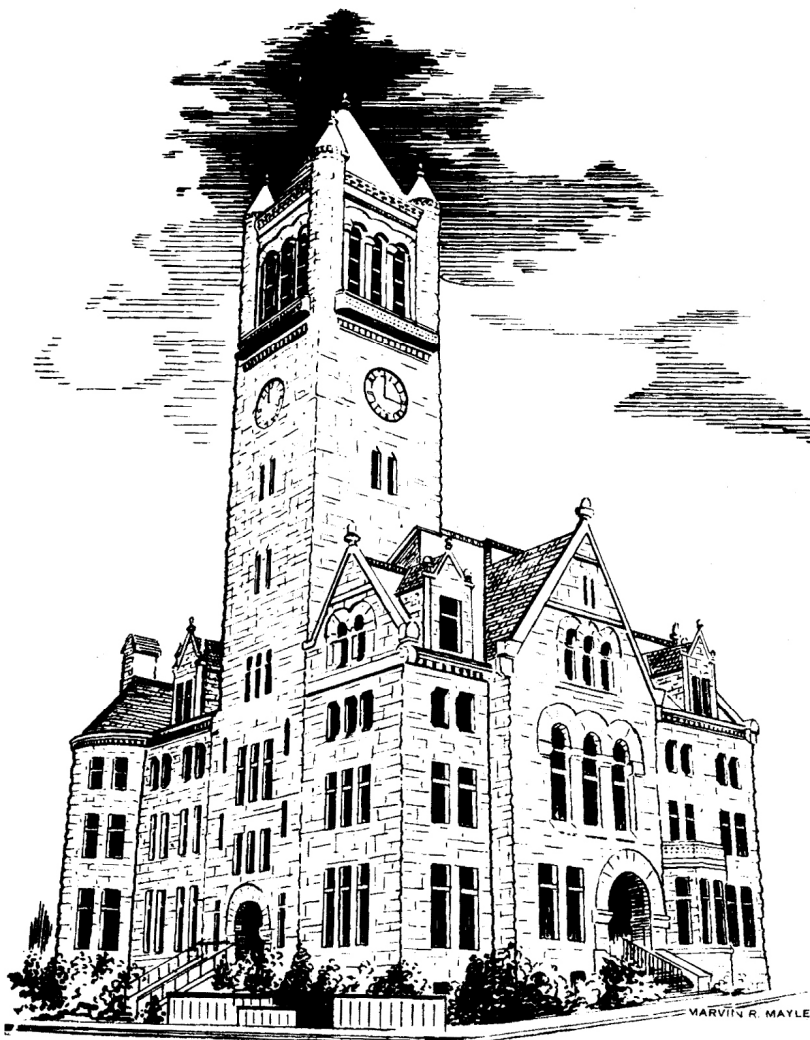


FAYETTE LEGAL JOURNAL

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FAYETTE LEGAL JOURNAL

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

JENNIE J. AMBRISCO, a/k/a JENNIE AMBRISCO, late of Connellsville, Fayette County, PA (3)

Executor: Eugene Falvo
c/o Molinaro Law Offices
P.O. Box 799
Connellsville, PA 15425
Attorney: Carmine V. Molinaro, Jr.

JAMES ASHFORD, JR., late of Fayette County, PA (3)

Administratrix: Hettie J. Ashford
40 F St NE
Ardmore, Oklahoma 73401
c/o McMorro Law, LLC
10475 Perry Highway, Suite 204
Wexford PA 15090
Attorney: Brooke McMorro

LEONA MARIE BUTALLA, a/k/a LEONA M. BUTALLA, a/k/a LEONA BUTALLA, late of Masontown, Fayette County, PA (3)

Executor: Franz Joseph Butalla
c/o 769 Lippencott Road
Waynesburg, PA 15370
Attorney: Cheryl Catherine Cowen

NANCY W. GNAGEY, a/k/a NANCY JEAN GNAGEY, late of Uniontown, Fayette County, PA (3)

Executor: James A. Gnagey
48 Adele Avenue
Uniontown, PA 15401
c/o 310 Grant Street, Suite 1109
Pittsburgh, PA 15219
Attorney: Rosalie P. Wisotzki

GIFFORD F. GRIMES, a/k/a GIFFORD GRIMES, late of North Union Township, Fayette County, PA (3)

Executrix: Kimberly Ann Rabatin
c/o John and John
96 East Main Street
Uniontown, PA 15401
Attorney: Simon B. John

DARRALL THOMAS HEATON, a/k/a DARRALL T. HEATON, late of German Township, Fayette County, PA (3)

Executor: Nathan Duley
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

ANDREW MICHAEL LOBASH, a/k/a ANDREW M. LOBASH, late of Georges Township, Fayette County, PA (3)

Executrix: Alta Grace Grimm
c/o Zebley Mehalov & White, P.C.
18 Mill Street Square
P.O. Box 2123
Uniontown, PA 15401
Attorney: Mark M. Mehalov

CHARLES MILLS, a/k/a CHARLES MILLS, SR., late of Connellsville, Fayette County, PA (3)

Executor: Charles Mills, Jr.
c/o Goodwin Como, P.C.
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401
Attorney: Benjamin Goodwin

JOSEPH SNYDER, a/k/a JOSEPH WAYNE SNYDER, a/k/a JOSPEH W. SNYDER, late of Bullskin Township, Fayette County, PA (3)

Personal Representative:
Matthew R. Phillippi
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James Higinbotham

JOHN D. STONE, a/k/a JOHN STONE, late of Lower Tyrone Township, Fayette County, PA⁽³⁾

Administratrix: Susan L. Travalena
c/o Zebley Mehalov & White, P.C.
18 Mill Street Square
P.O. Box 2123
Uniontown, PA 15401
Attorney: Mark M. Mehalov

SARA YATES, a/k/a SARA JANE YATES, late of Washington Township, Fayette County, PA⁽³⁾

Executrix: Heidi Lacovino
15 Royal Oaks Drive
Charleroi, PA 15022
c/o H.A. English & Associates, PC
4290 William Flinn Highway, Suite 200
Allison Park, PA 15101
Attorney: Harold English

Second Publication

GLORIA MAE EDWARDS, a/k/a GLORIA M. EDWARDS, late of Lower Tyrone Township, Fayette County, PA⁽²⁾

Executrix: Carolyn W. Maricondi
P.O. Box S
Dawson, PA 15428
c/o P.O. Box 760
Connellsville, PA 15425
Attorney: Carolyn W. Maricondi

LISA B. EGNOT, late of South Union Township, Fayette County, PA⁽²⁾

Administratrix: Thomas D. Egnot
c/o P.O. Box 727
Uniontown, PA 15401
Attorney: Bernadette Tummons

WHITMAN B. EVANS, a/k/a WHITMAN BILL EVANS, late of Hopwood, Fayette County, PA⁽²⁾

Executor: Whitman B. Evans, Jr.
c/o DeHaas Law, LLC
51 East South Street
Uniontown, PA 15401
Attorney: Ernest P. DeHaas, III

THEODORE R. GENOVESE, II, a/k/a THEODORE R. GENOVESE, late of Wharton Township, Fayette County, PA⁽²⁾

Executor: Vincent C. Genovese
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

THERESA S. GRAHAM, late of Uniontown, Fayette County, PA⁽²⁾

Administrator: William F. Graham
13 Rankin Road
Farmington, PA 15437
c/o 22 Bierer Avenue
P.O. Box 1206
Uniontown, PA 15401
Attorney: Mary Lenora Hajduk

MICHAEL J. HAZY, late of Washington Township, Fayette County, PA⁽²⁾

Co-Executor: Joseph Hazy
1253 Ridge Road
Rostraver, PA 15012
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

CHARLES A. KASPER, late of Washington Township, Fayette County, PA⁽²⁾

Administratrix: Melinda R. Kasper
128 Blackbird Lane
Shippensburg, PA 17257
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

ELIZABETH LITAVEC, a/k/a BETTY LITAVEC, a/k/a BETTY J. LITAVEC, late of Jefferson Township, Fayette County, PA⁽²⁾

Executrix: Bernice Yankovich
c/o 9 Court Street
Uniontown, PA 15401
Attorney: Vincent J. Roskovensky, II

LEON R. MOWRY, a/k/a LEON ROBERT MOWRY, late of Saltlick Township, Fayette County, PA⁽²⁾

Executor: Leon R. Mowry, II
272 Keslar School Road
Acme, PA 15610
c/o 231 South Main Street, Suite 402
Greensburg, PA 15683
Attorney: Marilyn Gaut

FRANK ORIS, a/k/a FRANK J. ORIS, late of South Union Township, Fayette County, PA (2)

Executrix: Theodora DeFrank Shoaf
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James Higinbotham

PATRICK PURCELL, late of Brownsville Borough, Fayette County, PA (2)

Executrix: Peggy Podoloff
P.O. Box 1052
Deep River, Connecticut 06417
c/o P.O. Box 310
Hiller, PA 15444
Attorney: Herbert G. Mitchell, III

PAUL G. WATSON, late of North Union Township, Fayette County, PA (2)

Executor: Jeffrey L. Watson
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

First Publication

CHARLENE L. AUGUSTINE, late of Menallen Township, Fayette County, PA (1)

Personal Representative: Lisa Andursky
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

DAVID LARRY COLE, late of Georges Township, Fayette County, PA (1)

Personal Representative: Tammy L. Cole
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Jeremy J. Davis

EDWARD A. COLEBANK, a/k/a EDWARD ALLEN COLEBANK, late of Masontown, Fayette County, PA (1)

Administratrix: Betty Ann Colebank
322 Fairview Avenue
Masontown, PA 15461
c/o 76 East Main Street
Uniontown, PA 15401
Attorney: Douglas S. Sholtis

MERLE A. DANIELS, late of Menallen Township, Fayette County, PA (1)

Executor: Danny R. Daniels
c/o 39 Francis Street
Uniontown, PA 15401
Attorney: Jack R. Heneks, Jr.

CAIRN L. FIRESTONE, late of Bullskin Township, Fayette County, PA (1)

Executrix: Sarah B. Landis
215 Thompson Court
Indian Trail, NC 28079
c/o 749 North Church Street
Mt. Pleasant, PA 15666
Attorney: Paul E. Toohey

RALPH A. GRECO, late of Belle Vernon, Fayette County, PA (1)

Executrix: Bonita Greco
416 Market Street
Belle Vernon, PA 15012
c/o 300 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Richard C. Mudrick

CARL EDWARD HERSHBERGER, late of Upper Tyrone Township, Fayette County, PA (1)

Executor: Alfred P. Tofani
134 Shelton Drive
New Stanton, PA 15672
c/o Timothy A. Fedele, Esq. LLC
201 Trauger Road
Latrobe, PA 15650
Attorney: Timothy A. Fedele

ARTHUR LEE KING, late of Lake Lynn, Fayette County, PA (1)

Personal Representative: Scott King
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

KAREN AGNES LUCAS, a/k/a KAREN A. LUCAS, late of Vanderbilt, Fayette County, PA

Executor: Richard E. Lucas (1)
c/o Casini & Geibig, LLC
815B Memorial Boulevard
Connellsville, PA 15425
Attorney: Jennifer M. Casini

MARK W. MCLAUGHLIN, late of North Union Township, Fayette County, PA (1)

Administrator: Scott McLaughlin
c/o 39 Francis Street
Uniontown, PA 15401
Attorney: Jack R. Heneks, Jr.

KAREN MILLER, a/k/a KAREN H. MILLER, a/k/a KAREN HOPE MILLER, late of Franklin Township, Fayette County, PA (1)

Administrator: Dean William Miller
c/o Goodwin Como, P.C.
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401
Attorney: Benjamin Goodwin

BETTY LOU RABATIN, late of Perry Township, Fayette County, PA (1)

Executor: Jacob Rabatin
P.O. Box 171
Star Junction, PA 15482
c/o P.O. Box 781
Belle Vernon, PA 15012
Attorney: Brian Pirilla

LAWRENCE W. RYAN, SR., a/k/a LAWRENCE RYAN, SR., a/k/a LAWRENCE W. RYAN, a/k/a LAWRENCE RYAN, late of Uniontown, Fayette County, PA (1)

Personal Representative: Lisa M. Martin
c/o George & George
92 East Main Street
Uniontown, PA 15401
Attorney: Joseph M. George

DUSTIN SPOHN, late of Redstone Township, Fayette County, PA (1)

Administratrix: Amanda Spohn
c/o Adams Law Offices, PC
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason Adams

WILLIAM H. THOMAS, JR., late of North Union Township, Fayette County, PA (1)

Administrator: Bruce Thomas
c/o 815A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Zylka House

GERALD T. YOCABET, a/k/a GERALD THOMAS YOCABET, late of Redstone Township, Fayette County, PA (1)

Personal Representative: Daniel A. Yocabet, a/k/a Daniel Anthony Yocabet
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

LEGAL NOTICES

NOTICE

NOTICE is hereby given of the administration of the The Brittany Dawn Rosenberg Irrevocable Trust u/a/d August 13, 2002. Brittany Dawn Rosenberg, of Fayette County, Pennsylvania, died December 23, 2020. All persons having claims against the The Brittany Dawn Rosenberg Irrevocable Trust u/a/d August 13, 2002 are requested to make known the same to the Trustee or attorney named below. All persons indebted to the The Brittany Dawn Rosenberg Irrevocable Trust u/a/d August 13, 2002 are requested to make payment without delay to the Trustee or attorney named- PNC Bank, National Association. (1 of 3)

IN RE: Dolfi, Eric M. and Stacey A.
Case No. 19-21910-CMB, Chapter 13

Real Estate Located at 30 Walnut Street,
Uniontown, Fayette County, PA
Parcel No. 38-04-0276

Date of Sale: 4/12/2021 @10:00 a.m.

A Zoom Video Conference Hearing will be held on 4/12/2021 at 10:00 a.m.

via the Zoom Video Conference Application.

To participate in and join a Zoom Hearing, please initiate and use the following link at least 15 minutes prior to the scheduled Zoom Hearing time:

<https://www.zoomgov.com/j/16143800191>, or alternatively, you may use the following: Meeting ID: 161 4380 0191.

Objections due by: 3/19/2021
Initial Offer \$ 12,500.00
Higher and better offers will be
considered at the hearing
Hand money required: \$500.00
(Cash or Certified Funds Only)
Contact: Robert H. Slone, Esq.
223 South Maple Avenue
Greensburg, PA 15601
Ph# (724) 834-2990
For more information:
www.pawb.uscourts.gov/easi.htm

Robert H. Slone, Esquire
Attorney for Eric M. and Stacey A. Dolfi
223 South Maple Avenue
Greensburg, PA 15601
Ph# (724)834-2990

SHERIFF'S SALE

Date of Sale: May 20, 2021

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday, May 20, 2021, at 2:00 p.m. in Courtroom Number Five at the Fayette County Courthouse, Uniontown, Pennsylvania.

The terms of sale are as follows:

Ten percent of the purchase price, or a sufficient amount to pay all costs if the ten percent is not enough for that purpose. Same must be paid to the Sheriff at the time the property is struck off and the balance of the purchase money is due before twelve o'clock noon on the fourth day thereafter. Otherwise, the property may be resold without further notice at the risk and expense of the person to whom it is struck off at this sale who in case of deficiency in the price bid at any resale will be required to make good the same. Should the bidder fail to comply with conditions of sale money deposited by him at the time the property is struck off shall be forfeited and applied to the cost and judgments. All payments must be made in cash or by certified check. The schedule of distribution will be filed the third Tuesday after date of sale. If no petition has been filed to set aside the sale within 10 days, the Sheriff will execute and acknowledge before the Prothonotary a deed to the property sold. (2 of 3)

James Custer
Sheriff Of Fayette County

No. 1740 of 2020 GD
No. 1 of 2021 ED

**First National Bank of Pennsylvania,
successor by merger to Parkvale Savings
Bank,**

**Plaintiff,
vs.**

**All Unknown Heirs, Successors or Assigns
and All Persons, Firms or Associations
claiming right, title or interest, from or under
Ronald A. Kovach, Deceased,
Defendants**

at Execution Number 1740 of 2020 GD

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND BEING SITUATE AND LAYING IN THE TOWNSHIP OF REDSTONE, COUNTY OF FAYEITE AND COMMONWEALTH OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN DEED BOOK 768 PAGE 154 AND PARCEL# 30-06-0016 .

BEING COMMONLY KNOWN AS 1347 GRINDSTONE ROAD, GRINDSTONE, PA 15442.

IMPROVEMENT THEREON:
RESIDENTIAL DWELLING

TAX PARCEL NUMBER: 30-06-0016

BEING THE SAME PREMISES GRANTED AND CONVEYED TO RONALD ANTHONY KOVACH, HIS SON, BY DEED OF GEORGE KOVACH, A SINGLE PERSON, DATED DECEMBER 11, 1990, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF FAYETTE COUNTY ON DECEMBER. 11, 1990, IN DEED BOOK VOLUME 768, PAGE 154.

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2810 of 2019 GD
No. 2 of 2021 ED

**QUICKEN LOANS, LLC F/K/A QUICKEN
LOANS INC.**

**635 Woodward Avenue
Detroit , MT 48226**

**Plaintiff
vs.**

**GRANT G. ARNOLD AKA GRANT G.
ARNOLD, JR.**

VERNA KNOX AKA VERNA J. KNOX

Mortgagor(s) and Record Owner(s)
1410 Brownfield Road
Brownfield, PA 15416
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
 SITUATE IN SOUTH UNION TOWNSHIP.
 COUNTY OF FAYETTE AND
 COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 1410
 BROWNFIELD ROAD, BROWNFIELD, PA
 15416

TAX PARCEL #34-27-0276
 IMPROVEMENTS: A RESIDENTIAL
 DWELLING

SOLD AS THE PROPERTY OF: GRANT
 G. ARNOLD AKA GRANT G. ARNOLD, JR.
 AND VERNA KNOX AKA VERNA J. KNOX

William M. Buchanan, Esquire
 PA I.D. #202843
 wmbuchanan@burnswhite.com
 BURNS WHITE LLC
 Firm No. 828
 Burns White Center
 48 26th Street
 Pittsburgh, PA 15222
 (412) 995-3000
 (412) 995-3300 (Facsimile)

No. 1534 of 2018 GD
 No. 24 of 2021 ED

**FAY-PENN ECONOMIC DEVELOPMENT
 COUNCIL,**
Plaintiff,
v.
TAYLOR H. BARNICKEL and
SHERI D. GROOVER,
Defendants.

TAX PARCEL NO.: Tax Parcel No. 11-06
 -0127

PROPERTY ADDRESS: 36 Kyle Avenue,
 Fairchance, PA 15436

IMPROVEMENTS: A single family
 residence.

SEIZED AND TAKEN in execution as the
 property of Taylor H. Barnickel and Sheri D.
 Groover

ALL that certain lot or piece of land situate
 in the Borough of Fairchance, Fayette County,
 Pennsylvania, being Lot No. 3 in the Plan of
 Lots recorded in the Recorder's Office of Fayette
 County, Pennsylvania, by John W. Galbreath in
 Plan Book No. 8, page 244, and all that certain
 lot or piece of land situate in the Borough of

Fairchance, Fayette County, Pennsylvania, being
 Lot No. 4 in the Plan of Lots recorded in the
 Recorder's Office of Fayette County,
 Pennsylvania, by John W. Galbreath in Plan
 Book No. 8, page 244.

BEING the same premises conveyed to
 Taylor H. Barnickel and Sheri D. Groover, both
 of Smithfield by Daniel Lindsay Donaldson,
 Executor of the Estate of Ruth Cunningham
 Donaldson, recorded on November 19, 2010 in
 the Recorder's Office of Fayette County,
 Pennsylvania in Deed Book Volume 3139, page
 1575.

Hladik, Onorato & Federman, LLP
 298 Wissahickon Avenue
 North Wales, PA 19454

No. 2120 of 2020 GD
 No. 21 of 2021 ED

Federal Home Loan Mortgage Corporation,
as Trustee for the benefit of the Freddie Mac
Seasoned Loans Structured Transaction
Trust, Series 2019-2
(Plaintiff)
vs.
James A. Clark,
(Defendant)

By virtue of Writ of Execution No. 2020-
 02120

Federal Home Loan Mortgage Corporation,
 as Trustee for the benefit of the Freddie Mac
 Seasoned Loans Structured Transaction Trust,
 Series 2019-2 (Plaintiff) vs. James A. Clark,
 (Defendant)

Property Address 899 Rich Hill Road,
 Connellsville, PA 15425

Parcel I.D. No. 35-04-0006-01
 Improvements thereon consist of a
 residential dwelling. Judgment Amount:
 \$109,262.77

No. 2141 of 2020 GD
 No. 22 of 2021 ED

**FIRST NATIONAL BANK OF
 PENNSYLVANIA,**
Plaintiff.
vs.
CARLINE H. JACKSON, Executrix of the
Estate of HENRY L. WILSON,
Defendant.

ALL THE RIGHT, TITLE, INTEREST
 AND CLAIM OF CARLINE H. JACKSON,

EXECUTRIX OF THE ESTATE OF HENRY L. WILSON, OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN REAL ESTATE SITUATED IN JEFFERSON TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA. HAYING ERECTED THEREON A DWELLING KNOWN AS 104 COTTAGE AVENUE, GRINDSTONE, PA 15442. DEED BOOK VOLUME 2866, PAGE 960 AND PARCEL NUMBER 17-15-0014.

GEBHARDT & SMITH LLP

Shaan S. Chima, Esquire
One South Street, Suite 2200
Baltimore, Maryland 21202
Phone: 410-385-5109
Fax: 443-957-4329

Email: shaan.chima@gebsmith.com

No. 182 of 2020 GD
No. 25 of 2021 ED

UNITED BANK, successor-by-merger to CENTRA BANK,

**2071 Chain Bridge Road, Suite 600
Vienna, Virginia 22182-2622**

**Plaintiff,
v.**

**KEJ PROPERTIES, LP,
201 Lexington Place
Uniontown, Pennsylvania 15401
Defendant.**

SHERIFF'S SALE OF REAL ESTATE
FAYETTE COUNTY COURTHOUSE

Courtroom No. 5
61 East Main Street

Uniontown, Pennsylvania 15401
Thursday, May 20, 2021

2:00 O'Clock P.M. Prevailing Time.

All that certain tract and parcel of land situate, lying and being in Fayette County, Pennsylvania, with all improvements thereon, owned by KEJ Properties, LP and generally known as 20 Highland Park Drive and 25 Highland Park Drive, South Union Township, Uniontown, Fayette County, Pennsylvania 15401 and having Uniform Parcel Identification Numbers of 34-1-68-14, 34-05-0356-A00 and 34-05-0356-B.

The improvements are believed to consist of commercial buildings.

Judgment Amount: \$1,088,781.42

To be sold as the property of KEJ Properties, LP.

Shaan S. Chima, Esquire
P.A. Bar No. 312429

GEBHARDT & SMITH LLP
One South Street, Suite 2200
Baltimore, Maryland 21202-3281
(410) 385-5109

TO ALL PARTIES IN INTEREST AND CLAIMANTS: Take notice that a Schedule of Distribution will be filed within thirty (30) days from the date of sale and distribution will be made in accordance with the Schedule of Distribution unless exceptions are filed thereto within ten (10) days thereafter. No further Notice of the filing of the Schedule of Distribution will be given.

Richard M. Squire & Associates, LLC

By: Richard M. Squire, Esquire
M. Troy Freedman, Esquire
Michael J. Clark, Esquire
ID. Nos. 04267 / 85165 / 202929

One Jenkintown Station, Suite 104

115 West Avenue
Jenkintown, PA 19046
Telephone: 215-886-8790
Fax: 215- 886-8791

No. 1984 of 2020 GD
No. 26 of 2021 ED

**J.P. Morgan Mortgage Acquisition Corp.
PLAINTIFF**

v.

**Paul Pellick, Jr.
DEFENDANT**

TAX PARCEL NO.: 17-16-42

PROPERTY ADDRESS: 122 East First Street, Grindstone, PA 15442

IMPROVEMENTS: Single Family Dwelling

SEIZED AND TAKEN in execution as the property of Paul Pellick, Jr.

ALL that certain piece or parcel of land situate in Jefferson Township, Fayette County, Pennsylvania, being part of the Colonial No. 4 Mining Village and shown by plan exhibit "E" recorded with the deed from H.C. Frick Coke Company to Mark Sugarman et ux.

No. 239 of 2020 GD
 No. 15 of 2021 ED

WELLS FARGO BANK, N.A.
Plaintiff
 vs.
Claire E. Pizer AKA Claire E. Swaney
Defendant(s)

All that certain Lot of land situate in the Third Ward of the Borough of Brownsville (formerly South Brownsville), Fayette County, Pennsylvania, known as and being Lot No. 1 in James I. Thornton's plan of Lots, laid out as an addition to the Borough to the Bridgeport, and recorded in the Recorder's Office of Fayette County in Plan Book Vol. 2, Page 25.

BEING THE SAME PREMISES which Therese Battaglini, by Deed dated November 30, 2007 and recorded in the Office of the Recorder of Deeds of Fayette County on December 28, 2007 in Deed Book 3049, Page 1365 at Instrument No. 200700018442, granted and conveyed unto Claire E. Swaney

BEING known as 416 Green St, Brownsville, Pennsylvania 15417
 PARCEL # 02100231

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
 A Florida Limited Liability Company
 133 Gaither Drive, Suite F
 Mt. Laurel, NJ 08054
 Phone: (855) 225-6906
 Fax: (866) 381-9549
 Robert Fiacco, Esquire, Id. No. 325024

No. 241 of 2017 GD
 No. 18 of 2021 ED

DEUTSCHE BANK TRUST COMPANY AMERICAS AS TRUSTEE F/K/A BANKERS TRUST COMPANY, AS TRUSTEE OF AMERESCO RESIDENTIAL SECURITIES CORPORATION MORTGAGE LOAN TRUST 1998-1 UNDER POOLING AND SERVICING AGREEMENT DATED AS OF FEBRUARY 1, 1998

Plaintiff
 v.
STEVEN SANDOVAL; JULIE SANDOVAL NKA JULIE BROWN
Defendant(s)

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN EVERSON BOROUGH, UPPER TYRONE

TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA:
 BEING KNOWN AS: 200 JONES STREET EVERSON, PA 15631
 BEING PARCEL NUMBER: 10-03-0211-01
 IMPROVEMENTS: RESIDENTIAL PROPERTY

KML LAW GROUP, P.C.
 Suite 5000
 701 Market Street
 Philadelphia, PA 19106-1532
 (215) 627-1322

No. 956 of 2020 GD
 No. 4 of 2021 ED

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE, ON BEHALF OF THE HOLDERS OF THE ACCREDITED MORTGAGE LOAN TRUST 2005-1, ASSET-BACKED NOTES 3217 S. Decker Lake Drive Salt Lake City, UT 84119

Plaintiff
 vs.
VICKI L. SIELOFF
Mortgagor(s) and Record Owner(s)
814 Main Street
Mcclellandtown, PA 15458
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN GERMAN TWP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 814 MAIN STREET, MCCLELLANDTOWN, PA 15458
 TAX PARCEL #15 -24-0022
 IMPROVEMENTS: A RESIDENTIAL DWELLING SOLD AS THE PROPERTY OF: VICKI L. SIELOFF

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2124 of 2019 GD
No. 3 of 2021 ED

**KEY BANK, S/B/M FIRST NIAGARA
BANK, N.A.**

**4224 Ridge Lea Road
Amherst, NY 14226**

Plaintiff

vs.

THE UNKNOWN HEIRS OF MARY E.

KEEFER, DECEASED

**109 Wall Street
Everson, PA 15631**

Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN UPPER TYRONE TOWNSHIP,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 109 WALL
STREET, EVERSON, PA 15631

TAX PARCEL #39-11-0050

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF: THE
UNKNOWN HEIRS OF MARY E. KEEFER,
DECEASED

ANNE N. JOHN
ATTORNEY AT LAW

No. 1947 of 2020 GD
No. 14 of 2021 ED

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

**corporation,
Plaintiff**

vs.

**NANCY L. YEKEL,
Defendant**

ALL that certain tract of land situate in the
Borough of Fairchance, Fayette County, PA.

FOR prior title see Record Book 2798,
page 1371.

Tax Parcel No.: 11-10-0071

UPON which is erected a residential
dwelling known locally as 8 Jordan Street,
Fairchance, PA 15436.

Robertson, Anschutz, Schneid, Crane &
Partners, PLLC

A Florida Limited Liability Company
133 Gaither Drive, Suite F

Mt. Laurel, NJ 08054

Phone: (855) 225-6906

Fax: (866) 381-9549

Robert Fiacco, Esquire, Id. No. 325024

No. 1249 of 2017 GD
No. 9 of 2021 ED

**FIFTH THIRD BANK AS SUCCESSOR BY
MERGER TO FIFTH THIRD MORTGAGE
COMPANY**

Plaintiff

v.

DREW L. ZINCK

Defendant(s)

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE IN THE
THIRD WARD OF THE CITY OF
UNIONTOWN, FAYETTE COUNTY,
PENNSYLVANIA:

BEING KNOWN AS: 155 LENOX
STREET UNIONTOWN, PA 15401

BEING PARCEL NUMBER: 38-03-0082

IMPROVEMENTS: RESIDENTIAL
PROPERTY

*** END SHERIFF'S SALE ***

Registers' Notice

Notice by JEFFREY L. REDMAN, Register of Wills and
Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday, April 5, 2021, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2613-0621	CHARLES PETERS	Debra Sue Sible, Executrix
2619-0903	CLARENCE E. NICHOLSON	Jean Keen, Administratrix DBNCTA
2619-0403	ROBERT L. MALLICK	Charlotte M. Stickle, Executor
2619-0711	ANNA BELLE KENNEDY	Misty Zebley, Administratrix
2687-0935	DR. GEORGE H. ROBINSON MEMORIAL TRUST UNDER THE WILL OF PAULINE M. ROBINSON	PNC Bank National Association, Trustee
2620-0041	NANCY DOMINA	Mary Grace Rulli, Executrix

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Monday, April 19, 2021, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable Joseph M. George, Jr.** or his chambers, 3rd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN
Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (1 of 2)

JUDICIAL OPINION

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

Lisa A Walker and Katie A Wright, :
Plaintiffs, :

v. :

Jason Heeter and Melissa Heeter, :
Husband and Wife, :
Defendants. :

No. 277 of 2020, G.D.
Honorable Judge Linda R. Cordaro

OPINION

Cordaro, J.

February 12, 2021

SUMMARY

Before the Court is Defendants' Motion for Judgment on the Pleadings. Oral Argument on the Motion was held on January 25, 2021. For the following reasons, the Motion is granted.

BACKGROUND

Plaintiffs filed a Complaint on February 24, 2020. In their Complaint, Plaintiffs allege that they purchased an Ayrshire c,,, from Defendants at the 2019 Grand National Ayrshire Sale in New York State. The purpose of the sale was for breeding and show. At the time of the sale, the cow was alleged to have given birth to a calf on April 17, 2019, which was three months prior to the sale. Defendants delivered the cow to Plaintiffs; however, Plaintiffs were unable to breed the cow after extensive attempts. Plaintiffs notified Defendants of their unsuccessful efforts to impregnate the cow, but Defendants refused to take the cow back and attempt to breed her. Defendants also refused to refund the purchase price. Plaintiffs then filed this Complaint with one count of Breach of Contract.

The relevant portion of the Terms and Conditions of Sale includes a Warranties clause, which states:

- 1) The seller guarantees right and title to property.
- 2) Unless otherwise noted in the catalog or announced from auction stand, each animal is sold as sound.
- 3) Each animal is sold as a breeder, subject to the following conditions:

...

- b) Females: Any female pregnant when sold, or that calved normally within 90 days of the sale, will be considered a breeder. Any female not pregnant when sold, or that upon reaching the age of 18 months should fail to conceive after having been bred regularly for four months by a bull known to be a proven

breeder and treated by a competent veterinarian, should be reported in writing to the seller. The seller will then be granted the privilege of a further period of four months to prove the female a breeder on his/her premises before refunding the purchase price as full adjustment or make other settlement satisfactory to the purchaser.

Complaint at Ex. 1.

Defendants filed an Answer and New Matter on March 11, 2020. In Paragraphs 22 and 23 of their New Matter, Defendants aver:

22. The Cow previously gave birth on April 17, 2019-79 days from the date Plaintiffs purchased the Cow.

23. Because the Cow calved within 90 days of the sale, it was a breeder. See Pls.' Compl., Ex. 1.

Plaintiffs filed a Reply to Defendants' New Matter on March 23, 2020. In their Reply, Plaintiffs admitted Paragraphs 22 and 23.

On December 21, 2020, Defendants filed the Motion for Judgment on the Pleadings that is currently before the Court. Defendants argue that because Plaintiffs admitted in their Reply to Defendants' New Matter that the cow at issue had calved within 90 days of the sale-and was therefore a "breeder"-that there are no disputes as to facts, and that Defendants are entitled to judgment as a matter of law. Plaintiffs counter that the clause in the Contract that states:

Any females not pregnant when sold, or that upon reaching the age of 18 months should fail to conceive after having been bred regularly for four months by a bull known to be a proven breeder and treated by a competent veterinarian, should be reported in writing to the seller.

applies to the cow at issue. Plaintiffs further argue that they took all additional necessary steps under the Contract to attempt to breed the cow, and that Defendants have breached the Contract by not taking the cow back to prove that the cow is a breeder or alternatively by not refunding the purchase. Plaintiffs now challenge the claim that the cow at issue calved normally within 90 days of the sale-even though they admitted to this in their Response-and that this creates an issue of fact such that judgment on the pleadings are inappropriate.

DISCUSSION

After the relevant pleadings are closed, a party may move for judgment on the pleadings. Pa.R.C.P. 1034(a). Judgment on the pleadings may be entered "when there are no disputed issues of fact and the moving party is entitled to judgment as a matter of law." *Rubin v. CBS Broadcasting Inc.*, 170 A.3d 560,564 (Pa. Super. Ct. 2017). "In determining if there is a dispute as to facts, the court must confine its consideration to the pleadings and relevant documents." *Id.*

Importantly, "[a]verments by a party in the pleadings constitute binding judicial admissions, conclusive in their nature insofar as their effect is confined to the case in which they are filed." *Gibbs v. Herman*, 714 A.2d 432, 437 (Pa. Super. Ct. 1998) (internal quotation marks and citations omitted).

The sole issue in this case is whether the cmv sold to Plaintiffs was a "breeder." By the language in the Terms and Conditions of Sale, any cow that had calved within 90 days of the sale is considered a breeder. Defendants claimed in their New Matter that the cow had calved within 90 days before the sale to Plaintiffs, and was therefore a breeder. By admitting to this claim in their Reply, Plaintiffs basically conceded that Defendants had completed their contractual duties by selling a breeder to Plaintiffs. Plaintiffs' admission that the cow was a breeder is a binding judicial admission: Plaintiffs cannot now challenge whether the cow was a breeder.

Plaintiffs' argument that the additional clause-about cows who were not pregnant when sold or who fail to conceive after reaching 18 months-should apply misconstrues the Contract. That clause only applies to cows that are not already designated as breeders. However, the cow at issue was already designated as a breeder under the Contract, because it had calved normally within 90 days before the sale.

Therefore, the cow was sold "as a breeder," and Defendants completed their contractual duty. Defendants were not obligated to attempt to breed the cow on their premises, nor were they obligated to refund the purchase.

CONCLUSION

Because Plaintiffs admitted that the cow was a breeder, and because that admission was binding, there are no further issues in dispute in this case. Defendants' Motion for Judgment on the Pleadings is hereby granted.

ORDER

AND NOW, this 12th day of February, 2021, in consideration of Defendants' Motion for Judgment on the Pleadings and after Oral Argument on the matter, it is hereby ORDERED and DIRECTED that the Motion is GRANTED.

BY THE COURT:
Linda R. Cordaro, Judge

ATTEST:
Prothonotary

WARMAN ABSTRACT & RESEARCH LLC

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Smithfield, PA 15478

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