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TABLE OF CONTENTS

72 CHESTER COUNTY REPORTS

In re: Estate of Maxine Smyth

Orphans' court – Petition for appeal – Refusal to probate will – Electronic signature – Statutory interpretation – Signature or mark. 104 (2024)

Classified Ads. 23
Meeting Space - *West Chester*

Legal Notices
See Table of Contents.1

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In re: Estate of Maxine Smyth

Orphans' court – Petition for appeal – Refusal to probate will – Electronic signature
– Statutory interpretation – Signature or mark

1. The Superior Court has held that an electronic signature did not meet requirements for a signature and thus a will could not be probated but, this Court believes that decision does not change the outcome in this case.
2. A will is validly executed if executed in compliance with 20 Pa.C.S. §2502, relating to form and execution of a will, or in compliance with the law of the jurisdiction where the testator was domiciled at the time of the execution of the will or at the time of his death.
3. To comply with 20 Pa.C.S. §2502, it is required that every will shall be in writing and shall be signed by the testator at the end thereof, subject to certain rules and exceptions.
4. The presence of any writing after the signature to a will, whether written before or after its execution, shall not invalidate that which precedes the signature.
5. If the testator is unable to sign his name for any reason, a will to which he makes his mark and to which his name is subscribed before or after he makes his mark shall be as valid as though he had signed his name thereto, provided, that he makes his mark in the presence of two witnesses who sign their names to the will in his presence.
6. If the testator is unable to sign his name or to make his mark for any reason, a will to which his name is subscribed in his presence and by his express direction shall be as valid as though he had signed his name thereto, provided, that he declares the instrument to be his will in the presence of two witnesses who sign their names to it in his presence.
7. In all cases involving the interpretation of a statute, the courts are guided by the provisions of the Statutory Construction Act, 1 Pa.C.S. § 1901.
8. Pursuant to the Statutory Construction Act, the object of all statutory construction is to ascertain and effectuate the General Assembly's intention.
9. Generally speaking, the best indication of legislative intent is the plain language of a statute. Furthermore, in construing statutory language, words and phrases shall be construed according to rules of grammar and according to their common and approved usage.
10. Additionally, when the words of a statute are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.
11. The purpose of the statutory requirements is to ensure from the face of the instrument that the testator's intent is followed as well as to prevent fraud, unauthorized alterations, and the like.
12. It is the identity and integrity of the instrument executed that are essential elements, as is the signature.
13. Pennsylvania Electronic Transaction Act provisions do not apply to a will.

- The explicit carveout of wills serves to make an analysis under the Act's requirements unnecessary. It does not change existing law nor, importantly, does it prohibit an electronic signature in a will.
14. The comment to 20 Pa.C.S. §2260.104(b) lends credence to the fact the legislature believed that wills were outside the scope of intended transactions addressed by the Pennsylvania Electronic Transaction Act.
 15. Pennsylvania now permanently recognizes DocVerify as an appropriate means for notaries to perform their services, which includes notarizing wills by remote communication technology.
 16. Pennsylvania Rule of Evidence 1001 defines a writing as consisting of letters, words, numbers, or their equivalent set down in any form.
 17. The Pennsylvania Supreme Court adopted Rule 1001(d) which provides that for electronically stored information, original means any printout.
 18. An e-will meets the definitions of writing and original document in printed form deemed sufficiently reliable to be admitted to evidence for the trier of fact to consider.
 19. The lack of a definition section in Title 20, Chapter 25 governing wills means the legislature has chosen to neither expressly accept nor prohibit electronic signatures. Until it does so, it is up to the courts to use common sense and existing definitions along with analyzing case law, the purpose of the underlying statutes, and its traditional, important role being the gatekeeper of what evidence is deemed reliable enough to be admitted to determine if an electronic signature and the circumstances surrounding it suffice to meet the 20 Pa.C.S. §2502 use of the word signature.
 20. Signing in the usual acceptance of the word and in the sense in which, presumably, it is used in the act, is the writing of a name or the affixing of what is meant as a signature.
 21. Taking a common-sense approach, an invitation only online meeting at which there is a current or live multi-party audio-visual stream meets the definition of presence.
 22. The standard for a reason that a decedent could not sign his/her name is subjective and a low bar.
 23. An electronic signature at the end of the document in a place specifically designated and designed for that signature indicates the intent of a decedent to validate the terms of the will.
 24. If an e-signature were not deemed to be a signature or mark of a decedent, then it should be deemed to be a directive to another to make the mark or signature for her, which was witnessed by two others.
 25. The assistance in signing, regardless of whether the testator can write, is immaterial so long as the expressed wishes of the testator are followed in making the mark or signature.
 26. The Court entered an Order that granted a Petition for Appeal from Register's Refusal to Admit Will to Probate. In granting that Petition, the Court ordered the Register of Wills to admit an electronically signed will to Probate noting

[72 Ches. Co. Rep. In re: Estate of Maxine Smyth

that the court would spread the reasons for its decision upon the record in due course. Thereafter, the Court issued its Memorandum setting forth its reasoning for the Order.

P.McK.

C.C.P Chester County, Orphans' Court Division, No. 1521-2917; In re: Estate of Maxine Smyth

Karyn Seace for executrix Rebecca M. Smyth
Binder, J., February 14, 2024:-

In re: Estate of Maxine Smyth

104 (2024)]

In Re: ESTATE OF MAXINE SMYTH

IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA

ORPHANS' COURT DIVISION

No. 1521-2917

BINDER, J.**FEBRUARY 14, 2024****MEMORANDUM IN SUPPORT OF ORDER ENTERED JUNE 30, 2023**

On June 30, 2023, this court entered an Order that granted the Petition for Appeal from Register's Refusal to Admit Will to Probate¹ filed June 23, 2022. In granting that Petition, this court ordered the Register of Wills to admit an electronically signed will to Probate noting that this court would spread the reasons for this court's decision upon the record in due course. This Memorandum sets forth this court's reasons for the Order entered June 30, 2023.²

I. BACKGROUND

The facts outlined in detail below are not in dispute. Testimony and evidence proved that Decedent, Maxine Smyth made a will indicating that her daughter, Rebecca Smyth would be her sole heir and Executor of her Estate and that her estranged son, Gregory Smyth would be disinherited. The will was the product of internet video conferencing and the software product called DocVerify.

Maxine Smyth died, the Register of Wills issued Letters Testamentary to Rebecca Smyth, and the Register of Wills refused to admit the will to probate on the ground that the signature on the will was affixed by Maxine Smyth by computer to a virtual document which was later printed as hardcopy.

The controlling law is well-established. "A will is validly executed if executed in compliance with section 2502 (relating to form and execution of a will), or in compliance with the law of the jurisdiction where the testator was domiciled at the time of the execution of the will or at the time of his death." 20 Pa.C.S. § 2504.1. To comply with § 2502, it is required that

¹ The Petition was filed by Rebecca Smyth (Petitioner) who is the Executrix of the Estate of Maxine Smyth. Petitioner is the daughter of Maxine Smyth (Decedent).

² The court notes that in the interim, the Superior Court issued a decision in In re Estate of: Susan L. Kittler, 303 A.3d 463 (Pa.Super. 2023), in which it held that an electronic signature did not meet requirements for a "signature" and thus a will could not be probated. The instant reasoning and decision pre-date Kittler and reflect this court's reasoning and analysis of the law at that time. Regardless of Kittler, given the COVID concerns regarding the instant matter, this court is of the belief that Kittler would not change the outcome of the case *sub judice*.

Every will shall be in writing and shall be signed by the testator at the end thereof, subject to the following rules and exceptions:

(1) Words following signature.--The presence of any writing after the signature to a will, whether written before or after its execution, shall not invalidate that which precedes the signature.

(2) Signature by mark.--If the testator is unable to sign his name for any reason, a will to which he makes his mark and to which his name is subscribed before or after he makes his mark shall be as valid as though he had signed his name thereto: Provided, That he makes his mark in the presence of two witnesses who sign their names to the will in his presence.

(3) Signature by another.--If the testator is unable to sign his name or to make his mark for any reason, a will to which his name is subscribed in his presence and by his express direction shall be as valid as though he had signed his name thereto: Provided, That he declares the instrument to be his will in the presence of two witnesses who sign their names to it in his presence.

20 Pa.C.S. § 2502.

Here, the will is in writing (it is not, for example, an audio recording) and it is signed at the end by Maxine Smyth. *See* Exhibit P-2. On its face it is fully within the scope of § 2502. The Register of Wills' rejection is premised on the idea that an electronic signature cannot meet the definition of "signature." Accordingly, this court is tasked with determining if an electronic signature can ever suffice as a signature or mark sufficient for purposes of signing a will and, if so, whether the E-Will contain such a signature or mark.

II. FACTS

On May 1, 2020, Decedent wished to make her last will and testament.³ Pennsylvania was on that date under a state of emergency and stay-at-home order from then-Governor Wolf dated March 19, 2020⁴ so Decedent could not go to her attorney's office to sign legal papers. As such, Decedent's attorney, Gregory Baroni, Esquire, an estates attorney with approximately 17 years of experience, arranged for a virtual will signing and notary using the software DocVerify – an electronic notary

³ Decedent wished to appoint her daughter, Rebecca Smyth, as executrix and sole heir, and Decedent wished to disinherit her estranged son Gregory Smyth, with whom she was not speaking in 2020, after a 2015 incident in which Gregory Smyth said he was done with the family.

⁴ 2020-03-23-Notice-Pennsylvania-Stay-Home-Order.pdf (state.gov); and <https://www.scribd.com/document/452416027/20200319-TWW-COVID-19-Business-Closure-Order>.

software approved by the Pennsylvania Department of State.⁵ The terms of the will were finalized, and Decedent executed an electronic document entitled Last Will and Testament (the “E-Will”). Exhibit “P-2” (a correct and accurate printed copy of the E-Will executed by Decedent, the witnesses, and the notary which includes DocVerify’s electronic journal).⁶

The testimony presented to the court regarding the process of the witnessing, signing, and notarizing is of utmost importance to this court’s analysis. According to the testimony of multiple witnesses, the process included Attorney Baroni sending the finalized document to Lauren Euler, a notary public.⁷ Ms. Euler testified that she uploaded the E-Will (along with a Power of Attorney and Living Will not at issue here) through DocVerify as a .pdf document that could not be edited or modified except for specific blocks for information to be typed in. Ms. Euler placed a signature block in the appropriate parts of the E-Will. The software allows intended signers to sign their designated signature block but prevents a non-assigned participant from signing in a signature block that is not meant for that individual. Invitations were emailed to the email addresses given by the participants (Attorney Baroni, witness Stephanie Baroni (wife of Attorney Baroni), Maxine Smyth, and Rebecca Smyth). All participants who joined the remote session could view the document and the other participants but could not modify the document. Ms. Euler testified that she, and others, could see Decedent during the video session and while electronically signing her portion.

Upon the conclusion of the session, DocVerify emailed an e-journal with the finished and “signed” documents. Ms. Euler testified that no subsequent alterations could be or were made after the signing and that Exhibit “P-2” is a true and correct copy. Additionally, Stephanie Baroni testified that she has acted as a witness over Zoom multiple times and that during this session she could see and hear each party. Ms. Baroni testified that the video shown in court, Exhibit “P-1,” was a true and accurate video of the remote session that showed Decedent, Attorney Baroni, Ms. Euler, Stephanie Baroni, and Rebecca Smyth. She further testified that she typed her name at the appropriate time to be a witness and submitted a notarized oath of subscribing witness. Lastly, she testified that it was possible to read the E-Will while signing and that she could see the signature block for Decedent before she electronically “signed” it.

Attorney Baroni testified regarding his background and experience generally as an attorney and drafting wills specifically. Attorney Baroni stated that during the beginning of the COVID-19 pandemic, he improved and increased his use of

⁵ <https://www.dos.pa.gov/OtherServices/Notaries/E-Notary/Documents/Approved-E-Notary-and-RON-Vendor-List.pdf>.

⁶ The stay-at-home portion of the Governor’s Order remained in place until June 4, 2020. Decedent did not thereafter visit her attorney to sign papers in person after she executed the E-Will. Decedent died on August 27, 2020.

⁷ Ms. Euler was certified as a remote online notary around April of 2020 during the inception of the COVID-19 pandemic.

[72 Ches. Co. Rep. In re: Estate of Maxine Smyth

technology.⁸ He testified that clients would complete an online intake form and he would conduct initial consultations remotely. Decedent filled out such a form and then, per his custom, Attorney Baroni scheduled a Zoom call to mark up the intake form upon further conversation. Exhibit “P-4” (marked up notes on intake form). Attorney Baroni’s notes matched the terms of the E-Will in that they listed two children (Rebecca and Gregory) and referenced disinheriting Gregory, granting Rebecca power of attorney, and designating Rebecca as executrix.

Regarding Decedent’s E-Will, Attorney Baroni testified he received a copy of the electronically signed will along with DocVerify’s electronic journal, Exhibit “P-2,” and video, Exhibit “P-1.” Attorney Baroni downloaded the executed E-Will through his secure access to the program. Attorney Baroni signed the E-Will with his finger but noted that the system allows for tracing a signature on a track pad and for affixing a replicated signature. Attorney Baroni witnessed Decedent, Stephanie Baroni, himself, and the notary all sign the document electronically. Decedent signed first and then each witness signed one-by-one going through the document as well as executing the self-proving acknowledgment. Attorney Baroni confirmed Ms. Euler’s testimony that the software assigned a different signature block or blocks to each email address sent and the participant could only “sign” when their turn. Attorney Baroni could see and hear Decedent throughout the signings and Attorney Baroni saw and heard Decedent when she signed.

The witnesses later signed oath of witnesses in August, 2020 (both Attorney Baroni and Stephanie Baroni). Exhibit “P-3.” Attorney Baroni testified that the E-Will submitted to the Register of Wills and submitted as Exhibit “P-2” is a true and correct copy and accurately reflects the wishes of Decedent.

III. DISCUSSION

The question before this court is simple: is an electronic signature of a will witnessed remotely and notarized remotely compliant with statutory and case law requirements for wills?

In all cases involving the interpretation of a statute, the courts are guided by the provisions of the Statutory Construction Act, 1 Pa.C.S. § 1901, *et seq.* Pursuant to the Statutory Construction Act, the object of all statutory construction is to ascertain and effectuate the General Assembly’s intention. 1 Pa.C.S. § 1921(a) (“The object of all interpretation and construction of statutes is to ascertain and effectuate the intention of the General Assembly.”). “Generally speaking, the best indication of legislative intent is the plain language of a statute.” Commonwealth v. Gilmour Manufacturing Co., 822 A.2d 676, 679 (Pa. 2003) (citations omitted). “Furthermore,

⁸ Attorney Baroni testified that he used DocVerify and conducted remote signings of wills on 9 or 10 occasions during the height of the pandemic, although he later had all of his clients except Decedent (who passed away on August 27, 2020) re-execute the documents to avoid any issue with the state of law in Pennsylvania regarding e-signatures. For all of the remote signings, Attorney Baroni reviewed the Department of State temporary authorization for online notaries for certain documents, including wills, and adjusted his practice in compliance. Exhibit “P-1.”

in construing statutory language, “[w]ords and phrases shall be construed according to rules of grammar and according to their common and approved usage....” *Id.* (brackets and ellipsis in original) (quoting 1 Pa.C.S. § 1903). Additionally, “[w]hen the words of a statute are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.” 1 Pa.C.S. § 1921(b).

To start, an analysis must be made of the relevant statutes. 20 Pa.C.S. § 2502 provides that:

Every will shall be in writing and shall be signed by the testator at the end thereof, subject to the following rules and exceptions:

(1) Words following signature.--The presence of any writing after the signature to a will, whether written before or after its execution, shall not invalidate that which precedes the signature.

(2) Signature by mark.--If the testator is unable to sign his name for any reason, a will to which he makes his mark and to which his name is subscribed before or after he makes his mark shall be as valid as though he had signed his name thereto: Provided, That he makes his mark in the presence of two witnesses who sign their names to the will in his presence.

(3) Signature by another.--If the testator is unable to sign his name or to make his mark for any reason, a will to which his name is subscribed in his presence and by his express direction shall be as valid as though he had signed his name thereto: Provided, That he declares the instrument to be his will in the presence of two witnesses who sign their names to it in his presence.

20 Pa.C.S. § 2502 (emphasis in original).

Additionally, 20 Pa.C.S. § 2504.1 provides that “[a] will is validly executed if executed in compliance with section 2502 (relating to form and execution of a will), or in compliance with the law of the jurisdiction where the testator was domiciled at the time of the execution of the will or at the time of his death.”

The purpose of these requirements is to ensure from the face of the instrument that the testator’s intent is followed as well as to prevent fraud, unauthorized alterations, and the like. *In re Brown’s Estate*, 32 A.2d 22, 23 (Pa. 1943) (interpreting the substantially similar prior version of the act and rejecting typewritten words appearing beside and to the right of a signature as having been written after the signature and noting “[t]he purpose of the [Wills] Act was to remove all possibility of fraud.”).

Moreover, it is the identity and integrity of the instrument executed that are essential elements - as is the signature. This principle has been long accepted by courts in Pennsylvania. *McAndrew’s Estate*, 55 A. 1040 (Pa. 1903) (rejecting a will

[72 Ches. Co. Rep. **In re: Estate of Maxine Smyth**

where it was unclear if the decedent signed the papers from the testimony at hand); Appeal of Tomlinson, 19 A. 482 (Pa. 1890)⁹ (accepting a will written in ink as well as cancellations of certain provisions in pencil as being deliberative and upholding the integrity of the instrument). With those principles in mind, the court must turn to the question of whether or not the E-Will is validly signed or marked.

Electronic Signatures in General

The issue of electronic signatures is relatively new in the history of the law and it is instructive to look at the current status of various rules and statutes accepting or rejecting e-signatures.

Beginning with a rejection of e-signatures, this court is aware of at least one sister court in this Commonwealth relying in part on the plain language of the Pennsylvania Electronic Transaction Act (PETA), 73 P.S. § 2260.101, *et seq.* PETA specifically notes that it does not apply to “[a] law governing the creation and execution of wills, codicils or testamentary trusts.” 73 P.S. § 2260.104(b)(1). In Kittler Estate, Docket # 2022-0236 (Lancaster Cty. 2022), the court cited this exclusion to state that the legislature has declined to alter the requirement that a will be executed by an ink signature.

Respectfully, this court disagrees. PETA’s provisions do not apply to a will, that is apparent on the face of the language. The explicit carveout of wills serves to make an analysis under PETA’s requirements unnecessary. It does not change existing law nor, importantly, does it *prohibit* an electronic signature in a will. Moreover, the comment to § 2260.104(b) lends credence to the fact the legislature believed that wills were outside the scope of intended transactions addressed by PETA (“Paragraph (1) excludes wills, codicils and testamentary trusts. This exclusion is largely salutary given the unilateral context in which such records are generally created and the unlikely use of such records in a transaction as defined in this Act (*i.e.*, actions taken by two or more persons in the context of **business, commercial or governmental affairs**).”). *Id.* at comment 4 (emphasis added). In other words, PETA did not choose to govern or comment on wills or trusts as that was outside the limited commercial scope of PETA.

Other areas of the law have adapted to electronic signatures and the reasoning of those areas can be applied to wills and trusts. Given the common use of notaries in executing wills, a look at the standards governing notaries is instructive. Specifically, notaries are required for: self-executing wills pursuant to 20 Pa.C.S. 3132.1; Powers of Attorney pursuant to 20 Pa.C.S. § 5601; living wills pursuant to 20 Pa.C.S. § 542; and advanced health care directives pursuant to 20 Pa.C.S. § 5452. Notaries are governed by the Revised Uniform Law on Notarial Acts (RULNA), 57 Pa.C.S. § 301, *et seq.*

Attorney Baroni testified regarding his concerns with COVID restrictions at the time including the emergency declarations by then-Governor Wolf, which prohibited

⁹ This court notes that many of the cases it has chosen to cite are well-seasoned – this choice is intentional. Although the issue of electronic signatures is of the modern age, the analysis is not. Rather, courts have long been confronted with the question of what constitutes a signature and the ability to electronically sign is merely a variation on that historical theme. Accordingly, the effects of an electronic signature may be analyzed under venerable case law.

in-person meetings and allowed people to leave their residence only for access to or provision of life-sustaining services. As such, the legislature passed Act 15 of 2020, which temporarily authorized remote notarization for Pennsylvania notaries. The permission for remote notaries to use audio-visual communication technology was made permanent by amendments to RULONA by adding section 306.1 (Notarial act performed for remotely located individual) through Act 97 of 2020. Section 306.1 authorizes use of remote communication meeting certain standards including an audio-visual recording of the performance of the notarial act and all “interactions between the notary public and the remotely located individual.” 57 Pa.C.S.A. § 306.1(b)(3). Therefore, a notary, such as here, is expressly authorized to use remote communication technology to witness a will.

Moreover, DocVerify was among the list of approved electronic notarization technology providers. <https://www.dos.pa.gov/OtherServices/Notaries/E-Notary/Documents/Approved-E-Notary-and-RON-Vendor-List.pdf>. Accordingly, Pennsylvania at the relevant time period recognized (and now permanently recognizes) DocVerify as an appropriate means for notaries to perform their services, which includes notarizing wills by remote communication technology. This Commonwealth and the legislature have expressly recognized the ability of a notary to perform his/her job through remote technology meeting certain safety and tamper-proof requirements.

RULONA further defines a “signature” as “[a] tangible symbol or electronic signature which evidence the signing of a record.” 57 Pa.C.S. § 302. PETA defines an electronic signature as “[a]n electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.” Both of these definitions suggest a consistent acknowledgment by our legislature that electronic signatures are valid in a variety of contexts in which reliability of the signature is of utmost importance – much as it is with wills.

Looking at the fundamentals of evidence governing all matters before the courts, Pennsylvania Rule of Evidence 1001 defines a “writing” as “consist[ing] of letters, words, numbers, or their equivalent **set down in any form.**” (emphasis added). *See also* Black’s Law Dictionary (11th ed. 2019) (defining “writing” to include “hard-copy documents, electronic documents on computer media, audio and videotapes, e-mails, and any other media on which words can be recorded.”). Moreover, the Pennsylvania Supreme Court adopted Rule 1001(d) which provides that “[f]or electronically stored information ‘original’ means any printout[.]” As such, an e-will meets the definitions of writing and original document in printed form deemed sufficiently reliable to be admitted to evidence for the trier of fact to consider.

Additionally, Pa.R.Civ.P. 76 defines “signature” as including:

- (1) mark when the individual cannot write, the individual's name being written near it, and witnessed by another who writes his or her own name,
- (2) when used in reference to documents produced by a court of the Unified Judicial System, a handwritten signature, a copy of a handwritten signature, **a computer generated signature**

[72 Ches. Co. Rep. In re: Estate of Maxine Smyth

or a signature created, transmitted, received, or stored by electronic means, by the signer or by someone with the signer's authorization unless otherwise provided in these rules;

(emphasis added). Accordingly, the rules of evidence and civil procedure would recognize the e-signature as a mark in this instance as well as specifically authorizing computer-generated signatures for the Unified Judicial System. Although not specifically applicable to wills, it is a recognition by the courts that electronic signatures, with sufficient indicia of reliability, meet the definition of signature.

The lack of a definition section in Title 20, Chapter 25 governing wills means the legislature has chosen to neither expressly accept nor prohibit electronic signatures. Until it does so, it is up to the courts to use common sense and existing definitions along with analyzing case law, the purpose of the underlying statutes, and its traditional, important role being the gatekeeper of what evidence is deemed reliable enough to be admitted to determine if an electronic signature and the circumstances surrounding it suffice to meet the 20 Pa.C.S. § 2502 use of the word "signature."

In the case *sub judice*, it is without doubt that the purposes of 20 Pa.C.S. § 2502 and related case law are best met by effectuating the intent of the decedent as indicated and signed in accordance with a common sense definition of the term signed buttressed by this Commonwealth's acceptance of electronic signatures in other contexts and upon a demonstration of the reliability and trustworthiness of the process and recording of the signing of the will as well as its subsequent secure storage. The recognition of the reliability of electronic signatures with appropriate safeguards is not a material change to the law or to 20 Pa.C.S. § 2502; rather it is merely applying the same common sense analysis of the existing language of the statute that the courts always have to a relatively new technology.

It is with this general background in mind that the court turns to the case law governing signatures or marks with respect to the execution of wills.

Signature or Mark

In order to determine if the instant E-Will is properly signed or marked, an analysis of what has constituted a signature or mark in estate matters is necessary beyond the general acceptance of electronic signatures in other contexts in courtroom proceedings. This question has been presented in various scenarios to the courts many times over the years. Instructive is the Pennsylvania Supreme Court's simple and cogent analysis of the requirement of a signature or mark:

[I]t is said that one of the purposes of the act of 1833 was to attain certainty as to the testator's completed testamentary purpose by the placing of his signature at the end of the instrument, and that while a signature by initials or by a part only of the name may be a valid execution of a will, the present, actual, and completed intent to execute must be apparent. The act of assembly defined

the manner by which this intent is to be manifested—by signing at the end thereof. **Signing in the usual acceptance of the word and in the sense in which, presumably, it is used in the act, is the writing of a name or the affixing of what is meant as a signature.**

In re Brennan’s Estate, 91 A. 220 (Pa. 1914) (discussing Knox’s Estate, 18 A. 1021 (Pa. 1890)) (emphasis added).¹⁰ The 1833 Act and current statute are identical in purpose – namely to prevent fraud and ensure the wishes of a decedent are followed.

This analysis has been upheld and applied in a variety of circumstances. In In re Kimmel’s Estate, 123 A. 405 (Pa. 1924), the Pennsylvania Supreme Court cited Brennan and found that a testamentary letter marked “Father” by the decedent in the decedent’s customary fashion of signing letters sufficed as a signature. The Kimmel Court noted that a form will would not be executed this way, but that is not required, and “his ‘intent to execute is apparent’ beyond all question.” Id. at 442. See also In re Shoemaker’s Estate, 47 Pa. D. & C. 337 (Dauphin Cty. 1943) (permitted a will executed by initial or an informal and short version of a full name as the intent to execute is clear); In re Panetta’s Estate, 69 Pa. D. & C. 2d 206, 211 (Montg. Cty. 1975) (“With respect to the signature itself, the rule is simply that any sort of a mark or writing intended by the signer as a signature will serve as such.”) (citing Olevich Est., 14 Fiduc. Rep. 265 (1960)).

Here, Decedent signed the E-Will electronically through DocVerify. Pursuant to the testimony in court and Pa.R.E. 201, this court takes judicial notice that DocVerify is a widely used and accepted method of safely and securely signing documents and is used regularly in business for the signing of contracts. It makes no difference whether a signature or mark is affixed by computer, ink pad signature with stamp, or pen. It is the intent that matters that the signature or mark “serves as such.”

This is unremarkable. Electronic signatures are commonly accepted today, are routinely accepted by the courts, and are subject to the normal standards governing admissibility and reliability. See e.g., Pa.R.E. 104 (“The court must decide any preliminary question about whether . . . evidence is admissible.”). Since a signature or mark may be electronic, the question before this court is whether Decedent’s electronic signature has sufficient indicia of reliability to be admitted into evidence.

Indicia of Reliability – Electronic Signature Security

Presently, the E-Will was held securely on behalf of the notary and attorney by DocVerify after execution. DocVerify, similar to many other software vendors, maintains a protected version of the document after it has been executed with electronic signatures and electronic notary. The executed electronic document has a cover page affixed that includes data as to the persons and notary who executed the

¹⁰ The Brennan Court did not enforce the purported will at issue there because there was no signature or mark at all but allowed that a formal signature may not be necessary.

[72 Ches. Co. Rep. **In re: Estate of Maxine Smyth**

documents, the exact date and time of execution, the internet protocol addresses of all signers, bar coding on each page, and a digital watermark. Moreover, DocVerify requires a signer to a document to confirm their identity including through his/her address and social security number. Accordingly, the document is verified as the original and without alteration.

Although no testimony was heard comparing the IP address of the decedent with that recorded by DocVerify, it would be possible if doubts were raised for such information to help prove or disprove a challenge. In viewing the security measures of DocVerify, it would appear that the document is in fact **more** secure and less subject to tampering than a printed will where the pages could be swapped or altered without restriction or recording of who accessed or modified the document.

Presently, two witnesses and a notary saw the decedent cause her mark/signature to appear on the document that was then securely stored with a provable lack of alteration. As such, no questions or doubts exist concerning whether the document electronically signed is the same as that witnessed or that the signature is that placed by the decedent. In other words, it has every indicia of reliability. As such, the will is validly signed and should be admitted pursuant to 20 Pa.C.S. § 2502(1).¹¹

Signature or Mark by Another

Here, even if the will were not admitted to probate pursuant to 20 Pa.C.S. § 2502 as being signed or marked by Decent, it would be admissible pursuant to subsection (2).

Specifically, 20 Pa.C.S. § 2502(2) provides that:

(2) **Signature by mark.**--If the testator is unable to sign his name for any reason, a will to which he makes his mark and to which his name is subscribed before or after he makes his mark shall be as valid as though he had signed his name thereto: Provided, That he makes his mark in the presence of two witnesses who sign their names to the will in his presence.

Presently, Decedent was not able to sign her name due to COVID-19 restrictions (although presumably capable of signing a will, it could not be done in the presence of others whereas the online meeting allowed for her “mark” on

¹¹ A concern may exist regarding the validity of an e-signature by itself without live witnesses, notarization, or a secure “read-only” environment followed by secured storage. Namely, it would be simple for somebody to type a will and “e-sign” for another. However, this court need not determine validity where a typed or electronic signature stands alone – in that scenario it may be necessary for the court to hear evidence regarding the metadata of the document, access to the computer or system on which the decedent purportedly drafted and/or e-signed the will, metadata concerning last modifications, and/or other evidence to determine the reliability and validity of the e-signature.

the will to be witnessed live).¹² Notably, this court knows of no case law that defines the “presence” of the witnesses. Accordingly, taking a common-sense approach, an invitation only online meeting at which there is a current or “live” multi-party audio-visual stream meets the definition of presence.

As such, this court finds that Decedent made her signature by mark – that mark being an e-signature when unable to sign her name “for any reason” and in the “presence” of two witnesses who also e-signed the will in the presence of Decedent. To hold otherwise would be to place unreasonable technical restrictions valuing form over substance when it is beyond any reasonable doubt that the document submitted to the court was the will that Decedent intended to execute and represented her wishes.

Moreover, the medium used, DocVerify, with the locking of any ability to further edit the terms of the will is a more secure medium than even a typed and printed will. It is certainly more secure than wills long accepted in this Commonwealth. A will has been sustained written on various mediums. See Sullivan's Estate, 18 A. 1120, 130 Pa. 342, 1889 (upholding a will written on a leaf of a memorandum book); Rorer's Will, 7 Phila. 524, 27 L.I. 21, 1870 (admitting a will on a receipt book); Beaumont's Estate, 65 A. 799 (Pa. 1907) (admitting a will written on a cash book); Fouche's Estate, 23 A. 547 (Pa. 1892) (upholding a will written on a blank page on the back of a printed notice); and Gaston's Estate, 41 A. 529 (Pa. 1898) (holding a signed writing on the back of a gas bill was a valid will).

The purposes of the requirement that a will be signed at the end are that it shall appear from the face of the instrument that the testator's intent was consummated and that the instrument was complete, and to prevent fraudulent or unauthorized alterations or additions. In re Brown's Estate, 32 A.2d 22 (Pa. 1943). Those purposes are met here. The E-Will contains the terms expressed by Decedent to her attorney, her mark or signature as witnessed, and the document is nonmalleable through the software restrictions.

Placement of Signature

Decedent here affixed her electronic signature to the end of the document in a place specifically designated and designed for that signature. This additionally indicates the intent of Decedent to validate the terms of the will. Compare In re Dietterich's Estate, 193 A. 158 (Pa.Super. 1937) (finding that signing the reverse side of a page that had a clearly indicated signature block was not signing at the end of the will as required by statute and was not the logical end of the language used) (citing In re Swire's Estate, 73 A. 1110 (Pa. 1909)); but see In re Proley's Estate, 422 A.2d 136 (Pa. 1980) (an equally divided court upholding the need for a signature to be at the end and finding a signature at right angles with the customary spot did not satisfy

¹² The standard for a reason that a decedent could not sign his/her name is subjective and a low bar. See Rosato's Estate, 185 A. 197 (Pa. 1936), in which the Pennsylvania Supreme Court clearly stated “As we view the act the sufficiency of the reason for not signing his name is for the testator's determination; ‘any’ reason which moves him not to sign is sufficient provided there is compliance with the other requisites of the act.”

[72 Ches. Co. Rep. **In re: Estate of Maxine Smyth**

that requirement with the opinion in support of reversal opining that without a specific signature block, signing the back page was sufficient).

In the case *sub judice*, the Decedent with two witnesses affixed a mark through her electronic signature in the spot indicated for her to do just that. Once again, weight should be given to the intent of Decedent as well as her intent to mark or sign the document in the appropriate place.

Signatures by Another

To the extent one would argue that the electronic signature is not a signature or mark made by Decedent, it is instructive to look at interpretations of the third provision of 20 Pa.C.S. § 2502(3) (providing for signatures by mark or signature by another at the direction of the testator).

The third section of the Wills Act has been construed by us. The law is concisely stated by Mr. Justice Horace Stern in James' Estate, 198 A. 4, 5 (Pa. 1938): 'There must be strict compliance with these statutory provisions, and a will is not valid unless executed precisely in accordance therewith. If executed by mark, it is not a lawful instrument unless testator's name was subscribed in his presence and by his direction and authority. In re Hunter's Estate, 196 A. 35 (Pa. 1938). It is true that such direction and authority need not be express; it may be implied, as, for example, where testator sees his name written and then signifies his ratification of the act by affixing his mark. Novicki v. O'Mara, 124 A. 672 (Pa. 1924); Girard Trust Co. v. Page, 127 A. 458 (Pa. 1925); Hughes' Estate, 133 A. 645 (Pa. 1926); Carmello's Estate, 137 A. 734 (Pa. 1927); Francis' Estate, 149 A. 701 (Pa. 1930). But, whether express or implied, the facts that such direction was given and that testator's name was subscribed in his presence must be proved, under the act, by two or more competent witnesses, each of whose testimony must be complete, independently of the other's, as to the existence of those circumstances and performance of those acts which the statute requires to exist and to be done as conditions essential to the validity of the will.' See also: Cassell's Estate, 6 A.2d 60 (Pa. 1939); Orlady's Estate, 9 A.2d 539 (Pa. 1939).

In re Cohen's Estate, 51 A.2d 704 (Pa. 1947).

Decedent could not be physically present due to COVID concerns and restrictions at the time of execution. It would defy common sense to state that a testator may instruct others who were in each other's presence live to sign a mark for him/her pursuant to 20 Pa.C.S. §2502(3) but to state that he/she cannot direct the computer to sign for her when she is unable to do so in person.

Accordingly, if the e-signature were not deemed to be a signature or mark of

Decedent, then it should be deemed to be a directive to another (in this case an electronic other or software) to make the mark or signature for her, which was witnessed by two others (and notarized although not required by that subsection). In fact, in Rosato's Estate, 185 A. 197 (Pa. 1936), the Pennsylvania Supreme Court clearly stated, "As we view the act the sufficiency of the reason for not signing his name is for the testator's determination; 'any' reason which moves him not to sign is sufficient provided there is compliance with the other requisites of the act."

Moreover, the Rosato Court cited approvingly its prior decision in Brehony v. Brehony, 137 A.260, 261 (Pa. 1927) in that the assistance in signing, regardless of whether the testator can write, is immaterial so long as the expressed wishes of the testator are followed in making the mark or signature. Rosato, 185 A. at 198 (citing also McClure v. Redman, 107 A.2d 25 (Pa. 1919)). "Therefore it makes no difference whether this will was signed by [the decedent] herself with the aid of her brother, or by [her brother] at her request, as long as the signature was adopted and legal proof is present." Id. (citing Hughes' Estate, 133 A. 645 (Pa. 1926)).

Again, here, even if the E-Will were not to be admitted pursuant to subsections (1) or (2), the plain language of 20 Pa.C.S. § 2502(3) is met, which provides:

If the testator is unable to sign [her] name or to make [her] mark for any reason, a will to which [her] name is subscribed in [her] presence and by [her] express direction shall be as valid as though [she] had signed [her] name thereto: Provided, That [she] declare the instrument to be [her] will in the presence of two witnesses who sign their names to it in [her] presence.

Even if the e-signature was deemed not to be the signature or mark of Decedent, then it is a mark made "subscribed in her presence" at her "express direction" with the computer program filling the role of the directee as opposed to the brother in Rosato.

IV. CONCLUSION

Accordingly, for the reasons set forth above this court on June 30, 2023 entered the Order that granted the Petition for Appeal from Register's Refusal to Admit Will to Probate filed June 23, 2022.

BY THE COURT:

/s/ BRET M. BINDER, J.

TABLE OF CONTENTS
LEGAL NOTICES

Orphans' Court Audit List **(2nd Publication of 2)** 2
Change of Name Notice 3
Corporation Notice 3
Dissolution Notice 3
Estate Notice **1st Publication.** 4
Estate Notice **2nd Publication.** 5
Estate Notice **3rd Publication.** 7
Nonprofit Corporation Notice 9
Trust Notice **(1st Publication of 3)** 9
Notice **(3rd Publication of 3)** 9
Personal Estate Notice **(1st Publication of 3)** 10
Notice of Action 10
Sheriff Sale of Real Estate **(1st Publication of 3)** 11

Chester County Court of Common Pleas

Orphans' Court Division

CALL OF THE AUDIT LIST

THE HONORABLE NICOLE R. FORZATO COURTROOM 11

WEDNESDAY, MAY 01, 2024 09:00 AM

MABEL PEW MYRIN

15-24-0767

CALL OF THE AUDIT LIST

FIRST AND FINAL ACCOUNT FBO HELEN ELIZABETH MYRIN SHORE

DAVID M. BROWN

PHILADELPHIA TRUST COMPANY, TRUSTEE

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CHANGE OF NAME NOTICE

**IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA**

CIVIL ACTION

LAW NO. 2024-00981-NC

NOTICE IS HEREBY GIVEN that the name change petition of Nicole Barbara Haggan was filed in the above-named court and will be heard on Monday, May 6, 2024 at 2:00:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Friday, February 2, 2024
Name to be changed from: Nicole Barbara Haggan to: Nicole Barbara Kesner
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CORPORATION NOTICE

Red Sombrero IP Holdings, Inc. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN that Clifford's Gift, a nonprofit corporation with its registered office is located at 251 Colwyn Terrace, West Chester, PA 19380, intends to file Articles of Dissolution with the Department of State of the Commonwealth of Pennsylvania and is engaged in winding up and settling its affairs under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended. Any claims should be sent in writing

within 60 days of this notice c/o Taylor D. Anderson, Clarion Law, LLC, PO Box 3169, West Chester PA 19381.

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN THAT the shareholders and directors of Nancy Hicks Live, a Pennsylvania non-profit corporation with an address at 24 E. Market Street, West Chester, PA 19381, have approved a proposal that the corporation voluntarily dissolve, and that the Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.
STACEY W. MCCONNELL, Esquire
Lamb McErlane, PC
24 E. Market Street
West Chester, PA 19381

DISSOLUTION NOTICE

NOTICE is hereby given that the shareholders and directors of Renovations 3.0, Inc., a Pennsylvania corporation, with an address of 347 E. Conestoga Road, Wayne, PA 19087, have approved a proposal that the corporation dissolve voluntarily and that the Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.
UNRUH, TURNER, BURKE & FREES, Solicitors
P.O. Box 515
West Chester, PA 19381-0515

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN BY Restorative Practices in Action Incorporated, a Pennsylvania nonprofit corporation, with an address of 454 E. King Rd., Malvern, PA 19355, that said corporation is winding up its affairs in the manner prescribed by section 5975 of the Pennsylvania Nonprofit Corporation Law of 1988, so that its corporate existence shall cease upon the filing of Articles of Dissolution in the Department of State of the Commonwealth of Pennsylvania.

ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

CARVER-BOOZ, Jean Bernadette, a/k/a Jean Carver, late of Phoenixville. Steven T. Castleman, 1116 Gay St., Phoenixville, PA 19460, Personal Representative.

COMFORT, Mary J., a/k/a Mary Jessica Comfort, late of East Pikeland Township. John Philip Crampton, 1500 Market St., Ste. 3500E, Philadelphia, PA 19102, care of JOHN PHILIP CRAMPTON, Esquire, 1500 Market St., Ste. 3500E, Philadelphia, PA 19102, Executor. JOHN PHILIP CRAMPTON, Esquire, Dilworth Paxson LLP, 1500 Market St., Ste. 3500E, Philadelphia, PA 19102, atty.

DARPINO, Martha M., late of East Whiteland Township. Dianne L. Dennis, care of PHILIP G. CURTIN, Esquire, 1231 Lancaster Ave., Berwyn, PA 19312-1244, Executrix. PHILIP G. CURTIN, Esquire, Philips, Curtin & DiGiacomo, 1231 Lancaster Ave., Berwyn, PA 19312-1244, atty.

DIXON, Edwin Saunders, late of East Goshen Township. Sallie F. Dixon, care of DAVID M. FREES, III, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DAVID M. FREES, III, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

ESTEP, Lawrence Elder, a/k/a Lawrence E. Estep, late of Caln Township. Barbara J. Walton, 11299 Meadfield Drive, Bealeton, VA 22712, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

FORSYTHE, Mary Ellen, late of West Vincent Township. Jason Forsythe and Brett Forsythe, care of LINDSEY HOELZLE, Esquire, P.O. Box 98, Birchrunville, PA 19421, Executors. LINDSEY HOELZLE, Esquire, Hoelzle Law LLC, P.O. Box 98, Birchrunville, PA 19421, atty.

FRIEDMAN, Thomas B., late of Tredyffrin Township. Joseph Friedman, care of GUY F. MATTHEWS, Esquire, 300 W. State St., Ste. 300, Media,

PA 19063, Executor. GUY F. MATTHEWS, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

GIRONELLI, Thomas Columbus, a/k/a Thomas C. Gironelli, late of Phoenixville Borough. James Guardino, 120 Foxgayte Lane, Pottstown, PA 19465, Executor.

HALTER, James J., late of Parkesburg Borough. Richard Halter, care of DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkesburg, PA 19365, Executor. DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkesburg, PA 19365, atty.

HEMING, Linda G., late of Phoenixville Borough. Sharon H. McConaghy, care of MARK A. GIAMPIETRO, Esquire, P.O. Box 267, Phoenixville, PA 19460-0267, Executrix. MARK A. GIAMPIETRO, Esquire, P.O. Box 267, Phoenixville, PA 19460-0267, atty.

JAMES, Kathleen R., late of Phoenixville. Phyllis James, 222 2nd Ave., Phoenixville, PA 19460, Executrix.

JENNINGS, Rodney L., late of West Nottingham Township. Tracy J. Duvall, Sr., care of EMILY T. ABELS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. EMILY T. ABELS, Esquire, Larimore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

JURY, Linda A., a/k/a Linda Ann Jury, late of West Goshen Township. Gail A. Manni, 2069 Schoff Rd., Atglen, PA 19310, care of DAVID A. MEGAY, Esquire, 41 E. High St., Pottstown, PA 19464, Executrix. DAVID A. MEGAY, Esquire, OWM Law, 41 E. High St., Pottstown, PA 19464, atty.

KIPP, Jeffrey William, a/k/a Jeff Kipp and Jeff W. Kipp, late of East Fallowfield Township. Zedra Ann Kipp, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Administrator. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

KONCHEK, Eric Jason, late of Uwchlan Township. Jennifer Konchek, care of THOMAS E. WYLER, Esquire, 22 East Third Street, Media, PA 19063, Administratrix. THOMAS E. WYLER, Esquire, Falzone & Wyler LLC, 22 East Third Street, Media, PA 19063, atty.

KOSOWSKI, Bernard Marvin, late of Valley Forge. Brian M. Kosowski, 1119 S Sanatoga Rd, Pottstown, PA 19465, Administrator.

MONTAGUE, James, a/k/a James L. Montague and James L. Montague, Jr., late of East Bradford

Township. Kathleen M. Montague, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Administrator. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

SAGNOR, Margaret Louise, late of Sadsbury Township. Bruce William Sagnor, 454 Octorara Trail, Parkesburg, PA 19385, care of KRISTEN R. MATTHEWS, Esquire, 257 W. Uwchlan Ave., Ste. 1, Downingtown, PA 19335, Executor. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 257 W. Uwchlan Ave., Ste. 1, Downingtown, PA 19335, atty.

SCHAEFFER, William Ross, a/k/a William R. Schaeffer, late of Uwchlan Township. Joshua W. Schaeffer, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

SLIFER, Catherine M., late of West Chester Borough. Eric Slifer, care of CYNTHIA LOVE DENGLER, Esquire, 484 Norristown Rd., Ste. 124, Blue Bell, PA 19422, Executor. CYNTHIA LOVE DENGLER, Esquire, Murphy & Dengler, 484 Norristown Rd., Ste. 124, Blue Bell, PA 19422, atty.

WATTS, Florence M., late of Spring City Borough. Kathleen Darlington, care of CYNTHIA LOVE DENGLER, Esquire, 484 Norristown Rd., Ste. 124, Blue Bell, PA 19422, Executrix. CYNTHIA LOVE DENGLER, Esquire, Murphy & Dengler, 484 Norristown Rd., Ste. 124, Blue Bell, PA 19422, atty.

WISE, Joan C., late of East Goshen Township. Karen W. Baker, 140 E. Township Line Rd., Exton, PA 19341, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay St., Ste. 100, West Chester, PA 19380, Executrix. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, P.C., 17 E. Gay St., Ste. 100, West Chester, PA 19380, atty.

2nd Publication

BROWN, Jean W., late of Uwchlan Township. Joni Brown-Irons, 304 Bishop Morgan Ct., Downingtown, PA 19335, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law P.C., 65 S. Third St., Oxford, PA 19363, atty.

BURNETTE, Douglas Lee, a/k/a Douglas L. Burnette, late of Elk Township. James Burnette, 581 Cullen Rd., Lincoln University, PA 19352, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Executor. ANITA M. D'AMICO,

Esquire, D'Amico Law P.C., 65 S. Third St., Oxford, PA 19363, atty.

COUGHLIN, William D., late of Uwchlan Township. Maureen E. Kennedy, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

DESMOND, Rebecca C., a/k/a Rebecca Casner Desmond and Rebecca J. Desmond, late of Borough of Downingtown. Jeanne Elizabeth Franklin, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

FLISOCK, Carol D., late of London Grove Township. Nicole O'Rourke, care of EMILY T. ABELS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. EMILY T. ABELS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

FROST, Elaine P., late of Pennsbury Township. Thomas Earle Frost, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

GALLAGHER, SR., John F., a/k/a John F. Gallagher, late of Honey Brook Township. Richard E. Meanix, 213 W. Miner St., West Chester, PA 19382, care of KRISTEN R. MATTHEWS, Esquire, 257 W. Uwchlan Ave., Ste. 1, Downingtown, PA 19335, Administrator C.T.A.. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 257 W. Uwchlan Ave., Ste. 1, Downingtown, PA 19335, atty.

GARBER, Gloria, late of North Coventry Township. Richard K. Poley, 2437 Manzano Loop NE, Rio Rancho, NM 87144, care of NICOLAS F. METER, Esquire, 1401 E. High St., Pottstown, PA 19464, Executor. NICOLAS F. METER, Esquire, Meter Law Offices, LLC, 1401 E. High St., Pottstown, PA 19464, atty.

GRIFFITH, John R., late of Borough of Phoenixville. Sarah Strzelecki, care of ELIZABETH R. HOWARD, Esquire, PO Box 507, 301 Gay St., Phoenixville, PA 19460, Administratrix C.T.A.. ELIZABETH R. HOWARD, Esquire, PO Box 507, 301 Gay St., Phoenixville, PA 19460, atty.

HALLMAN, Lori A., late of East Coventry Township. Jarred Hallman, care of CAROLYN MARCHESANI, Esquire, P.O. Box 444, Pottstown,

PA 19464, Executor. CAROLYN MARCHESANI, Esquire, Wolf, Baldwin & Associates, P.C., P.O. Box 444, Pottstown, PA 19464, atty.

HARSHAW, Robert R., a/k/a Robert R. Harshaw, III and Robert Harshaw, late of Pocopson Township. Linda De Haven, care of ROBERT P. SNYDER, Esquire, 121 Ivy Ln., King of Prussia, PA 19406, Executrix. ROBERT P. SNYDER, Esquire, Snyder Law Group, P.C., 121 Ivy Ln., King of Prussia, PA 19406, atty.

HUGHES, Ruth L., late of Tredyffrin Township. Bryn H. Cushman, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

KARMILOWICZ, Marie, a/k/a Marie A. Karmilowicz, late of Tredyffrin Township. Michael John Karmilowicz, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

KINGSLEY, Robert G., a/k/a Robert George Kingsley, late of West Goshen Township. Sarah J. Ruch, 823 Little Shiloh Rd., West Chester, PA 19380, care of JANNA M. PELLETIER, Esquire, 535 N. Church St., Ste. 115, West Chester, PA 19380, Executrix. JANNA M. PELLETIER, Esquire, 535 N. Church St., Ste. 115, West Chester, PA 19380, atty.

LEINBACH, Carol A, late of East Coventry. C. Randall Leinbach, P.O. Box 534, Pottstown, PA 19464, care of KEVIN F. HENNESSEY, Esquire, P.O. Box 534, Pottstown, PA 19464, Executor. KEVIN F. HENNESSEY, Esquire, P.O. Box 534, Pottstown, PA 19464, atty.

MacDONALD, Cynthia M., late of West Brandywine. John F. MacDonald, 21 Brandywine Drive, Glenmoore, PA 19343, care of MICHAELANGELO L DIPPOLITO, Esquire, 712 Kimberton Road, Chester Springs, PA 19425, Administrator. MICHAELANGELO L DIPPOLITO, Esquire, ThePeoplesLawFirm.com,LLC, 712 Kimberton Road, Chester Springs, PA 19425, atty.

MEIKLE, June, a/k/a June A. Meikle, late of Penn Township. Paul T. Meikle, Jr., 2754 Newark Rd., West Grove, PA 19390, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Executor. ANITA M. D'AMICO, Esquire, D'Amico Law P.C., 65 S. Third St., Oxford, PA 19363, atty.

MOORE, Robert Francis, a/k/a R Frank Moore and Frank Moore, late of Downingtown, Uwchlan

Township. Kevin J Moore, 612 Whiteland Hunt Road, Downingtown, PA 19335, Executor.

MORRIS, Elizabeth A., late of Oxford Borough. Frank Morris, Jr., care of IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, Executor. IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, atty.

MOURAR, Lewis Davis, a/k/a Lewis D. Mourar, late of East Brandywine Township. Michael Lewis Mourar, 134 Randolph Dr., Downingtown, PA 19335, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay St., Ste. 100, West Chester, PA 19380, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay St., Ste. 100, West Chester, PA 19380, atty.

OWENS, Owen D., late of Kennett Township. L. Peter Temple, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

POPIEL, Phyllis L., late of Uwchlan Township. Janet Kozarsky, P.O. Box 151, Chester Springs, PA 19425, care of SUZANNE BENDER, Esquire, 216 Bridge Street, Phoenixville, PA 19460, Administrator. SUZANNE BENDER, Esquire, 216 Bridge Street, Phoenixville, PA 19460, atty.

ROBINSON, Helen Rife, a/k/a Helen Elner Rife and Helen Elner Robinson, late of Kennett Township. Mark E. Robinson, 801 Yale Avenue Apt. 919, Swarthmore, PA 19081, Executor.

SHUMATE, Pearl E., a/k/a Pearl Elizabeth Shumate, late of Pottstown, South Coventry Township. Sharon D. Smith, care of MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, Executrix. MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, atty.

STEPHENS, Deanna F., late of New London Twp.. Douglas A. Stephens and Dawn M. Stephens, care of NEIL E. LAND, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executors. NEIL E. LAND, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

TROST, Robert E., late of Borough of Downingtown. Kelly J. Trost, 383 Jefferson Avenue, Downingtown, PA 19335, care of FRANK W. HAYES, Esquire, 31 South High Street, West Chester, PA 19382, Executrix. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

WATERBURY JR., Leslie G., late of Uwchlan Township. Cheryl L. Rhoades, 830 South Ridge Road, Denver, PA 17517, care of DOUGLAS A. SMITH, Esquire, PO Box 5349, Lancaster, PA 17606, Executrix. DOUGLAS A. SMITH, Esquire, Gibbel Kraybill & Hess LLP, PO Box 5349, Lancaster, PA 17606, atty.

WHITE, Michael J., late of Caln Township. Michelle L. Limper, care of KARYN L. SEACE, CELA, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executrix. KARYN L. SEACE, CELA, Esquire, Seace Elder Law, PLLC, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

WOOD, Paul R., late of Phoenixville. Jill A. Shanahan, 93 Seward Lane, Aston, PA 19014, care of MICHAELANGELO DIPPOLITO, Esquire, 712 Kimberton Road, Chester Springs, PA 19425, Executrix. MICHAELANGELO DIPPOLITO, Esquire, ThePeoplesLawFirm.com,LLC, 712 Kimberton Road, Chester Springs, PA 19425, atty.

3rd Publication

ANDERMAN JR., Russell Stewart, late of Birmingham. Russell Anderman III, 819 Kenmara Drive, West Chester, PA 19380, Executor.

ANDERSON, Kenette N., late of Valley Township. Don C. Anderson, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

BATES, Alan G., late of Penn Township. L. Peter Temple, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

BOHRER, Elizabeth Victoria, late of Tredyffrin Township. William W. Weigand, care of JAMES M. PIERCE, Esquire, 125 Strafford Ave., Ste. 110, P.O. Box 312, Wayne, PA 19087, Executor. JAMES M. PIERCE, Esquire, Pierce Caniglia & Taylor, 125 Strafford Ave., Ste. 110, P.O. Box 312, Wayne, PA 19087, atty.

CELLUCCI, John Rocco, a/k/a John R. Cellucci, late of Berwyn. Kathleen C. Cellucci, 211 Bair Road, Berwyn PA 19312, care of JOSEPH C. HARE, Esquire, 211 Bair Road, Berwyn PA 19312, Administratrix. JOSEPH C. HARE, Esquire, 211 Bair Road, Berwyn PA 19312, atty.

CRABB, Phillip, late of Malvern. Peter B. Crabb,

109 Samantha Ln., Hazleton, PA 18202, care of DONALD G. KARPOWICH, Esquire, 85 Drasher Rd., Drums, PA 18222, Administrator. DONALD G. KARPOWICH, Esquire, 85 Drasher Rd., Drums, PA 18222, atty.

EMBODY, Alison R., a/k/a Alison Ruth Embody, late of North Coventry Township. Terry R. Embody, 1193 Foxview Rd., Pottstown, PA 19465, care of JOHN A. KOURY, JR., Esquire, 41 E. High St., Pottstown, PA 19464, Executor. JOHN A. KOURY, JR., Esquire, OWM Law, 41 E. High St., Pottstown, PA 19464, atty.

FILLMAN, Mary R., late of East Brandywine Township. Robert L. Fillman, care of DUKE K. SCHNEIDER, Esquire, 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, Executor. DUKE K. SCHNEIDER, Esquire, MacElree Harvey, LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, atty.

GARAVENTE, Carol A., late of Easttown Township. Chris J. Garavente, care of LANCE S. LACHEEN, Esquire, 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, Executor. LANCE S. LACHEEN, Esquire, Heckscher, Teillon, Terrill & Sager, P.C., 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, atty.

GIBSON, Ann Marie, a/k/a Nancy Gibson, late of East Whiteland Township. Lawrence J. Gibson and Dennis G. Gibson, care of APRIL L. CHARLESTON, Esquire, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, Executors. APRIL L. CHARLESTON, Esquire, The Charleston Firm, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, atty.

GIFFING, Dorothy E., late of West Chester Borough. Margaret G. Berry, care of DENNIS C. VONDRAN, JR., Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Administratrix. DENNIS C. VONDRAN, JR., Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

GROGAN, III, Bernard A., a/k/a Bernard Grogan, III, late of Willistown Township. Alexandra Dale Grogan, 154 Kingswood Ct., Glen Mills, PA 19342, and Brett W. Senior, 125 Strafford Ave., Ste. 112, Wayne, PA 19087, care of STEPHEN M. PORTER, Esquire, 125 Strafford Ave., Ste. 112, Wayne, PA 19087, Executors. STEPHEN M. PORTER, Esquire, Brett Senior & Associates, PC, 125 Strafford Ave., Ste. 112, Wayne, PA 19087, atty.

HAYES, John, late of West Bradford Township. Erin Hayes, care of RYAN M. BORNSTEIN, Esquire, 800 Lancaster Ave., Ste. T-2, Berwyn, PA

19312, Executrix. RYAN M. BORNSTEIN, Esquire, Harvey Ballard & Bornstein, LLC, 800 Lancaster Ave., Ste. T-2, Berwyn, PA 19312, atty.

LEONARD, James Edward, a/k/a James E. Leonard, late of East Nottingham Township. Sheri Lynn Keen, 115 Garfield Ave., Norwood, PA 19074, care of STEPHEN J. OLSEN, Esquire, 17 E. Gay St., Ste. 100, West Chester, PA 19380, Administratrix. STEPHEN J. OLSEN, Esquire, Gawthrop Greenwood, P.C., 17 E. Gay St., Ste. 100, West Chester, PA 19380, atty.

LIEBERMAN, Randall Stone, late of West Grove. Amy Jo McDowell, care of GEORGE S. DONZE, Esquire, 696 Unionville Road, Suite 6, Kennett Square, PA 19348, Executrix. GEORGE S. DONZE, Esquire, Donze and Donze, 696 Unionville Road, Suite 6, Kennett Square, PA 19348, atty.

LINEY, JR., James Joseph, late of West Chester. Jean Liney, 37 Halloran Ct, Hockessin, DE 19707, Personal Representative.

LONG, Richard R., late of Chester Springs. Susan B Evans, 2376 Beaver Hill Rd, Chester Springs, PA 19425, Executrix.

MAKOWSKI, Antoinette M., late of Upper Uwchlan Township. Gina Potemski, care of ALBERT R. RIVIEZZO, Esquire, P.O. Box 673, Exton, PA 19341-0673, Executrix. ALBERT R. RIVIEZZO, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341-0673, atty.

NATTLE, Pasquale S., late of Borough of Phoenixville. John Nattle, care of ELIZABETH R. HOWARD, Esquire, PO Box 507, 301 Gay St., Phoenixville, PA 19460, Administrator. ELIZABETH R. HOWARD, Esquire, PO Box 507, 301 Gay St., Phoenixville, PA 19460, atty.

O'NEILL, Corrine E., late of Valley Township. Dennis F. O'Neill, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue Suite 13, Downingtown PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue Suite 13, Downingtown PA 19335, atty.

PATTISON, Harriet, late of Willistown Township. Nathaniel Kahn, care of JOHN A. TERRILL, II, Esquire, 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, Executor. JOHN A. TERRILL, II, Esquire, Heckscher, Teillon, Terrill & Sager, P.C., 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, atty.

POWELL, Margaret M., a/k/a Margaret Powell, late of Tredyffrin Township. Christine D. Johnson,

1150 Penn Grant Rd, Lancaster, PA 17602, care of THOMAS W. FLYNN III, Esquire, 19 Waterloo Avenue, Berwyn, PA 19312, Administratrix. THOMAS W. FLYNN III, Esquire, Crawford Diamond Flynn LLC, 19 Waterloo Avenue, Berwyn, PA 19312, atty.

RICKS, Robert G., late of Westtown Township. Kevin G. Ricks, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, West Chester, PA 19380, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, West Chester, PA 19380, atty.

ROSENCRANS, Lee E., a/k/a Lee Edward Rosencrans, late of Easttown Township. Thomas H. Mitchell, 85 Black Rock Rd., Quarryville, PA 17566, care of KATHRYN H. CRARY, Esquire, 1275 Drummers Ln., Ste. 210, Wayne, PA 19087-1571, Executor. KATHRYN H. CRARY, Esquire, Gadsen Schneider & Woodward LLP, 1275 Drummers Ln., Ste. 210, Wayne, PA 19087-1571, atty.

SALSANO, Crystal, late of East Vincent Township. Linda Alston, 50 Ginna B. Dr., Robesonia, PA 19551, care of S. STACY MOGUL, Esquire, 135 S. 19th St., Ste. 200, Philadelphia, PA 19103-4907, Administratrix. S. STACY MOGUL, Esquire, Heiligman and Mogul, P.C., 135 S. 19th St., Ste. 200, Philadelphia, PA 19103-4907, atty.

SENN, FREDERIC K., late of Upper Uwchlan Township. Jane M. Shields and William E. Warne, care of JOSEPH A. BELLINGHIERI, Esquire, 17 W. Miner St., P.O. Box 660, West Chester, PA 19382, Executors. JOSEPH A. BELLINGHIERI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19382, atty.

SHAFFER, Carolyn Lee, late of Oxford, Oxford Borough. Cathleen D. Davis, care of VINCENT CAROSELLA, JR., Esquire, 882 S Matlack Street, Ste 101, West Chester PA 19382, Administratrix. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 S Matlack Street, Ste 101, West Chester PA 19382, atty.

WEBB, Philip Brown, late of Nottingham. Reba Webb, 1014 Lees Bridge Road, PO Box 420, Nottingham, PA 19362-0420, Executrix.

WHITEFORD, Sean Patrick, late of West Caln Township. Sarah Whiteford, 215 Lewisville Road, Lincoln University, PA 19352, care of FRANCIS C. MILLER, Esquire, 21 W Washington St, Suite D, West Chester, PA 19380, Executrix. FRANCIS C. MILLER, Esquire, Miller Law Offices, 21 W Washington St, Suite D, West Chester, PA 19380, atty.

WITTNER, John A., late of East Bradford Town-

ship. Andrew H. Dohan, 460 E. King Rd., Malvern, PA 19355-3049, care of ANDREW H. DOHAN, Esquire, 460 E. King Rd., Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Esquire, Wisler Pearlstine, LLP, 460 E. King Rd., Malvern, PA 19355-3049, atty.

ZEVTCIN, John Mark, late of Sadsbury Township. A. David Petreides, care of TOM MOHR, Esquire, 301 W Market Street, West Chester, PA 19382, Administrator. TOM MOHR, Esquire, Tom Mohr Law Office, PC, 301 W Market Street, West Chester, PA 19382, atty.

ZILKO, Barbara Jean, a/k/a Barbara J. Zilko, late of East Nottingham Township. Tracey Sloan, care of RYAN M. BORNSTEIN, Esquire, 800 Lancaster Ave., Ste. T-2, Berwyn, PA 19312, Executrix. RYAN M. BORNSTEIN, Esquire, Harvey Ballard & Bornstein, LLC, 800 Lancaster Ave., Ste. T-2, Berwyn, PA 19312, atty.

NONPROFIT CORPORATION NOTICE

NOTICE IS HEREBY GIVEN THAT, on 4/4/2024, Articles of Incorporation were filed with the Dept. of State for PARKESBURG HISTORICAL SOCIETY, a nonprofit corporation organized under the PA Nonprofit Corp. Law of 1988, exclusively for charitable purposes.

DENNIS B. YOUNG, Solicitor
430 W. First Ave.
Parkesburg, PA 19365

NONPROFIT CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a charter of a Nonprofit Corporation which was organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

The name of the corporation is Pyles Veteran Assistance.
Articles of Incorporation were filed on Thursday, March 28, 2024

The purpose or purposes for which it was organized are: Pyles Veteran Assistance purpose is to provide veterans with resources and knowledge aimed at assisting their transition from military service to civilian life. We have been incorporated under the

provisions of the PA Nonprofit Corporation Law of 1988.

1st Publication of 3

TRUST NOTICE

ELSIE M. UPCHURCH REVOCABLE LIVING TRUST AGREEMENT DATED 08/23/2006, AS AMENDED AND RESTATED
ELSIE M. UPCHURCH, Deceased
Late of West Brandywine Township, Chester County, PA

This Trust is in existence and all persons having claims or demands against said Trust or decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to AMY B. SIDDAL, TRUSTEE, c/o Jeffrey C. Goss, Esquire, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602,

Or to her Attorney:
JEFFREY C. GOSS
Brubaker Connaughton Goss & Lucarelli LLC
480 New Holland Avenue, Suite 6205
Lancaster, PA 17602

3rd Publication of 3

NOTICE

**IN THE COURT OF COMMON PLEAS OF
CHESTER COUNTY, PA
DOCKET NO. 2024-02168-RC**

**PETITION OF THE BOARD OF SCHOOL
DIRECTORS OF PHOENIXVILLE AREA
SCHOOL DISTRICT FOR THE SALE OF
REAL PROPERTY**

NOTICE OF HEARING

**ON THE PETITION OF THE BOARD OF
SCHOOL DIRECTORS OF PHOENIXVILLE
AREA SCHOOL DISTRICT FOR THE SALE
OF REAL PROPERTY**

NOTICE IS HEREBY GIVEN that upon the Petition of the Board of School Directors of Phoenixville Area School District for the Sale of Real Property ("Petition") and pursuant to Court Order, a hearing on the Petition will be held at 1:00 p.m.

on May 2, 2024, in Court Room 3 of the Chester County Justice Center, 201 West Market Street, West Chester, PA 19380. The property to be sold, and the subject of the Petition, consists of approximately ±6.00 acres of land that is partially asphalt paved with parking and improved with a partial two-story former elementary school that contains an estimated 45,000-square feet of gross building area. The aforementioned property is identified as UPI 26-2-132.1 (a/k/a UPI 26-2-132.1-E), with an address of 1191 Hares Hill Road in East Pikeland Township, Chester County, PA. For further information, you may contact:

FOX ROTHSCHILD LLP

David H. Comer, Esquire
980 Jolly Road, Suite 110
P.O. Box 3001
Blue Bell, PA 19422-3001
(610) 397-6500

1st Publication of 3

PERSONAL ESTATE NOTICE

ESTATE of SHIRLEY J. GREENDA. Grenda, late of Honey Brook Borough, deceased.

ROGER A. HARTZ, son of Raymond Walter Hartz and Eleanor Jane Rample, is hereby placed on Notice that a Petition has been filed with the Chester County Register of Wills requesting admission of the Last Will and Testament of the Decedent dated March 18, 2008, with two charities named as the sole beneficiaries of the Will. A return date has been set for April 29, 2024. Any objections to the admission of the March 18, 2008, Will should be made by Roger A. Hartz in writing to the Register of Wills, Chester County, within twenty days of the date of this Notice. Any questions regarding this Notice should be addressed to

Administrator & Attorney: Rick Morton, Esq.
999 West Chester Pike, Suite 201
West Chester, PA 19382
610-430-1427
rmorton@rmilaw.com

NOTICE OF ACTION

**IN THE COURT OF COMMON PLEAS OF
CHESTER COUNTY, PENNSYLVANIA CIVIL
ACTION - LAW**

No. 2024-02501-RC

Arbordeau, A Collectivity of Unit Owners v. Presumed and Unknown Heirs, and All Persons or Entities Claiming Right, Title or Interest by or through Carol M. Farrell, Deceased

NOTICE

TO: Presumed and Unknown Heirs and All Persons or Entities Claiming Right, Title or Interest by or through Carol M. Farrell, Deceased

Arbordeau, A Collectivity of Unit Owners, has filed a Complaint to enforce a lien for unpaid condominium association assessments against 8 Avignon, Devon, PA.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Chester County Lawyer Referral Service 15 West Gay Street -- P.O. Box 3191 West Chester, PA 19381-3191
(610) 429-1500

Elliot H. Berton, Esquire (610) 889-0700

Sheriff Sale of Real Estate

By virtue of the within mentioned writs directed to Sheriff Kevin D. Dykes, the herein-described real estate will be sold at public on-line auction via Bid4Assets, by accessing URL www.bid4assets.com/chestercopasheriffsales, on **Thursday, May 16th, 2024 at 11AM.**

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff's Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Monday, June 17th, 2024.** Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff's Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time of the on-line sale. Payment must be made via Bid4Assets. The balance must be paid within twenty-one (21) days from the date of sale via Bid4Assets.

KEVIN D. DYKES, SHERIFF

1st Publication of 3

SALE NO. 23-8-250

Writ of Execution No. 2019-04522

DEBT \$274,281.91

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN WEST BRADFORD TOWNSHIP, COUNTY OF CHESTER, COMMONWEALTH OF PENNSYLVANIA:

Parcel Number: 50-05A-0343.0000

PLAINTIFF: WELLS FARGO BANK, N.A., AS TRUSTEE FOR THE POOLING AND SERVICING AGREEMENT DATED AS OF APRIL 1, 2005 PARK PLACE SECURITIES, INC. ASSET-BACKED

PASS-THROUGH CERTIFICATES SERIES 205-WHQ2

VS

DEFENDANT: **MARGARET LOMBARTINO & MICHAEL LOMBARTINO**

SALE ADDRESS: 1603 Barbara Drive, Downingtown, PA 19335

PLAINTIFF ATTORNEY: **ROBERTSON, ANSCHULTZ, SCHNEID, CRANE & PARTNERS, PLLC 855-225-6906**

SALE NO. 24-5-142

Writ of Execution No. 2023-07718

DEBT \$177,471.09

ALL THAT CERTAIN lot or piece of land, situate in the Fourth Ward of the Borough of Phoenixville, County of Chester and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the East side of South Street, 160 feet North of the Northeast corner of Emmett and South Streets, which point of beginning is 20-1/2 feet from the centerline of South Street; thence along the East side of South Street North 13 degrees 30 minutes West 90 feet; thence North 76 degrees 30 minutes East 195.8 feet to a point on the West side of North Street and 12 feet from the centerline thereof; thence along the West side of North Street, South 13 degrees 30 minutes East 90 feet; thence along the North side of a 10 feet wide alley or driveway in the rear of lands of Dennis Gainor Estate et al South 76 degrees 30 minutes West, 195.8 feet to the point and place of beginning.

BEING THE SAME PREMISES AS Erich Zimmerman and Jodi R. Zimmerman, by Deed dated May 17, 1999, and recorded on May 20, 1999, by the Chester County Recorder of Deeds in Deed Book 4566, at Page 2037, granted and conveyed unto

Shane M. Fineran, now deceased, and Eleanor D. Fineran, as Tenants by the Entireties.

TAX PARCEL NO. 15-5-158

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: U.S. Bank Trust Company, National Association, as Trust Administrator and as Indenture Trustee for Citigroup Mortgage Loan Trust 2023-RP1

VS

DEFENDANT: **Eleanor D. Fineran**

SALE ADDRESS: 323 South Street, Phoenixville, PA 19460

PLAINTIFF ATTORNEY: **HILL WAL-LACK LLP 215-579-7700**

SALE NO. 24-5-143

Writ of Execution No. 2023-08642

DEBT \$310,466.48

ALL THAT CERTAIN lot or piece of ground situate at East Nottingham Township, Chester County, Commonwealth of Pennsylvania, bounded and described accordingly to a Final Plan of Wiltshire at Oxford, drawn by Lake Roeder Hillard & Beers, dated December 9, 1996 and last revised June 26, 1998, said Plan recorded in Chester County as Plan No. 14559, as follows, to wit:

BEGINNING at a point on the Easterly side of Quill Court (50 feet wide), said point being a corner of Lot No. 82 on said Plan; thence extending from said point of Beginning along the Easterly side of Quill Court the 2 following courses and distances: (1) Northwardly along the arc of a circle curving to the left having a radius of 175.00 feet the arc distance of 19.67 feet to a point of tangent; and (2) North 06 degrees 35 minutes 55 seconds East, 71.54 feet to a point of curve; thence leaving Quill Court along the arc of a circle curving to the right having a radius of 25.00

feet the arc distance of 24.06 feet to a point of reverse curve on the Southeasterly side of the cul-de-sac (of irregular width) at the terminus of Quill Court; thence extending Northeastwardly along same along the arc of a circle curving to the left having a radius of 62.50 feet the arc distanced of 44.32 feet to a point, a corner of lands marked "Open Space"; thence extending along said lands the 2 following courses and distances: (1) South 68 degrees 53 minutes 03 seconds East, 89.63 feet to a point, a corner; and (2) South 06 degrees 35 minutes 55 seconds West, 138.77 feet to a point, a corner of Lot No. 82 on said Plan; thence extending along same, North 76 degrees 57 minutes 40 seconds West, 124.16 feet to the first mentioned point and place of BEGINNING. CONTAINING 16,901 square feet of land.

BEING Lot No. 81 as shown on the above-mentioned Plan.

BEING the same premises which Melissa S. Ott by Deed dated November 18, 2004 and recorded December 7, 2004 in Office of the Recorder of Deeds in and for Chester County, Pennsylvania in Book 6352, Page 1177, conveyed unto Robert Kearney and Jennifer Kearney.

PARCEL NO. 69-3-64.19

PLAINTIFF: Fulton Bank, N.A. f/k/a Fulton Bank

VS

DEFENDANT: **Robert Kearney and Jennifer Kearney**

SALE ADDRESS: 611 Quill Court, Oxford, PA 19363

PLAINTIFF ATTORNEY: **HENRY & BEAVER LLP 717-274-3644**

SALE NO. 24-5-144

Writ of Execution No. 2023-05100

DEBT \$473,981.18

ALL THAT CERTAIN TRACT OR PAR-

CEL OF LAND WITH THE BUILDINGS ARE IMPROVEMENTS THEREON ERECTED, HEREDITAMENTS AND APPURTENANCES, SITUATE IN THE TOWNSHIP OF TREDYFFRIN, COUNTY OF CHESTER STATE OF PENNSYLVANIA

Parcel Number: 4311E00750100

PLAINTIFF: CASCADE FUNDING MORTGAGE TRUST HB4

VS

DEFENDANT: CLEO L. SMITH A/K/A CLEO LAMONT SMITH, IN HIS CAPACITY AS EXECUTOR OF THE ESTATE OF JUANITA R. SMITH A/K/A JUANITA R. CHILDS A/K/A JUANITA REBECCA SMITH A/K/A JUANITA SMITH; DENISE SMITH A/K/A DENISE JUANITA SMITH, IN HER CAPACITY AS HEIR OF JUANITA R. SMITH A/K/A JUANITA R. CHILDS A/K/A; JUANITA REBECCA SMITH A/K/A JUANITA SMITH; MERYL GWENDOLYN SMITH, IN HER CAPACITY AS HEIR OF JUANITA R. SMITH A/K/A JUANITA R. CHILDS A/K/A; JUANITA REBECCA SMITH A/K/A JUANITA SMITH; RENEE YVONNE BAYLIS, IN HER CAPACITY AS HEIR OF JUANITA R. SMITH A/K/A JUANITA R. CHILDS A/K/A; JUANITA REBECCA SMITH A/K/A JUANITA SMITH; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS, OR ASSOCIATIONS, CLAIMING RIGHT, TITLE, OR INTEREST, FROM OR UNDER JUANITA R. SMITH A/K/A JUANITA R. CHILDS A/K/A; JUANI TA REBECCA SMITH A/K/A JUANI TA SMITH

SALE ADDRESS: 48 Old Lancaster Road, A/K/A 48 Old Lancaster Road #50, Devon, PA 19333

PLAINTIFF ATTORNEY: ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC 855-225-6906

SALE NO. 24-5-145

Writ of Execution No. 2019-12740

DEBT \$656,364.35

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, HEREDITAMENTS AND APPURTENANCES, SITUATE IN THE TOWNSHIP OF PENN, COUNTY OF CHESTER AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A PLAN OF ELK CREEK FARMS, MADE BY KELLY & ASSOCIATES, INC., GLEN MILLS, PA DATED OCTOBER 9,1998, LAST REVISED NOVEMBER 3, 1999 AND RECORDED AS PLAN FILE NO. 15972 AS FOLLOWS, TO WIT:

BLR# 58-3-33.67

PLAINTIFF: DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR SAXON ASSET SECURITIES TRUST 2007-4, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-4

VS

DEFENDANT: KAREN L. KLEMASZEWSKI; MICHAEL P. KLEMASZEWSKI

SALE ADDRESS: 640 Blanca Court, West Grove, PA 19390

PLAINTIFF ATTORNEY: BROCK & SCOTT, PLLC 844-856-6646

SALE NO. 24-5-146

Writ of Execution No. 2023-07038

DEBT \$97,155.89

ALL THAT CERTAIN UNIT, DESIGNATED AS BUILDING NO. 8, UNIT NO. B-357 BEING A UNIT IN THE RIDINGS AT CHESTERBROOK, A CONDOMINIUM, SITUATE IN THE TOWNSHIP OF TREDYFFRIN, COUNTY OF CHESTER

AND STATE OF PENNSYLVANIA.

Parcel Number: 43-05-1056

PLAINTIFF: USAA FEDERAL SAVINGS BANK

VS

DEFENDANT: **JOHN G. MEANEY**

SALE ADDRESS: 357 New Market Court, Wayne, PA 19087

PLAINTIFF ATTORNEY: **ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC 855-225-6906**

SALE NO. 24-5-147

Writ of Execution No. 2023-04472

DEBT \$113,087.61

ALL THAT CERTAIN tract of ground, situate in Lower Oxford Township, Chester County, Commonwealth of Pennsylvania described according to a Plan of "University Heights" prepared for Cheyney Homesteads, Inc., by Chester Valley Engineers, Inc., Consulting Engineers, Paoli, Pennsylvania, April 23, 1959 and revised May 4, 1959 and being more fully described as follows:

BEGINNING at a point in the Southeast line of Township Route No. 329 (proposed 50 feet wide) said point being South 53 degrees 3 minutes West, 25.05 feet from a point in the center line of Township Route 329 being a corner of lands now or late of Robert Bidwell and land of the Grantor; thence from said point of beginning and continuing along the Southwest line of Township Route No. 329; South 40 degrees 40 minutes 10 seconds East, 76.63 feet to a point, the radial corner at the intersection of a proposed 50 feet wide street; thence along said radial corner on a line curving to the right having a radius of 25 feet an arc distance of 39.27 feet and a chord bearing South 6 degrees 19 minutes 50 seconds West, 35.36 feet to a point in

the Northwest line of and proposed 50 feet wide Street; thence along said Northwest line South 49 degrees 19 minutes 50 seconds West, 175 feet to a point; thence along and through land of the Grantor North 30 degrees 41 minutes West, 141.43 feet to a point in the South line of lands now or late of Robert Bidwell; thence along said lands the following two courses: (1) North 84 degrees 39 minutes East, 30 feet to a point; (2) North 53 degrees 3 minutes East, 134.95 feet to the point of BEGINNING.

BEING Lot No. 1 as shown on the above-mentioned Plan.

BEING the same premises which William E. Gaymon and Estelle S. Gaymon, his wife by Deed dated October 3, 1972 and recorded October 12, 1972 in Office of the Recorder of Deeds in and for Chester County, Pennsylvania in Book Y40, Page 193 conveyed unto Emery Wimbish, Jr., single man.

PARCEL NO. 56-4-67

PLAINTIFF: Fulton Bank, N.A., Successor by Merger to Fulton Bank

VS

DEFENDANT: **Emery Wimbish, Jr.**

SALE ADDRESS: 148 Elkdale Road, Lincoln University, PA 19352

PLAINTIFF ATTORNEY: **HENRY & BEAVER LLP 717-274-3644**

SALE NO. 24-5-148

Writ of Execution No. 2023-05438

DEBT \$517,329.87

Property to be sold is situated in the borough/township of KENNETT, County of Chester and State of Pennsylvania.

Parcel Number: 62-05-0067.350

PLAINTIFF: U.S. Bank National Association, not in its individual capacity but solely in its capacity as indenture trustee

of cim trust 2021-NR1

VS

DEFENDANT: **Marie B. Dellinger**

SALE ADDRESS: 15 Walnut Valley Road, Chadds Ford, PA 19317

PLAINTIFF ATTORNEY: **FRIEDMAN VARTOLO 212-471-5100**

SALE NO. 24-5-149

Writ of Execution No. 2023-00282

DEBT \$390,517.13

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN THE TOWNSHIP OF WEST CALN, COUNTY OF CHESTER AND COMMONWEALTH OF PENNSYLVANIA DESCRIBED ACCORDING TO A FINAL SUBDIVISION PLAN FOR JOHN L. BEILER, ET UX, DATED FEBRUARY 6, 1992 AND LAST REVISED MAY 18, 1992, PREPARED BY JOHN D. STAPLETON, III, REGISTERED LAND SURVEYOR AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A COMMON CORNER OF LAND OF LOT 1 AND LANDS OF EUGENE C. AND ELIZABETH KUCH LOCATED IN EXISTING PENNSYLVANIA ROUTE 10 (S.R. 0010); THENCE ALONG LANDS OF EUGENE C. AND ELIZABETH KUCH AND CROSSING OVER THE EXISTING RIGHT OF WAY LINE AND THE ULTIMATE RIGHT OF WAY LINE OF PENNSYLVANIA ROUTE 10 (S.R. 0010) SOUTH 54 DEGREES 04 MINUTES 02 SECONDS EAST A DISTANCE OF 613.7 FEET TO A POINT AT A COMMON CORNER OF LANDS OF EUGENE C. AND ELIZABETH KUCH AND GIDEON E. AND ELSIE B. SMUCKER; THENCE ALONG LANDS OF GIDEON E. AND ELSIE B. SMUCKER SOUTH 20 DEGREES 13 MINUTES 48 SECONDS EAST A DISTANCE OF 199.81 FEET TO A POINT

IN THE EXISTING RIGHT OF WAY OF TELEGRAPH ROAD (T-435); THENCE IN THE EXISTING RIGHT OF WAY LINE OF TELEGRAPH ROAD (T-435) SOUTH 48 DEGREES 18 MINUTES 18 SECONDS WEST, A DISTANCE OF 424.69 FEET TO A POINT AT A COMMON CORNER OF LOT 1 AND LOT 2 LOCATED IN THE EXISTING RIGHT OF WAY OF TELEGRAPH ROAD (T-435); THENCE CROSSING THE EXISTING RIGHT OF WAY LINE AND THE ULTIMATE RIGHT OF WAY LINE OF TELEGRAPH ROAD (T-435) NORTH 42 DEGREES 15 MINUTES 00 SECONDS WEST A DISTANCE OF 744.38 FEET TO A POINT AT A COMMON CORNER LOT 1 AND LOT 2 LOCATED IN THE EXISTING RIGHT OF WAY OF PENNSYLVANIA ROUTE 10 (S.R. 0010); THENCE IN THE EXISTING RIGHT OF WAY OF PENNSYLVANIA ROUTE 10 (S.R. 0010) NORTH 42 DEGREES 01 MINUTE 58 SECONDS EAST 375.77 FEET TO THE POINT AND PLACE OF BEGINNING

BEING the same premises which MARLIN R. BEILER AND NAOMI L. BEILER, HUSBAND AND WIFE by Deed dated 03/15/2002 and recorded in the Office of Recorder of Deeds of Chester County on 06/19/2002 at Book 5309, Page 1559 granted and conveyed unto BENJAMIN K. BEILER AND RACHEL E. BEILER, HUSBAND AND WIFE.

PARCEL NO.: 28-04-0027.060

PLAINTIFF: Deutsche Bank National Trust Company, as trustee, on behalf of the holders of the Washington Mutual Mortgage Securities Corp. WaMu Mortgage Pass-Through Certificates, Series 2005-AR6

VS

DEFENDANT: **Benjamin K. Beiler and Rachel E. Beiler and United States of America**

SALE ADDRESS: 3144 Compass Road, Honeybrook, PA 19344

PLAINTIFF ATTORNEY: **STERN & EISENBERG, PC 215-572-8111**

SALE NO. 24-5-150

Writ of Execution No. 2019-07976

DEBT \$190,713.19

All that certain tract of land situate in the Township of West Sadsbury, Chester County, Commonwealth of Pennsylvania, compiled from surrounding deed and set forth as follows, to wit:

BEGINNING at a point in the center of Upper Valley Road (L.R. 15063) said point being the Northwest corner of lands of Pearl B. Cantler, thence passing over a spike on the South side of said road, South eleven degrees twenty minutes East (S 11 20' E), one hundred twenty-five (125) feet to an iron pin, thence continuing along land of Pearl G. Cantler, South seventy-nine degrees ten minutes West (S 79 10' W), one hundred ninety-two and nine tenths (192.9) feet to an iron pin in line of land of Pearl B. Cantler and being a corner of land of Timothy B. Kennedy, et ux; thence along Kennedy's land, South ten degrees fifty minutes East (S 10 50' E), two hundred eighteen and twenty-six hundredths (218.26) feet to an iron pin on the North line of the Penn Central Railroad Company, thence along said last mentioned line one hundred twenty-five (125) feet from a parallel to center line of said Railroad, South eighty-two degrees seven minutes thirty seconds West (S 82' 07' 30" W), two hundred twenty-eight and forty-three hundredths (228.43) feet to a point being the Southeast corner of land of Harold D. Hall, et ux; thence along Halls land North one degrees forty-eight minutes West (N 01 48' W), one hundred sixty-four and thirty-four hundredths (164.34) feet to a point in line of land of Earl C. Skiles, et ux; thence along Skiles land, North eighty

degrees East (N 80' E), forty-seven (47) feet to a pin, thence continuing along land of Skiles North ten degrees West (N 10 W), one hundred twentyfive (125) feet to a point in the center of Upper Valley Road (L.R. 15063); thence along said center line North seventy-nine degrees ten minutes East (N 79 10' E), twenty (20) feet to a point being the point and place of BEGINNING.

Said land bounded on the North by land now or late of Earl C. Skiles, and Iris V. Skiles his wife, Upper Valley (LR 15063) and Pearl B. Cantler, bounded on the East by land of Pearl B. Cantler, bounded on the East by land of Pearl B. Cantler and Timothy B. Kennedy, Leslie A. Kennedy, his wife, bounded on the South by land of Penn Central railroad company; and bounded on the west by land of Harold M. Hall and Elizabeth A. Hall, his wife, and Earl C. Skiles and Iris V. Skiles, his wife. Title is vested in Richard E. Walker and Ethel Marie Walker, husband and wife by deed from Ethel Marie Walker, Married woman, dated 08/28/1986 and recorded 09/05/1986 in Book 431 and Page 541.

Tax ID: 36-05-0135.060

PLAINTIFF: The Bank of New York Mellon FKA The Bank of New York, as Trustee for the Certificateholders of the CWABS, Inc., Asset- Backed Certificates, Series 2005-BC5

VS

DEFENDANT: **Ethel Marie Walker and Richard E. Walker**

SALE ADDRESS: 3342 Upper Valley Road, Parkesburg, PA 19365

PLAINTIFF ATTORNEY: **PARKER McCAY PA 856-596-8900**

SALE NO. 24-5-151

Writ of Execution No. 2023-03803

DEBT \$64,369.81

ALL THAT EAST HALF OF A DOUBLE

FRAME DWELLING HOUSE DESIGNATED AS NO. 809 EAST CHESTNUT STREET IN THE CITY OF COATESVILLE AFORESAID BOUNDED AND DESCRIBED AS FOLLOWS:

FRONTING APPROXIMATELY NINETEEN FEET ON THE NORTH SIDE OF EAST CHESTNUT STREET AND EXTENDING BACK BETWEEN PARALLEL LINES TO OTHER LAND OF THE GRANTOR EIGHTY SIX AND SEVENTY FIVE ONEHUNDREDTHS FEET THE WESTERN LINE PASSING THROUGH THE DIVISION WALL OF THIS HOUSE AND NO. 807 EAST CHESTNUT STREET.

TITLE TO SAID PREMISES IS VESTED IN ESTHER R. JOHNSON BY DEED FROM LAWRENCE ASH YEARSLEY DATED JANUARY 7, 1998 AND RECORDED FEBRUARY 5, 1998 IN DEED BOOK 4306, PAGE 1096. THE SAID ESTHER R. JOHNSON DIED ON DECEMBER 24, 2020 WITHOUT A WILL OR APPOINTMENT OF AN ADMINISTRATOR, THEREBY VESTING TITLE IN JAMES DEMETRIS JOHNSON, KNOWN SURVIVING HEIR OF ESTHER R. JOHNSON AND UNKNOWN SURVIVING HEIRS OF ESTHER R. JOHNSON BY OPERATION OF LAW.

TAX I.D. #: 16-2-329

PLAINTIFF: The Bank of New York Mellon, the successor to JPMorgan Chase Bank, as Trustee for CIT Home Equity Loan Trust 2002-1

VS

DEFENDANT: **James Demetris Johnson, Known Surviving Heir of Esther R. Johnson and Unknown Surviving Heirs of Esther R. Johnson**

SALE ADDRESS: 809 East Chestnut Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **MCCABE, WEISBERG & CONWAY, LLC 215-790-1010**

SALE NO. 24-5-152

Writ of Execution No. 2023-08636

DEBT \$136,206.89

ALL THAT CERTAIN tract of land situated in Valley Township, County of Chester, Commonwealth of Pennsylvania, known as 925 Madison Street, bounded and described according to a survey made December 18, 1964 by DeArmit and Hayes, Engineers and Surveyors, as follows:

BEGINNING at a point in the North Right of Way line of Madison Street (fifty -- 50 feet wide) a corner of 923 Madison Street, said point being located two hundred thirty one and fifty one hundredths (231.50) feet from the West Right of Way line of West Ninth Avenue (fifty - 50 feet wide) as measured westwardly along the North Right of Way line of Madison Street; thence along Madison Street South seventy-eight degrees eleven minutes ten seconds West (S. 78 degrees 11'10" W.) twenty four and twenty five one hundredths (24.25) feet to a point, a corner of 927 Madison Street; thence along said land passing through a party wall North eleven degrees forty eight minutes fifty seconds West (N. 11 degrees 48'50" W.) one hundred twenty five (125) feet to a point in the South Right of Way line of Concord Street (twenty -20 feet wide); thence along Concord Street North seventy eight degrees eleven minutes ten seconds East (N. 78 degrees 11'10" E.) twenty four and twenty five one hundredths (24.25) feet to a point, a corner of Madison Street; thence along said land South eleven degrees forty eight minutes , fifty seconds East (S. 11 degrees 48'50" E.) one hundred twenty five (125) feet to the first mentioned point and place of beginning.

BEING the same premises which Adrian Negron and Paula Negron by Deed dated August 20, 2015 and recorded on August 24, 2015 in the Office of the Recorder of Deeds in and for the County of Delaware in Book 9168 at Page 2067, as Instrument

No. 11427268, granted and conveyed unto Dale Welsh, in fee.

PARCEL NO. 38-5C-88.2

PLAINTIFF: COBA, INC., assignee of TD BANK, N.A.

VS

DEFENDANT: **DALE WELSH**

SALE ADDRESS: 925 Madison Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **DUANE MORRIS LLP 215-979-1000**

SALE NO. 24-5-153

Writ of Execution No. 2023-04959

DEBT \$385,972.70

ALL THAT CERTAIN lot or parcel of land situated in the Township of Fallowfield, County of Chester, Commonwealth of Pennsylvania, being more fully described in Deed dated November 9, 2000 and recorded in the Office of the Chester County Recorder of Deeds on December 21, 2000, in Deed Book Volume 4871 at Page 1580 Tax Parcel No. 47-4-99.11

PLAINTIFF: U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMTP Trust, Series 2019-C

VS

DEFENDANT: **Richard P. Johnson a/k/a Richard Johnson, Beth Bradley Johnson a/k/a Beth Johnson and the United States of America**

SALE ADDRESS: 20 Wilmington Road, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **HLADIK, ONORATO & FEDERMAN, LLP 215-855-9521**

SALE NO. 24-5-154

Writ of Execution No. 2023-01898

DEBT \$89,149.37

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE TOWNSHIP OF BRADFORD, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS FOLLOWS, TO WIT:

All that certain, Unit situate in the Bradford Township, Chester County, Commonwealth of Pennsylvania, being within Building Group #17 and being designated as Condominium Unit No. 166 in Exhibit "B" of the Declaration of Condominium of Bradford Square - Phase 3, dated 8/28/1986 and recorded in the Office for the Recording of Deeds in and for Chester County at West Chester, PA., on 9/3/1986 in Deed Book 428 page 221 and Plats and Plans for Bradford Square Phase "3" Condominium dated 8/29/1986 and recorded 9/3/1986 in Condominium Plan Book. Together with all right, title and interest being 1.47% undivided interest of in and to the Common Elements as set forth in the aforesaid Declaration of Condominium. Together with all right, title and interest of in and to the Limited Common Elements designated for this unit in the Declaration of Condominium and/or Plats or Plans. Together with and subject to any and all terms, covenants, conditions, restrictions, right of ways, easements, trust and agreements of record in the aforesaid Office of the Recorder of Deeds of Chester County as contained in the aforesaid Condominium Declaration.

BEING THE SAME PROPERTY CONVEYED TO MARK HEALY WHO ACQUIRED TITLE BY VIRTUE OF A DEED FROM GERRETT H. A. CONOVER, DATED MAY 31, 2002, RECORDED JUNE 10, 2002, AT DOCUMENT ID 10093466, AND RECORDED IN BOOK 5301, PAGE 1129, OFFICE OF

THE RECORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

PLAINTIFF ATTORNEY: **PINCUS LAW GROUP 484-575-2201**

PARCEL NO.: 51-05-0565

PLAINTIFF: U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for RCAF Acquisition Trust

VS

DEFENDANT: **Mark A. Healy, AKA Mark Healy**

SALE ADDRESS: 744 Bradford Terrace, Unit 166, West Chester, PA 19382

PLAINTIFF ATTORNEY: **MANLEY DEAS KOCHALSKI LLC 614-220-5611**

SALE NO. 24-5-155

Writ of Execution No. 2023-04150

DEBT \$455,036.68

ALL THAT CERTAIN piece of ground, situate in the Township of East Whiteland, County of Chester and Commonwealth of Pennsylvania, as established by Declaration of The Townes at Malvern, a Planned Community dated April 28, 2016 and recorded April 28, 2016 in Book 9300, page 2221, as amended in Book 9589, page 1812, as amended in Book 9846, page 2244, and any and all amendments thereto, with the Office of the Recorder of Deeds for Chester County, Pennsylvania.

Tax Parcel(s) 42-3-652

PLAINTIFF: Aurora Financial Group, Inc. c/o Roundpoint Mortgage Servicing LLC f/k/a Roundpoint Mortgage Servicing Corporation

VS

DEFENDANT: **Walter Rodrigues De Oliveira Neto, Aline De Souza Costa**

SALE ADDRESS: 145 Mulberry Drive, Malvern, PA 19355

SALE NO. 24-5-156

Writ of Execution No. 2023-02813

DEBT \$178,854.18

ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDING AND IMPROVEMENTS THEREON ERECTED HEREDITAMENTS AND APPURTENANCES, SITUATE IN THE TOWNSHIP OF WEST BRANDYWINE, COUNTY OF CHESTER, COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A PLAN OF HUNTERS GLEN MADE BY TATMAN AND LEE ASSOCIATES, INC., DATED 10/15/1991 AND REVISED 2/15/1995 RECORDED IN CHESTER COUNTY AS PLAN NO. 12467 AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE SOUTHEAST SIDE OF HUNTER DRIVE, A CORNER OF LOT #4, AS SHOWN ON SAID PLAN, THENCE FROM SAID POINT OF BEGINNING ALONG THE SOUTHEAST SIDE OF HUNTER DRIVE NORTH 19 DEGREES 03 MINUTES 50 SECONDS EAST 103.25 FEET TO A POINT A CORNER OF LOT #6; THENCE ALONG LOT #6 SOUTH 54 DEGREES 28 MINUTES 11 SECONDS 202 FEET TO A POINT IN LINE OF LANDS NOW OR LATE OF JAMES C. WAYMAN; THENCE ALONG THE LANDS NOW OR LATE OF JAMES C. WAYMAN SOUTH 19 DEGREES 03 MINUTES 50 SECONDS WEST 103.25 FEET TO A POINT, A CORNER OF LOT #4; THENCE ALONG LOT #4 NORTH 54 DEGREES 28 MINUTES 11 SECONDS WEST 202 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

BEING LOT #5 ON SAID PLAN.

CONTAINING 20,000 SQUARE FEET

OF LAND BE THE SAME MORE OR LESS.

UNDER AND SUBJECT TO RESTRICTIONS, CONDITIONS, EASEMENTS, RIGHTS OF WAY AND COVENANTS AS IN PRIOR INSTRUMENTS OF RECORD.

TITLE TO SAID PREMISES IS VESTED IN ROBERT JARA BY DEED FROM MARK A. HILL AND HEATHER L. HILL, HUSBAND AND WIFE, DATED JULY 25, 2003 AND RECORDED SEPTEMBER 3, 2003 IN DEED BOOK 5870, PAGE 641 INSTRUMENT NUMBER 10297722.

TAX I.D. #: 29-4-364

PLAINTIFF: NewRez LLC d/b/a Shellpoint Mortgage Servicing

VS

DEFENDANT: **Robert Jara**

SALE ADDRESS: 20 Hunter Drive, Glenmoore, PA 19343

PLAINTIFF ATTORNEY: **MCCABE, WEISBERG & CONWAY, LLC 215-790-1010**

SALE NO. 24-5-157

Writ of Execution No. 2022-06711

DEBT \$235,244.84

PROPERTY SITUATE IN THE TOWNSHIP OF CHARLESTOWN

TAX PARCEL # 3502 0095 0100

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS INC.

VS

DEFENDANT: **SHARYN L. GALLAGHER**

SALE ADDRESS: 1 Hartman Run 1, Phoenixville, PA 19460

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

SALE NO. 24-5-158

Writ of Execution No. 2023-03983

DEBT \$5,812.30

Property to be sold is situated in the Borough of Phoenixville, Chester County, PA and is being sold as the property of Susan M. Koch, Deceased and the Estate of Susan M. Koch.

TAX PARCELS BEING UPI #15-7-182 and UPI #15-7-297.

IMPROVEMENTS thereon: a residential dwelling with detached garage

PLAINTIFF: Westridge Estates HOA

VS

DEFENDANT: **Karen L. Ferry, Executor of the Estate of Susan M. Koch and the Estate of Susan M. Koch**

SALE ADDRESS: 381 Westridge Circle, Phoenixville, PA 19460 with detached garage #8

PLAINTIFF ATTORNEY: **JAMIE W. GONCHAROFF, ESQ. 610-436-9700**

SALE NO. 24-5-159

Writ of Execution No. 2022-05228

DEBT \$305,141.18

ALL THAT CERTAIN PROPERTY SITUATED IN THE BOROUGH OF DOWNINGTOWN IN THE COUNTY OF CHESTER AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 12/09/2004 AND RECORDED 12/28/2004, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 6373 AND PAGE 1806.

BEING the same premises which ALAN

J. TRYENS by Deed dated 12/09/2004 and recorded in the Office of Recorder of Deeds of Chester County on 12/28/2004 at Book 6373, Page 1806 granted and conveyed unto WENDI D. TRYENS, AN UNMARRIED WOMAN.

PARCEL NO.: 11-05-0052

PLAINTIFF: DLJ Mortgage Capital, Inc.
VS

DEFENDANT: **Wendi D. Tryens a/k/a Wendi D. Fitzsimmons**

SALE ADDRESS: 17 Whiteland Avenue, Downingtown, PA 19335

PLAINTIFF ATTORNEY: **STERN & EISENBERG, PC 215-572-8111**

SALE NO. 24-5-160

Writ of Execution No. 2023-08175

DEBT \$87,938.12

ALL THAT CERTAIN lot or piece of ground situate in the Borough of Honeybrook, County of Chester and Commonwealth of Pennsylvania, which is bounded and described according to a Plan of Property made for Taylor Mills Associates, Inc., and ARA Consulting LTD, made by Berger and Mayes, Inc. dated 10/11/1977 and recorded in the Recorder of Deeds under Plan 1645. Being Lot 4 on the above mentioned survey

Tax Parcel # 12-4-44.1

PLAINTIFF: MCLP Asset Company, Inc.
VS

DEFENDANT: **Shane C. Snyder**

SALE ADDRESS: 839 Pine Street, Honey Brook, PA 19344

PLAINTIFF ATTORNEY: **JACQUELINE F. MCNALLY, ESQ. 850-422-2520**

SALE NO. 24-5-161

Writ of Execution No. 2021-03502

DEBT \$387,891.42

ALL THAT CERTAIN lot of piece of land with the buildings and improvements thereon erected SITUATE in the Township of East Brandywine, County of Chester and Commonwealth of Pennsylvania bounded and described according to a Plan of Subdivision of Cumberland Ridge made by Edward B. Walsh & Associates, Inc., Civil Engineers & Surveyors, Downingtown, PA dated October 16, 2001 last revised June 19, 2002 and recorded in Chester County as Plan No. 16613 as follows, to wit:

BEGINNING at a point of curve on the Southeasterly and southerly side of Road "C" (now known as Cumberland Drive) (50 feet wide) said point also marking a corner of Lot No. 10 on said Plan; thence from said beginning and extending along the Southeasterly side of said Cumberland Drive the two following courses and distances: (3) On the arc of a circle curving to the right having a radius of 475 feet the arc distance of 108.40 feet to a point of tangency; and (4) North 83 degrees 15 minutes 45 seconds East 64.42 feet to a point, a corner of Lot No. 8; thence leaving said side of Cumberland Drive and extending along said Lot No. 8 South 06 degrees 44 minutes 15 seconds East 308.19 feet to a point in line of "Open Space" on said Plan; thence extending along said "Open Space" South 69 degrees 55 minutes 07 seconds West 100.49 feet to a point, a corner of aforesaid Lot No. 10; thence extending along said Lot No. North 19 degrees 48 minutes 48 seconds West 327.56 feet to the first mentioned point and place of beginning.

CONTAINING 43,573 square feet of land more or less. BEING Lot No. 9 on said Plan.

Title is vested in BEING the same prem-

ises which CUMBERLAND RIDGE DEVELOPMENT, L.P., by indenture bearing date 09/15/2004 and recorded 11/24/2004 in the Office of the Recorder of Deeds, in and for the County of CHESTER in Record Book 6343 page 2004 etc., granted and conveyed unto JOHN L. GAMBLE AND REBECCA A. GAMBLE, in fee.

BEING PARCEL No: 30-6-50.9

PLAINTIFF: CSMC 2018-SP3 Trust

VS

DEFENDANT: Rebecca A. Gamble and John L. Gamble

SALE ADDRESS: 26 Cumberland Drive, Downingtown, PA 19335

PLAINTIFF ATTORNEY: **ECKERT SEAMANS CHERIN & MELLOTT 215-851-8429**

SALE NO. 24-5-162

Writ of Execution No. 2023-01914

DEBT \$196,919.07

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in Kennett Township, CHESTER County, Pennsylvania, bounded and described according to a Plan of Lots 94 - 96 Final Subdivision of Balmoral, made by Morris & Ritchie Associates, Inc., Bel Air, MD, dated 8/7/1991, last revised 10/2/1991 and recorded on 12/17/1991, as Plan #11474, as follows, to wit:

BEGINNING at an interior point from the Northwesterly side of MacDuff Court, a comer of Limited Common Area: thence extending along same, the 7 following courses and distances: (1) South 56 degrees 25 minutes 28 seconds West, 12.33 feet to a point; (2) North 33 degrees 34 minutes 32 seconds West, 2.33 feet to a point; (3) South 56 degrees 25 minutes 28 seconds West, 11.67 feet to a point; (4) North 33 degrees 34 minutes 32 seconds West. 9.67

feet to a point: (5) South 56 degrees 25 minutes 28 seconds West, 6.33 feet to a point; (6) North 33 degrees 34 minutes 32 seconds West, 4.33 feet to a point and (7) South 56 degrees 25 minutes 28 seconds West, 12.00 feet to a point: thence extending North 33 degrees 34 minutes 32 seconds West, along Lot #95. the distance of 26.00 feet to a point, a comer of Limited Common Area; thence extending along the same, the 4 following courses and distances: (1) North 56 degrees 25 minutes 28 seconds West, 30.00 feet to a point: (2) South 33 degrees 34 minutes 32 seconds East, 16.33 feet to a point: (3) North 56 degrees 25 minutes 28 seconds East, 12.00 feet to a point and (4) South 33 degrees 34 minutes 32 seconds East, 26.00 feet to the first mentioned point and place of beginning.

BEING Unit #94 as shown on said Plan.

TOGETHER with an easement for exclusive use over the respective areas shown as Limited Common Area and as driveway space on the plan made by Morris & Ritchie Associates, Inc., aforesaid.

BEING the same premises which Robert L. Duke, IV and Terri L. Graybill, by Deed dated 03/31/2003 and recorded 04/03/2003 in the Office of the Recorder of Deeds in and for the County of Chester in Record Book 5636, Page 371, granted and conveyed unto John J. Danko, Jr.

UPI NO. 62-5-343

IMPROVEMENTS thereon: a single family residence

PLAINTIFF: Louviers Federal Credit Union

VS

DEFENDANT: John J. Danko, Jr.

SALE ADDRESS: 805 Macduff Court, Chadds Ford, PA 19317

PLAINTIFF ATTORNEY: **JACK M. SEITZ, ESQ 610-530-2700**

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- April 18:** Building a Bicycle Culture in Chester County (morning event, off-site location)
- April 25:** Estate, Probate & Trust Section – Legal Updates
- May 1:** BULL Session (evening event)
- May 2:** Elder Law Section
- May 3:** Bridge the Gap ONLINE ONLY
- May 6:** Civil Litigation Section- Trauma Informed Advocacy
- May 7:** Business Law Institute – Partnering with Bucks County Bar Association (off-site location)
- May 8:** Bankruptcy & Creditors Section along with Business Section- The Economy in 3 Stages: Pandemic, Before & After
- May 9:** Dependency & Juvenile Probation
- May 10:** Civil Rights Section

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A lawyer puts it in writing.

The judge signs the order.

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They thought they couldn't have a child.

A lawyer helped make it possible.

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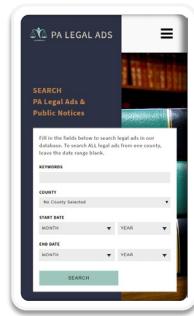
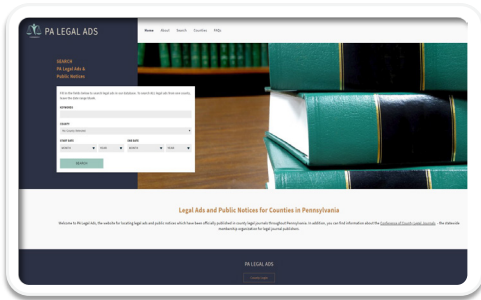
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She is denied her loan.

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A lawyer sees to it that she does.

She needs a business plan.

A lawyer helps her draft one.

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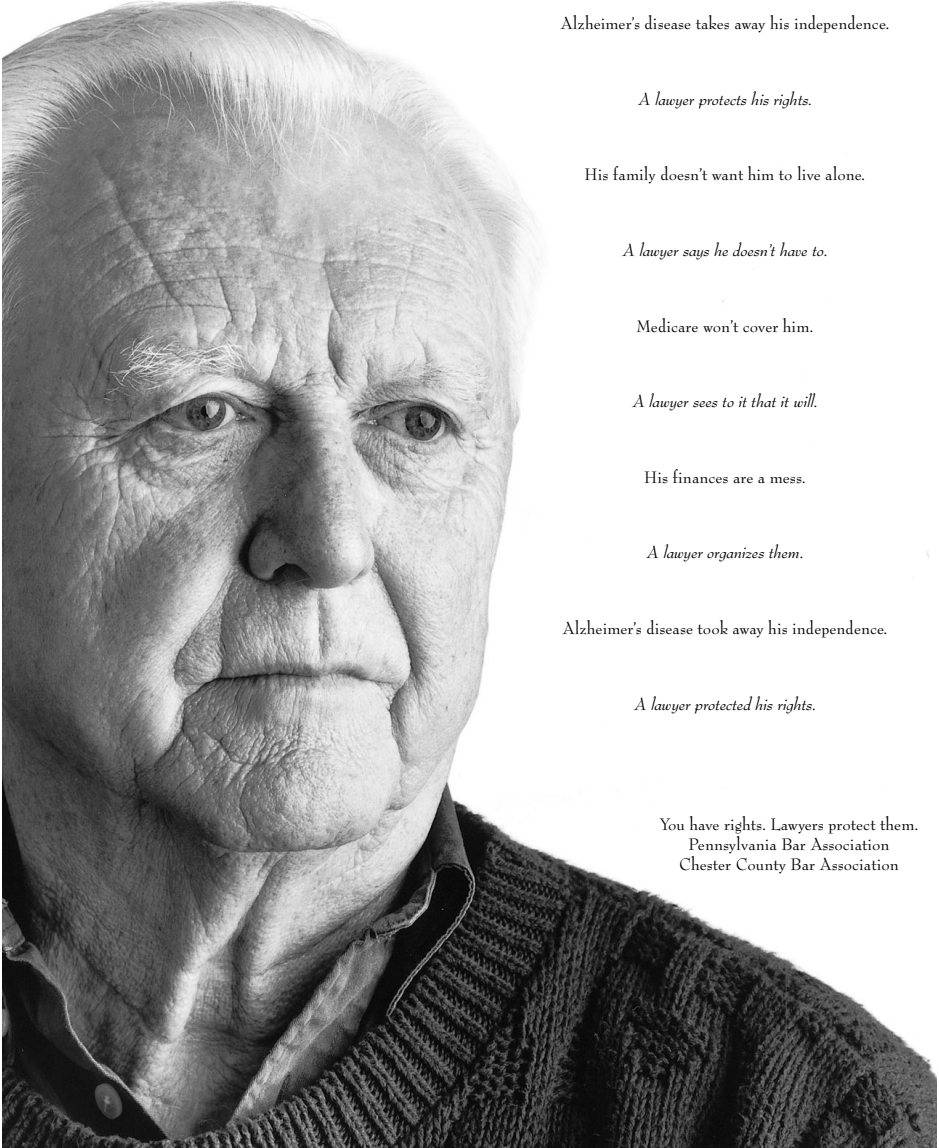
A. Roy DeCaro, Esq., MEDIATOR



- Mr. DeCaro joined ADR Options in 2019 and has been busy resolving cases in person as well as virtually.
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- Mr. DeCaro has tried more than 200 jury trials to verdict.
- On behalf of his clients, he has achieved over a dozen verdicts in excess of \$1,000,000.
- He has also represented defendants such as hospitals, doctors, law firms and other individuals and entities.
- Roy has regularly been selected by his peers for inclusion in The Best Lawyers in America.
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A lawyer protects his rights.

His family doesn't want him to live alone.

A lawyer says he doesn't have to.

Medicare won't cover him.

A lawyer sees to it that it will.

His finances are a mess.

A lawyer organizes them.

Alzheimer's disease took away his independence.

A lawyer protected his rights.

You have rights. Lawyers protect them.
Pennsylvania Bar Association
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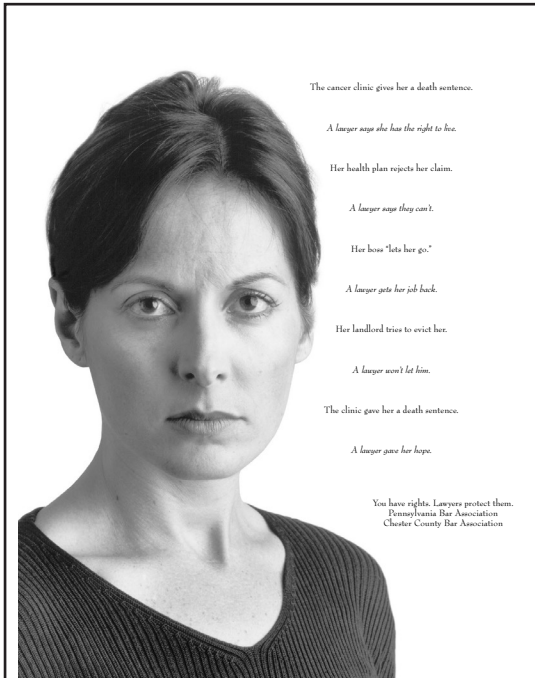
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