well as the original Complaint, were once again challenged by Township’s Preliminary Objections filed on November 3, 2017. The Preliminary Objections were identical to the first round of Preliminary Objections, however, added objections to the Complaint’s substantive due process claims to the 2006 and 2013 Ordinances as time barred. Additionally, Township demurred to all substantive due process claims in the Amended Complaint.

On January 18, 2018, this Court entered an Order granting the Township’s Preliminary Objections determining the Complaint was overly broad precluding any meaningful assessment of the issues intended to be litigated. StoneHedge was granted leave to file a Second Amended Complaint and did so on January 29, 2018. Once again, the Second Amended Complaint was met with Preliminary Objections filed by the Township on February 20, 2018. With the

¹ The challenged ordinances are identified as Township Ordinance No. 2006-05 (2006 Ordinance), Township Ordinance No. 2013-05 (2013 Ordinance), and Township Ordinance No. 2017-01 (2017 Ordinance).

exception of the objection to the Complaint being overly broad, this round of Preliminary Objections was identical to those filed to the First Amended Complaint. By Order dated April 23, 2018, this Court overruled the Preliminary Objections, however, severed and reserved the claims related to the 2006 and 2013 Ordinances. Thereafter, on May 14, 2018, the Township filed an Answer with New Matter. After answering the New Matter, StoneHedge has filed a Motion for Judgment on the Pleadings, which is currently before this Court for disposition.² After sifting through the voluminous and exhaustive pleadings in this matter, the issue before the Court on the Motion for Judgment on the Pleadings is easily defined: Is the 2017 Ordinance invalid due to the Township's failure to strictly comply with the procedures outlined in the legislation authorizing its adoption?

A motion for judgment on the pleadings may only be entered where there are no disputed issues of fact and the moving party is entitled to judgment as a matter of law. *Coleman v. Duane Morris*, 58 A.3d 833, 836 (Pa. Super. 2012). In ruling on a motion for judgment on the pleadings, a court must accept all well-pled facts in the complaint as true and any inferences that are reasonably deducible from those facts must be viewed in favor of the non-moving party. *Kelly v. Nationwide Ins. Co.*, 606 A.2d 470 (Pa. Super. 1992). The grant of judgment on the pleadings is proper when “the moving party’s case is clear and free from doubt such that a trial would prove fruitless.” *Id.* A.2d at 474. With this guidance in mind, I turn to the merits of the dispute.

Act 209 was adopted by the legislature for the express purpose of insuring “that the cost of needed capital improvements be applied to new developments in a manner that will allocate equitably the cost of those capital improvements among property owners and to respond to the increasing difficulty which municipalities are experiencing in developing revenue sources to fund new capital infrastructure...” 53 P.S. § 10501-A. In furtherance of that goal, Act 209 sets forth a specific and exclusive process by which a municipality may enact an ordinance to impose a fee against new development in order

² Following the filing of the Motion for Judgment on the Pleadings, exhaustive pleadings have occurred including additional requests to amend the Complaint filed on behalf of StoneHedge and a Motion to Disqualify StoneHedge’s counsel filed by the Township. By a separate Order of Court, the Court has ruled upon those issues and their disposition does not impact the current issue.

to generate revenue for funding the costs of transportation capital improvements necessitated by and attributable to new development. The comprehensive legislative scheme directs that before a municipality may enact an impact fee ordinance, an “impact fee advisory committee” (hereinafter “committee”) shall be created by the municipality. 53 P.S. § 10504-A(b)(1). Act 209 thereafter qualifies the makeup of the committee requiring 40 percent of the members of the committee to be representatives from the real estate, commercial and residential development, and building industries. 53 P.S. § 10504-A(b)(2). The committee is to serve in an advisory capacity and is tasked with several specific duties. Initially, the committee is to develop land use assumptions for the determination of future growth and development within the relevant area. 53 P.S. § 10504-A(c)(1). Prior to the issuance and presentation of a written report to the municipality identifying the land use assumptions, the committee shall conduct a public hearing with proper public notice in order to consider the various options and receive public input. *Id.* Following receipt of the committee report, the governing body of the municipality is required to approve, disapprove, or modify the land use assumptions recommended by the committee. *Id.* If the land use assumptions are adopted by the municipality, the committee thereafter is tasked with preparing a roadway sufficiency analysis to identify the existing level of infrastructure within the relevant geographical area. 53 P.S. § 10504-A(d)(1). Act 209 does not require the roadway sufficiency analysis prepared by the committee to undergo public comment, however, requires the governing municipal body to approve, disapprove, or modify the analysis by publicly adopted resolution. 53 P.S. § 10504-A(2).³ Following the municipality’s adoption of resolutions approving both the land use assumptions and the roadway sufficiency analysis, and utilizing the information contained therein, the committee is next tasked with identifying the capital projects which the municipality should consider for adoption in its transportation capital improvements plan (hereinafter “T.C.I.P.”). 53 P.S. § 10504-A(e)(1). In preparing a final T.C.I.P. for the governing body’s consideration, the committee shall hold at least one public hearing for public consideration of and input to the

³ Act 209 clearly identifies a bifurcated process as development of a roadway sufficiency analysis must consider information from the previously adopted land use assumptions. 53 P.S. § 10504-A(d)(1)(v).

T.C.I.P. recommendations. 53 P.S. § 10504-A(e)(3). Following the committee's public hearing, the final recommendation of the committee is to be presented at a public meeting of the governing body who thereafter have authority to make modifications to the committee's recommendations if appropriate and adopt the plan with or without modification. 53 P.S. § 10504-A(e)(3).

Currently, there is not a factual dispute concerning the Township's failure to strictly abide with the procedural scheme directed by the legislature. In their Answer, the Township admitted StoneHedge's claim that the committee did not hold a public hearing concerning the T.C.I.P. prior to its presentation to the Township. They claim, however, the Board of Supervisors conducted a hearing in lieu thereof. Township argues that since the committee is an advisory board only, the procedural error does not render the ordinance invalid as the Board of Supervisors, the body with authority to enact the ordinance, otherwise conducted a public hearing.

Pennsylvania courts have long required procedural strictness when evaluating the validity of municipal ordinance enactment. *Messina v. East Penn Township*, 62 A.3d 363, 367 (Pa. 2012). Statutory steps for ordinance enactment are mandatory and non-waivable. *Lower Gwynedd Township v. Gwynedd Properties, Inc.*, 591 A.2d 285, 287 (Pa. 1991). In order for a municipal ordinance to be valid, the procedures established by the legislature for the enactment of ordinances must be strictly followed. *Id.* A.2d at 286, 287. Because of this strict compliance requirement, there is no legal necessity that a timely filed challenge to an ordinance establish prejudice resulting from the procedural deficiency. Rather, where a challenge to an ordinance is timely filed, the challenger must only prove that the municipality failed to strictly comply with the statutory procedures. *Davis-Haas v. Exeter Twp. Zoning Hearing Bd.*, 166 A.3d 527, 547 (Pa. Cmwlth. 2017). Procedural improprieties in the enactment of an ordinance render the ordinance void ab initio. *Cranberry Park Assoc. v. Cranberry Twp. Zoning Hearing Bd.*, 751 A.2d 165, 167-68 (Pa. 2000).

In light of the foregoing unequivocal authority, the Township's argument of harmless error lacks merit. The procedure followed by the Township clearly violated the statutory scheme. Although the Township attempts to paint the deficiency as one where the authoritative body

assumed the role of a recommendatory body, the reality is the Township entirely skipped a mandated procedure: a public hearing before the committee comprised of, *inter alia*, subject matter experts. Perhaps in recognition of the complexity and potential influence of impact fees on land development, the legislature drafted Act 209 with a comprehensive procedural blueprint for ordinance enactment, which permits active and informed public participation. As such, it is inappropriate for this Court to substitute its judgment for that of the legislature through acceptance of the “harmless error” analysis suggested by the Township. Rather, application of the strict compliance test enunciated by our appellate courts protects both an individual’s right to procedural due process as well as the shared public right to participate in the adoption of new ordinances. *Davis-Haas*, *supra* A.2d at 551. As StoneHedge is only required to show that the Township failed to strictly comply with statutory procedures, a burden which the Township has conceded, judgment on the pleadings is appropriate.⁴

In an effort to avoid judgment, the Township raises a procedural challenge to StoneHedge’s motion. Township argues the current challenge by StoneHedge is a challenge under the M.P.C. to which the Pennsylvania Rules of Civil Procedure are inapplicable, thereby rendering a motion for judgment on the pleadings to be an unavailable procedure. Rather, the Township argues the procedures set forth in the M.P.C., 53 P.S. § 11001-A, for land use appeals control the current litigation. They argue the M.P.C. requires the issuance of a writ of certiorari commending the governing body to certify the entire record from the municipal proceedings prior to the appeal being considered by the Court. Noting the full record has not yet

⁴ The Township relies on *Takacs v. Indian Lake Borough Zoning Hearing Bd.*, 11 A.3d 587 (Pa. Cmwlth. 2010), for the proposition that the substitution of a recommendatory body during the enactment of an ordinance process does not constitute a fatal procedural irregularity. This argument is unpersuasive. In *Takacs*, the Commonwealth Court upheld the validity of a zoning ordinance despite the township’s deviation from the enactment process identified in the prior zoning ordinance. In doing so, the Court noted that the procedures for zoning ordinance adoption identified by the Pennsylvania Municipalities Planning Code, 53 P.S. § 10103 et seq (hereinafter “M.P.C.”), take precedence over and invalidate contrary local zoning enactments. The Court reasoned, therefore, since the governing body complied with the requirements of the M.P.C. for adoption of a zoning ordinance, inconsistent local procedures could not be a basis to invalidate the ordinance. Thus, contrary to the Township’s interpretation of *Takacs*, the opinion actually reaffirms the proposition that statutory procedures preempt local practice and must be strictly followed.

been certified to the Court in this litigation, the Township suggests the remedy of judgment on the pleadings is not available.

StoneHedge counters that the current litigation has an extensive history of contentious pleadings dating well over a year. StoneHedge points out that within this history, the Township not only failed to object to the manner of the Complaint but, in fact, utilized application of the Pennsylvania Rules of Civil Procedure to their benefit throughout the process. StoneHedge argues it is now unfair for the Township to disregard the very rules of procedure, which they previously had asked the Court to enforce.

Undoubtedly, as previously mentioned, this litigation has generated an exhaustive amount of pleadings. There have been three separate Complaints as well as three distinct sets of Preliminary Objections in addition to various peripheral motions and filings. Notably, not once throughout the process prior to currently advancing the procedural argument did the Township question application of the Pennsylvania Rules of Civil Procedure to the litigation. Indeed, the Township actually used the rules as a sword to defend StoneHedge's claims.⁵

Undoubtedly, a large part of the convoluted procedural trail arises from the nature in which this litigation was commenced. The initial Complaint sought both declaratory relief and purported to be a land use appeal. The pleading challenged not only the 2017 Ordinance but prior impact fee ordinances adopted by the Township. The Complaint spoke in terms of both procedural and due process violations in a comprehensive style, which engulfed and intertwined the several numerous claims. In an effort to bring some sense of order and definition to the claims, this Court sustained the Township's initial Preliminary Objections. Thereafter, both parties continued to apply the Pennsylvania Rules of Civil Procedure to the subsequent Complaints which contained both the land use appeal and the declaratory judgment action. Under these circumstances, the Court rejects the Township's current argument. In doing so, it is important to note

⁵ For instance, the Township, in an early preliminary objection, challenged the Complaint on the basis of its failure to comply with the Rules of Civil Procedure as they relate to the rules of pleading. Specifically, the Township argued the Complaint was not stated in concise and summary form, Pa. R. Civ. P. 1019(a); it was not stated in separate counts containing a demand for relief, Pa. R. Civ. P. 1020; nor was it divided into paragraphs containing only one material allegation, Pa. R. Civ. P. 1022.

that the ultimate issue before the Court has been fully litigated by both parties with both parties having a complete opportunity to be heard. It is equally important that as a result of the procedures followed, it is clear no factual dispute exists.

It is true that the Pennsylvania Rules of Civil Procedure are not required to be followed in a land use appeal. However, this writer has been unable to find any authority prohibiting the parties from voluntarily utilizing the rules' application to such an appeal. Similarly, with the exception of the requirement that the Prothonotary issue a writ of certiorari when a land use appeal is filed, there is nothing in the M.P.C.'s statutory authority governing land use appeals which mandates a procedure contrary to the civil rules.⁶

Currently, the Township, without objection, applied and took advantage of the Pennsylvania Rules of Civil Procedure in the current litigation. Although the Prothonotary has not yet issued a writ of certiorari as required by the M.P.C., the failure has no impact on the rights of the parties as the Township has admitted the committee did not conduct the hearing required by Act 209. The Township's claim that a factual dispute exists which can only be addressed by consideration of a full record of the Township proceedings is unpersuasive. In light of this Court's application of a requirement of "strict compliance" with statutory authority governing the adoption of an ordinance, the lower record is immaterial as it cannot factually change the uncontested reality that the statutory procedure was not followed. If the Court waited to consider the appeal without hearing following certification of the record, the result would be no different in light of the admission by the Township. It is nonsensical to require a mechanical certification of the record where the Township, in its pleading, substantively acknowledged the sole fact which controls the current disposition.

It is simply unfair to permit the Township to further delay this litigation by putting forth an argument contrary to their actions over the previous 16 months of litigation. As a general rule, Pennsylvania

⁶ Although it is true the M.P.C. permits a court to hold a hearing to receive additional evidence, the requirement is a discretionary act on part of the court only after it is shown that proper consideration of the land use appeal requires a presentation of additional evidence. 53 P.S. § 11005-A. Instantly, the Township admitted the committee did not conduct a public hearing as required by Act 209. There is no factual dispute on this issue requiring further evidence.

courts have applied the doctrine of judicial estoppel where a party to an action attempts to assume a position inconsistent with that party's assertion in a previous action if the party was successful in maintaining that action. *Trowbridge v. Scranton Artificial Limb Co.*, 747 A.2d 862 (Pa. 2000). The purpose of the doctrine is to "protect the integrity of the court by preventing litigants from 'playing fast and loose' with the judicial system" by alternating positions as required by the moment. *Sunbeam Corp. v. Liberty Mutual Ins. Co.*, 781 A.2d 1189, 1192 (Pa. 2001). Although the rule is historically applied to inconsistency in positions taken by a party in different actions, the purpose behind the doctrine is equally applicable currently. As mentioned, the Township not only failed to object to application of the Pennsylvania Rules of Civil Procedure to the current litigation but actually successfully used the rules as a sword to advance their position. It is inequitable to allow them currently to now use the rules to argue that the rules are inapplicable as a shield to an inevitable result.⁷

In sum, since there is no factual dispute in regard to the Township's failure to strictly comply with the statutory requirements for enacting an Act 209 ordinance, judgment on the pleadings is appropriate. Accordingly, the attached Order is entered.

ORDER OF COURT

AND NOW, this 18th day of January, 2019, it is hereby Ordered that judgment on the pleadings is granted in favor of the Plaintiff/Appellant, StoneHedge Real Estate, LLC. The land use appeal is sustained. Straban Township Ordinance No. 1 of 2017 is stricken as void ab initio and shall have no legal effect.

It is further Ordered that a scheduling conference shall be held in this matter on February 12, 2019 at 10:30 a.m. in Courtroom No. 1, fourth floor of the Adams County Courthouse, to address the remaining aspects of Plaintiff/Appellant's Complaint.

⁷ In light of the foregoing, it is unnecessary to determine whether StoneHedge's request for judgment on the pleadings in the declaratory relief action is proper in light of the statutory appeal procedures set forth in the M.P.C. as applied to the 2017 Ordinance.

ESTATE NOTICES

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

FIRST PUBLICATION**ESTATE OF DOROTHY M. KRICHTEN, DEC'D**

Late of Union Township, Adams County, Pennsylvania

Executors: Raymond H. Krichten, 125 Pine Grove Road, Hanover, PA 17331; Katie L. Dehoff, 4821 Baltimore Pike, Littlestown, PA 17340

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle Street Hanover, PA 17331

ESTATE OF R. KARYL UEBEL, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Sandra Sawyer, 1306 Carlisle Pike, Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF GARY R. BILL, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Co-Executors: Gary F. Bill, 117 Elm Lake Way, Yorktown, VA 23693; Janet A. Martin, 740 Acropolis Way, Frederick, MD 21703; Barbara J. Pinocci, 13203 Hughsmith Way, Herndon, VA 20171

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

ESTATE OF BETTY W. FREDERICO a/k/a BETTY MAY FREDERICO a/k/a BETTE MAE FREDERICO, DEC'D

Late of Huntington Township, Adams County, Pennsylvania

Executrix: Kathy L. Horner, c/o Linda S. Siegle, Esq., Siegle Law, 1010 Eichelberger Street, Suite 3, Hanover, PA 17331

Attorney: Linda S. Siegle, Esq., Siegle Law, 1010 Eichelberger Street, Suite 3, Hanover, PA 17331

ESTATE OF ANNA MAY HOOD, DEC'D

Late of Germany Township, Adams County, Pennsylvania

Vickie L. Miller, 206 Canterwood Lane, New Bern, NC 28562

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

THIRD PUBLICATION**ESTATE OF KENNETH R. BEARD, SR., DEC'D**

Late of Liberty Township, Adams County, Pennsylvania

Executrix: Amanda Beard-White, 758 Baltimore Street, Hanover, PA 17331

Attorney: Clayton A. Lingg, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF NADINE A. DEVINE, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Co-Executors: Valerie A. Devine, a/k/a Valerie A. Bideganeta and Fred E. Kilgore, 3484 Stone Ridge Road, York, PA 17402

ESTATE OF AUDREY S. ESHLEMAN, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Personal Representative: Linda K. Hovis, 312 Geiser Avenue, Waynesboro, PA 17268

Attorney: William S. Dick, Esq., Dick, Stein, Schemel, Wine & Frey, LLP, 13 W. Main Street, Suite 210, Waynesboro, PA 17268

ESTATE OF BEVERLY A. FOGLE, DEC'D

Late of the Borough of East Berlin, Adams County, Pennsylvania

Susan F. Few, 12714 Simpson Mill Road, Keymar, MD 21757

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

ESTATE OF PAULA P. HERRING a/k/a PAULA ELAINE HERRING, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executor: Chad A. Herring, 430 Ridge Avenue, McSherrystown, PA 17344

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle Street, Hanover, PA 17331

ESTATE OF DORIS JEAN HOWE, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Kimberley M. Frank, 4615 Coventry Road, Harrisburg, PA 17109

ESTATE OF YVONNE KEENEY, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executrix: Brenda Hetrick, c/o Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

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

ESTATE OF ELEANOR B. SHEEN, a/k/a ELEANOR L. SHEEN, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Geoffrey W. Sheen, 819 Old Stevens Creek Road, Martinez, GA 30907

ESTATE OF JOY L. SHEPARDSON a/k/a JOY LAVON SHEPARDSON, DEC'D

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Karen P. Bowers, 7 North Pine Street, Gettysburg, PA 17325

Attorney: Thomas E. Miller, Esq., Law Office of Thomas E. Miller, Esquire, LLC, 249 York Street, Hanover, PA 17331

ESTATE OF KAROLINE SHIPE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Richard B. Shipe, c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545

Attorney: Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545

ESTATE OF MILDRED L. TRIMMER, DEC'D

Late of the Borough of East Berlin, Adams County, Pennsylvania

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

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

ESTATE OF DOROTHY M. WILLIAMS, DEC'D

Late of Huntington Township, Adams County, Pennsylvania

Co-Executors: Ricky Williams and Deborah A. Myers, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin, PA 17316

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

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on January 24, 2019 with the Department of State of the Commonwealth of Pennsylvania, for the purposes of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the provisions of the Pennsylvania Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is HONG AN INC., with its principal office or place of business at 7 S. 6th Street, McSherrystown, PA 17344. The names and addresses of all persons or entities owning or interested in said business are: Yi Lang & Li Fang Guo, 721 Spruce Drive, Hanover, PA 17331.

2/1

FICTITIOUS NAME REGISTRATION

An application for registration of the fictitious name GOLDEN DRAGON, 7 S. 6th Street, McSherrystown, PA 17344 has been filed in the Department of State at Harrisburg, PA, File Date January 17, 2019 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Yi Yang and Li Fang Guo, 721 Spruce Drive, Hanover, PA 17331.

2/1

*Are your clients
ready to give back?*

ADAMS COUNTY

**COMMUNITY
FOUNDATION**

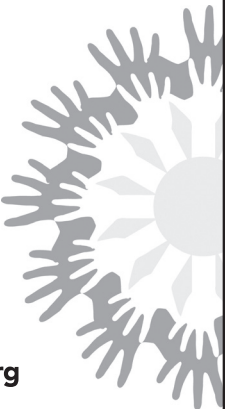
For Good. For Adams County. For Ever.

**When your clients want to talk about what
matters to them, are you ready?**

Put the **Adams County Community Foundation**
on your team.

- Free, no-obligation consultations
- Expertise in philanthropic planning
- Respect for your client relationship
- Support for giving in Adams County, South Central PA and across the U.S.

Contact us at 717-337-0060 or info@adamscountycf.org
with questions or to discuss a specific scenario.



Good for your client. Good for Adams County. Good for you.