

Adams County Legal Journal

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CLE in Gettysburg

Course Title: “Appellate Pitfalls and Pointers for the General Practitioner”

Course Description: Lunch 'N Learn, Brown Bag lunch

Fees: None

Attorneys Debra P. Fourlas and Kandice J. Giurintano, of McNees Wallace & Nurick LLC, will present “Appellate Pitfalls and Pointers for the General Practitioner”. With appellate practice becoming more and more technical and specialized, general practitioners and others who venture only rarely into the appellate forum may face more difficulties than in the past in complying with the appellate rules. This presentation covers the basic mechanics of taking an appeal, including the Notice of Appeal, Docketing Statement, Statement of Matters Complained of on Appeal, and designation of the Reproduced Record. It also offers both mechanical and substantive hints for producing an appellate brief that is persuasive and in compliance with applicable rules. There will be a brief discussion of processes after the initial appeal, including applications for reargument and petitions for allowance of appeal (allocatur). Finally, time permitting, there will be a short presentation on recent changes in the appellate rules that are creating a family law fast track through the appellate process. **(1.0 hour, substantive)**

Date and Time: Tuesday, October 20, 2009 at 12:00 Noon

Class Address: Adams County Courthouse, Jury Assembly Room, 4th Floor, 117 Baltimore Street, Gettysburg, PA 17325

Registration – please contact: Liz Sharpe, McNees Wallace & Nurick, LLC

Phone: (717) 237-5447, Fax: (717) 237-5300, Email: lsharpe@mwnc.com

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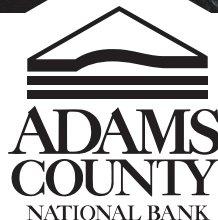
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-476 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain piece, parcel or tract together with the improvements thereon erected, situate lying and being in Conewago Township, Adams County, Pennsylvania, more particularly bounded limited and described as follows, to wit:

BEGINNING at a concrete monument on the East side of North Oxford Avenue at lands now or formerly of Fred F. Borwager and Joan L. Borwager; thence along the East side of North Oxford Avenue, North twenty-five (25) degrees forty-five (45) minutes West, forty-six and eight-tenths (46.8) feet to an iron pin on the East side of North Oxford Avenue at lands now or formerly of Rosie A. Garvick; thence by lands now or formerly of Rosie A. Garvick, North sixty-four (64) degrees fifteen (15) minutes East, one hundred fifty and six-tenths (150.6) feet to a point on the West side of a twenty (20) feet wide public alley; thence said twenty (20) feet wide, public alley South twenty-six (26) degrees twelve (12) minutes East, forty-seven and thirty-hundredths (47.30) feet to a concrete monument on the West side of said twenty (20) feet wide alley at lands now or formerly of Fred F. Borwager and Joan L. Borwager, aforesaid; thence by lands now or formerly of Fred E. Borwager and Joan L. Borwager South sixty-four (64) degrees twenty-two (22) minutes West, one hundred fifty-one and five hundredths (151.05) feet to a concrete monument on the East side of North Oxford Avenue the point and place of BEGINNING (Being known as Lot No. 1 a draft of survey prepared for Louis H. Smell by J.H. Rife, R.S., dated February 5, 1949.) (Being known as numbered as 114 North Oxford Avenue, McSherrytown, Pennsylvania.)

PARCEL NO. 08, 004-0018-000

Property Address: 114 N. Oxford Avenue, McSherrytown, Pa 17344

SEIZED and taken into execution as the property of **Donald T. Fringer, III** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-272 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

LEGAL DESCRIPTION

ALL that certain lot of ground situate in the Borough of Littlestown, Adams County, Pennsylvania as shown on the subdivision plan for 'Lakeview Village - Phase Two' prepared by Donald E. Worley, Registered Surveyor of Worley Surveying dated April 21, 1989, revised September 11, 1989, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 54 at page 65, more particularly bounded and described as follows:

LOT NO. 48: BEGINNING at a steel pin on the northern right-of-way line of Starlite Drive at corner of Lot No. 49 on the plan of lots hereinabove identified; thence by said Lot No. 40, North 22 degrees 22 minutes 32 seconds West 120.27 feet to a steel pin on line of land of Pennsylvania Classics Inc.; thence by

said land of Pennsylvania Classics, Inc. North 55 degrees 43 minutes 36 seconds East, 355.55 feet to a steel pin at corner of Lot No. 47; thence by said Lot No. 47, South 44 degrees 22 minutes 32 seconds East, 114.03 feet to a steel pin on the northern right-of-way line of Starlite Drive; thence by said northern right-of-way line of Starlite Drive, South 45 degrees 37 minutes 28 seconds West, 35.00 feet to the above-described place of BEGINNING. CONTAINING 4,100 square feet.

BEING - 1615/0331 Dirk A. Brilhart and Christine M. Brilhart unto Franklin W. Hahn and Lisa A. Hahn, 6/29/98. The improvements thereon now known as 29 Starlite Drive, Littlestown, PA 17340.

TITLE SAID PREMISES IS VESTED IN Brian Holland, single person, by Deed from Franklin W. Hahn and Lisa A. Hahn, h/w, dated 08/11/2006, recorded 03/27/2007 in Book 4782, Page 258.

Tax Parcel: 27, 011-0130---000

Premises Being: 29 Starlite Drive, Littlestown, PA 17340-1660

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

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

9/4, 11 & 18

DISCUSSION

Defendant has filed four suppression motions relating to the identifications of the Defendant made by the alleged victims: one in CR-79-2008 relating to the identifications made by Kenneth Walter, one in CR-211-2008 relating to the identification made by Gladys Garrett, and two in CR-83-2008 relating to the identifications made by Annabelle Werner. Defendant alleges that the photographic arrays were unduly suggestive because 1) they contained photographs of dark haired women whereas Defendant's hair is blonde and 2) the other women in the lineups had significantly different facial features than Defendant. Defendant alleges these lineups were shown in the absence of counsel and in such a manner as to violate due process. Defendant finally alleges that the lineups all contributed materially to the substantial probability of irreparably mistaken in-court identification by the alleged victims and that the in-court identifications made by the alleged victims did not have a sufficient independent basis to overcome the violation of those due process rights. Defendant also alleges the in-court identifications were tainted because she appeared at each of the four preliminary hearings in an orange jumpsuit and handcuffs.

When a defendant has filed a motion to suppress the burden is placed on the Commonwealth to establish by a preponderance of the evidence that the challenged evidence is admissible. *Com. v. DeWitt*, 608 A.2d 1030, 1031 (Pa. 1992).

The Commonwealth first argues that Defendant has waived her right to challenge identification. The Commonwealth cited an out-of-state case to support its argument. There, when asked whether the trial court erred in not giving the jury an instruction requested by the defendant on eyewitness identification, a California appellate court held: "...even assuming it was error for the trial court to refuse defendant's instruction, it was harmless. Defendant confessed to, or made damaging admissions with regard to the burglaries charged..." *The People v. Thomas Hernandez*, 204 Cal.App.3d 639, 652 (Cal. App. 1988). While this Court is not bound by the decision of the California court, the opinion does provide persuasive authority for this Court. Here, even if I were to suppress the identifications made by the alleged victims during both the photographic arrays and the preliminary hearings, the case against Defendant would remain

strong considering the confessions made that have already been ruled admissible by this Court.¹² Accordingly, although an appellate court in this jurisdiction has not ruled that a confession waives a challenge to an identification made through a photographic array or in-court identification, there is some persuasive authority and good logical reasons to find that it does. Nevertheless, I will bypass the waiver issue and decide the challenges on their merits.

Defendant first alleges the photographic array identifications were unduly suggestive and therefore should be suppressed. Defendant based this argument on a claim that 1) she is the only woman shown in the photographic arrays with blonde hair, while the rest have brown hair, 2) that the other women in the arrays had different facial features than Defendant, and 3) with respect to the identification made by Ms. Werner, the victim only encountered her perpetrator for a limited period of time.

Initially, I note that the fact that counsel was not present when the photographic arrays were shown to the alleged victims is not fatal to the Commonwealth. See *United States v. Higgins*, 458 F.2d 461, 464 (3d Cir. 1972) (“...preindictment photographic identifications were not a ‘critical state’ of the prosecution at which the presence of counsel would be necessary to protect defendant’s rights to a fair trial”).

“Whether an out-of-court identification is to be suppressed as unreliable, and therefore violative of due process, is determined from the totality of the circumstances.” *Com. v. Burton*, 770 A.2d 771, 782 (Pa. Super. 2001), *overruled on other grounds by Com. v. Mouzon*, 812 A.2d 617 (Pa. 2002) (citations omitted). “[E]xclusion of identification testimony is proper when improper police conduct results in an impermissible suggestive confrontation.” *Com. v. Patterson*, 940 A.2d 493, 502 (Pa. Super. 2007) (citations omitted). Regarding a photographic identification, the court has held:

A photographic identification is unduly suggestive when the procedure creates a substantial likelihood of misidentification. (citation omitted). Photographs used in line-ups are not unduly suggestive if the suspect’s picture does not stand out more than the others, and the people depicted all exhibit similar facial characteristics. (citation omitted).

¹² See Order dated October 8, 2008.

Id. at 503. Each person in the array does not need to be identical in appearance. *Burton*, 770 A.2d at 782. The “existence of one possibly suggestive element in an identification procedure does not automatically require suppression of the identification evidence obtained through that procedure.” *Com. v. Monroe*, 542 A.2d 113, 115 (Pa. Super. 1988).

In *Patterson*, the Court found that a photographic array was not unduly suggestive even though Patterson’s neck and shoulders were visible to a greater extent than the other subjects in the lineup. *Patterson*, 940 A.2d at 503. The Court determined that “all of the photographs depict the subject’s neck and at least three of the other photographs display the subject’s shoulders. Despite this slight variation, we do not conclude that Appellant’s photograph ‘stands out’ more than the others or makes the array unduly suggestive.” *Id.* In *Burton*, a photographic array was not unduly suggestive where the array consisted of photocopied pictures of eight subjects, all of whom were African American males, close in age, with short haircuts and facial hair. *Burton*, 770 A.2d at 782. Three of the subjects were wearing light colored t-shirts and one was wearing a white turtleneck with a dark pullover and white jacket. *Id.* In *Monroe* a lineup was not suggestive when the defendant was the only bald headed subject in the lineup. The court found defendant’s image was similar in other respects to the remaining images and that several persons had short hair. *Monroe*, 542 A.2d at 115. In *Com. v. Fowler*, 352 A.2d 17 (Pa. 1976) a lineup was considered unduly suggestive where the alleged victim was shown photographic lineups at least three times and in those displays the defendant was the only subject in the array that was wearing a dark suit with a white shirt and tie, with a slender build and a full frontal view. *Id.* at 25.

Instantly, there is no evidence that Officer Sprinkle tried to or, in fact did, create a photographic array that was unduly suggestive. His uncontradicted testimony reveals that he merely entered certain parameters (female, age 35-40, dark hair) into JNET. The arrays were produced for him by the JNET computer program and his parameters were based on the characteristics he observed in the photographs of Defendant he obtained from the JNET system. There is no evidence that he attempted to make Defendant’s image distinctive from the others. A review of the two photographic arrays reveals a lineup of all Caucasian females that appear to be similar in age with no features that would distinguish one from any of the others.

Defendant alleges that there were certain physical characteristics that were unique to her image in the photographs that resulted in an unduly suggestive procedure. Defendant alleges that all of the women in the photographs have dark hair but she has blonde hair. However, a close examination of the two exhibits indicates this simply is not correct. In Com. Ex. 1 Defendant appears to have dirty blonde hair. That same hair color could be attributed to the subjects depicted in both image numbers 2 and 5. In Com. Ex. 2 the Defendant again appears to have dirty blonde hair, as do subjects depicted in images number 2 and 3. Although Defendant's image in Exhibit 2 is the only subject in that array with her hair tied back, subject number 2 in Exhibit 1 also had her hair tied back. Defendant also alleges that her facial characteristics stood out from the five other subjects, but fails to identify those characteristics she claims to be distinctive. After a careful review of the two arrays this Court finds nothing about Defendant's facial expressions or structures that would make her stand out from any of the other subjects depicted.

Further, Defendant makes light of the fact that Ms. Werner was unable to positively identify her in the first array.¹³ When later shown the second array (which did not contain the photograph of the woman depicted in image number 2 of the first array) Ms. Werner was able to pick out image number 1 (Defendant) as her perpetrator. This procedure certainly was not unduly suggestive. "Prior failures to identify, and even misidentifications, do not affect the admissibility of later, independently based identifications." *Com. v. Beverly*, 547 A.2d 766, 768 (Pa. Super. 1988) (citations omitted).

In *Beverly*, the victim observed the defendant briefly when he came into the restaurant where she worked, ordered a beer, refused to pay and left. *Id.* at 767. The victim initially failed to identify the defendant in a photographic array, but the victim subsequently identified the defendant in a second photographic array. *Id.* at 768. The Court held that the victim's identification of the defendant was independently based on her observation of him during the robbery and as a person she knew from the vicinity. In the matter sub judice, Ms. Werner's identification was based on her observation of the Defendant when allegedly in her home and not based on any unduly suggestive techniques.

¹³ However, Werner did narrow it down to subjects 2 and 4, subject 4 being the Defendant.

Furthermore, Lt. Trostel testified that the picture of Defendant in Com. Ex. 2, (the one Werner correctly identified) was a more accurate picture of Defendant's current physical appearance. A study of Defendant's pictures in Exhibits 1 and 2 reveals some disparity in the two images. Additionally, there is no evidence to believe that Lt. Trostel suggested to Ms. Werner that one of subjects she picked out from the first photographic array was also depicted in the second array. Finally, Ms. Werner's identification of both the Defendant and another person when first shown the photographic array goes more to the weight of the identification and not its admissibility.

Defendant also challenges the out-of-court identification made by Mr. Walter, arguing that the physical characteristics of the images shown were unduly suggestive. The physical characteristics of the photographs have already been discussed. There is no evidence that any officers made unduly suggestive remarks or gestures to Walter. On the contrary, evidence indicates that Mr. Walter made immediate identifications of Defendant from both photographic arrays although he indicated she looked a little different at this time. There is nothing to suggest that Mr. Walter was misled by undue influence.

Defendant also argues that Ms. Werner's identification should be suppressed based on the amount of time she allegedly spent with Defendant. Ms. Werner was only with the Defendant 5-10 minutes. However, Ms. Werner was able to give a physical description of the perpetrator as being a Caucasian female, with blue eyes, dark blonde shoulder length hair, height for more than five feet, heavy build, and wearing jeans and a blue shirt. It was also day time and Defendant was allegedly in close proximity while in the victim's home. In *Com. v. Davis*, 439 A.2d 195, 198 (Pa. Super. 1981) the victim entered his lighted apartment around midnight and saw two people inside who immediately ran out through the back door while passing by the victim. *Id.* at 197. The Court held that "[u]nder such good lighting conditions, the witness's brief encounter with the appellant provided ample opportunity for him to view the suspect." *Id.* at 198. In the present matters, the alleged victim had a much longer opportunity to view Defendant, in daylight, without stress, fear or other impediment. Therefore, her identification was not tainted by a lack of time to observe Defendant.

Accordingly, the out-of-court identifications were not unduly suggestive and therefore not subject to suppression.

I now turn to the Defendant's second argument that the in-court identifications were tainted. Defendant has alleged that because of the earlier photographic array identification, one misidentification by Werner, and the prejudicial circumstances of the preliminary hearings the in-court identifications made by Mr. Walter and Ms. Werner were so tainted as to justify suppression. Defendant focuses on the fact that she appeared at the preliminary hearing in an orange jumpsuit and handcuffs.

Defendant contends that Ms. Garrett's in-court identification must be suppressed because of the victim's failure to identify her in the photographic array, the victim's inability to offer more than a general description of her perpetrator (a white female 30 to 40 years old) and the time lapse of 56 days between the theft and the preliminary hearing. Additionally, Defendant argues that the preliminary hearing identification was unduly suggestive under the circumstances because Defendant appeared in an orange jump suit and wearing handcuffs. Defendant finally argues that when an eyewitness fails to identify the accused in a lineup or photo array, and the accused is subsequently shown to the witness at a preliminary hearing under highly suggestive circumstances, the in-court identification has no independent basis. Defendant makes the same general arguments about Mr. Topper's in-court identification¹⁴, except that 20 days had passed between Mr. Topper's alleged contact with Defendant and his preliminary hearing.

Initially, I note that the alleged suggestiveness at the preliminary hearing was no different than it would have been in any other situation. In any instance where there is an in-court identification of a defendant that defendant is going to be in an obvious location in the courtroom, usually sitting at the defense table. Furthermore, it is by no means uncommon for a criminal defendant who is in police custody to appear at a hearing in an orange jump suit and handcuffs. Defendant has largely based her challenge to the in-court identifications based on these facts alone, which are insufficient to establish an unduly suggestive identification at a preliminary hearing. There is no evidence suggesting that any of the witnesses, except Mr. Topper,

¹⁴ Defendant made no written motion concerning Mr. Topper's in-court identification but at the Suppression hearing held on September 25th Defendant, through counsel, motioned to suppress all identifications made in this matter.

hesitated in identifying the Defendant at the preliminary hearing. Mr. Topper's normal hesitation in answering questions, as explained by Officer Sprinkle, has not been contradicted.

The primary evil to be avoided when addressing an identification is the substantial likelihood of irreparable misidentification. *Davis*, 439 A.2d at 198. It is the likelihood of misidentification that violates a defendant's due process rights and is the basis for exclusion of the evidence. *Id.* The factors to evaluate when addressing an identification challenge is the totality of the circumstances. *Id.* The court should consider: 1) the opportunity of the witness to view the criminal at the time of the crime; 2) the witness' degree of attention; 3) the accuracy of the witness's prior description of the criminal; 4) the level of certainty demonstrated by the witness at the confrontation; and 5) the length of time between the crime and confrontation. *Id.* (citation omitted). The opportunity of the witness to observe the defendant at the time of the incident is considered the most important. *Id.* Suggestiveness alone will not forbid the use of an identification if the reliability of a subsequent identification can be sustained. *Com. v. McGaghey*, 507 A.2d 357, 359 (Pa. 1986). To sustain its reliability the Commonwealth must establish that in-court identification resulted from the criminal act and not the suggestive encounter. *Id.*

In *McGaghey* the court found that the in-court identification of the defendant by the victim was not sufficient because he only had an opportunity to view the defendant, a black man, for 2 seconds in the dark portion of a lighted parking lot at approximately 9 p.m. in March. *McGaghey*, 507 A.2d at 358. The victim reported to police that the suspect was wearing dark clothing and was young. *Id.* He failed to indicate that the black assailant had a beard and mustache, and he indicated he [the victim] had probably imbibed at least 8 mugs of beer. *Id.* The victim first saw the defendant a month and a half later at the preliminary hearing where he identified the defendant as his assailant. *Id.* at 359. McGaghey was wearing handcuffs and was seated at the defense table when the in-court identification was made. *Id.* The Court found that because of the earlier general description after the incident, the victim only saw the assailant for a few seconds during the incident, and the victim had been drinking before the incident the identification was not the result of the incident but of the in-court confrontation and required suppression. *Id.*

In *Com. v. James*, 486 A.2d 376 (Pa. 1985) the Court found that the suggestiveness of a preliminary hearing identification did not taint a trial identification because the victim observed the defendant for five to ten minutes during the assault, accurately described the assailant to police forty-five minutes afterwards, and identified her assailant from a photographic array within 6 weeks. *Id.* at 380.

In this case all of the alleged victims had an opportunity to view Defendant for at least several minutes. As indicated above in *Davis*, even a brief view in good lighting satisfies the factor of the victim observing the suspect at the time of the crime. Here, Ms. Werner and Ms. Garrett had at least 5-10 minutes to observe Defendant. Mr. Walker had a couple days, and Mr. Topper spent a longer period of time with the Defendant than just a few minutes.

In the present matter, all of the alleged victims had an opportunity to observe Defendant during the incident. Ms. Werner provided an accurate description of the perpetrator and Mr. Walter was with her at various times over several days. Although neither Ms. Garrett nor Mr. Topper were able to identify Defendant in the photographic array, both were in the presence of the perpetrator during daylight hours. Furthermore, little time passed between the crimes and the hearings. The hearings in both Mr. Topper and Ms. Werner's cases were held within 20 days of the incident; Ms. Garrett's within 8 weeks, and Mr. Walters within a week. Ms. Garrett was able to provide police with a description of the person in her home as a Caucasian female in her thirties and had no difficulty identifying Defendant at the hearing. In fact, it appears that none of the victims had any difficulty in identifying Defendant at the hearings. All of the victims had an opportunity to speak with Defendant while she was allegedly in their homes. Consequently, because of their ability to observe the person during the incidents, the relatively short period of time between the incidents and the preliminary hearings, the level of certainty exhibited by the alleged victims, and because there is no evidence to suggest any sort of taint (other than Defendant being in an orange jumpsuit and handcuffed at the preliminary hearings) the in-court identifications by the victims are admissible.

Accordingly, Defendant's Motions to Suppress are denied.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-504 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

All that tract of land situate in Franklin Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center line of the Buchanan Valley Road (PA Traffic Route 234), said point marking the common place of adjoiner of Lots #3 and #4 on the hereinafter mentioned plan of subdivision with the center line of the Buchanan Valley Road; thence departing from the center line of said roadway, and extending along Lot #3, North 45 degrees 49 minutes 20 seconds West, through a steel pin set on the Northwesternmost dedicated right-of-way line of said roadway, a distance of 30.00 feet from the origin of this call, for a total distance of 591.15 feet to a steel pin at lands now or formerly of Henry Kimple; thence extending along lands now or formerly of Henry Kimple, North 43 degrees 51 minutes 15 seconds East, for a distance of 281.23 feet to a steel pin at Lot #9 on the hereinafter mentioned plan; thence extending along Lot #9, #8 and #7 on the hereinafter mentioned plan, South 43 degrees 1 minute 30 seconds East, for a distance of 293.09 feet to a steel pin at Lot #5 on the hereinafter mentioned plan; thence extending along Lot #5 the following two courses and distances: South 44 degrees 10 minutes 40 seconds West, for a distance of 166.92 feet to a steel pin; thence continuing South 45 degrees 49 minutes 20 seconds East, through a steel pin set on the Northwesternmost dedicated right-of-way line of the Buchanan Valley Road, a distance of 30.00 feet from the terminus of this call, for a total distance of 300.00 feet to a point in the center line of the Buchanan Valley Road; thence extending in and through the center line of the Buchanan Valley Road, South 44 degrees 10 minutes 40 seconds West, for a distance of 100.00 feet to a point in the center line of said roadway at Lot No. 3 on the hereinafter mentioned plan, said point marking the place of BEGINNING. CONTAINING 2.525 acres and being designated as Lot No. 4 on the final plan of subdivision of Buchanan Valley Manor prepared for Harmon-Graves Company and Kimba, Inc., by Mort, Brown and Associates, dated November 20, 1986, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Plat Book 46 at Page 67. Together with the perpetual right to use

an existing gravel driveway as set forth in the above recited deed. Under and subject, nevertheless, to all notes and conditions as set forth on the plan of subdivision, and to the conditions and restrictions as referred to in the above recited deed.

BEING KNOWN AS: 1600 Buchanan Valley Road (Franklin Township), Orttanna, PA 17353

PROPERTY ID NO.: B, 08-0049

TITLE TO SAID PREMISES IS VESTED IN Gervase J. Willis and Rose Mary Willis, husband and wife, as tenants of an estate by the entirety by deed from Carmelo Dominguez, Sr. and Alice M. Dominguez, husband and wife dated 8/21/92 recorded 8/24/92 in Deed Book 638 page 1108.

SEIZED and taken into execution as the property of **Gervase J. Willis & Rose Marie Willis** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-419 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land lot of land situate in the Tyrone Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a nail in the center line of Pennsylvania Route No. 234 leading from Biglerville to East Berlin at the southwestern corner of land now or formerly of Robert W. Decker and wife which land is referred to as Tract No. 1 on a draft of survey of Wilbur L. Plank, dated September 24, 1969; thence running in the center line of Pennsylvania

234, South 88 degrees 30 minutes 00 seconds West, 497.16 feet to a nail in the center line of said road; thence by land now or formerly of Frank Weigle, North 9 degrees 37 minutes 00 seconds East, 349.23 feet to a point near the Western edge of an access ramp to U.S. Route 15; thence crossing said access ramp to U.S. Route 15 and by land of Franklin L. Weigle, South 82 degrees 42 minutes 20 seconds East, 450.58 feet to an iron pin at the Northwestern edge of Tract No. 1 on the hereinbefore-mentioned survey (land now or formerly of Robert W. Decker); thence by Tract No. 1 and through a railroad spike in the base of an ash tree set back 27.04 feet from the end of this course, South 1 degree 44 minutes 00 seconds West, 274.33 feet to a nail in the center of Pennsylvania Route 234, the point and place of BEGINNING, CONTAINING 3.367 acres.

The above description was taken from a draft of survey of Wilbur L. Plank, R.E., dated September 24, 1969, and referred to as Tract No. 2 on said draft of survey.

TITLE TO SAID PREMISES IS VESTED IN Alexander N. Kozlowski and Karla M. Kozlowski, h/w, by Deed from Dewane C. Walls, single and Ruth A. Griffiths, single, fka, Ruth A. Walls, formerly h/w, dated 07/30/2004, recorded 08/02/2004 in Book 3656, Page 228.

Tax Parcel: 40, H 07-13

Premises Being: 78 East Berlin Road, York Springs, PA 17372-9595

SEIZED and taken into execution as the property of **Karla M. Kozlowski & Alexander N. Kozlowski** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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9/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-875 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain parcel of land situated in the Township of Conewago, County of Adams and Commonwealth of Pennsylvania, being known and designated as follows:

BEGINNING at a point along the right-of-way line of Derby Drive, a 60 feet wide right-of-way, and corner of Lot No. 39 on the hereinafter referred to subdivision plan; thence along Lot No. 39, North 41 degrees 23 minutes 08 seconds West 135.00 feet to a point at corner of Lot No. 69 on the hereinafter referred to subdivision plan; thence along Lot No. 69, North 49 degrees 2 minutes 26 seconds East, 152.97 feet to a point along the right-of-way line of South Allwood Drive, a 60 feet wide right-of-way; thence along the right-of-way line of South Allwood Drive, South 40 degrees 32 minutes 34 seconds East, 109.07 feet to a point at the intersection of South Allwood Drive with Derby Drive; thence along the intersection of South Allwood Drive with Derby Drive, by a curve to the right, having a radius of 15.00 feet, and a long chord bearing and distance of South 04 degrees 27 minutes 26 seconds West 21.21 feet to a point along the right-of-way line of Derby Drive, aforesaid; thence along the right-of-way line of Derby Drive, the following 3 courses and distances; (1) South 49 degrees 27 minutes 26 seconds West, 32.39 feet to a point; thence (2) by a curve to the left, having a radius of 360.00 feet, an arc length of 4.58 feet, and a long chord bearing and distance of South 45 degrees 30 minutes 41 seconds West, 49.54 feet to a point; thence (3) South 41 degrees 33 minutes 56 seconds West, 54.69 feet to the point and place of BEGINNING.

Tax Parcel ID: 8-036-0024

PROPERTY ADDRESS: 144 Derby Drive, Hanover, PA 17331

SEIZED and taken into execution as the property of **Rick A. Waite & Anne M. Waite** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days

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

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

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

9/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-345 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that improved lot of ground situate on the Southeast side of Township Road T-498, in Oxford Township, Adams County, Pennsylvania, more particularly bounded and described, as follows:

BEGINNING for a corner at a point in the center of said Township Road T-498 at lands of Michael R. Schreiber and Carolyn A. Schreiber; thence leaving said township road and through an existing iron pin set back 20.43 feet from the beginning hereof and by lands of Michael R. Schreiber and Carolyn A. Schreiber, South 51 degrees 50 minutes East, 475.43 feet to an iron pin; thence continuing by lands of Verna J. Feeser, South 38 degrees 10 minutes West 200 feet to an iron pin; thence continuing by lands of Verna J. Feeser and through an iron pin set back 25 feet from the end hereof, North 51 degrees 50 minutes West 395.77 feet to a point in the center of Township Road T-498; thence in and along the center line of Township Road T-498, North 16 degrees 27 minutes East 215.28 feet to a point in the center of said Township Road, the place of BEGINNING. CONTAINING 2 acres.

The foregoing description was taken from a draft of survey prepared for Larry B. Feeser and Verna J. Feeser dated August 12, 1981, as revised July 18, 1983, and recorded in Adams County Plat Book 35, Page 132, said survey being prepared by Donald E. Worley, registered surveyor, and identified on said plot plan as Lot No. 2.

The improvements thereon being commonly known as 552 Poplar Road, Oxford, PA 17350.

TITLE SAID PREMISES IS VESTED IN Gordon D. Staub and Charlotte M. Staub, h/w, as tenants of an estate by the entireties, of an undivided sixty percent interest and Michael Dale Staub

and Catherine L. Staub, h/w, as tenants of an estate by the entireties, of an undivided forty (40%) percent interest, each undivided percentile interest to be owned and vested as joint tenants with right of survivorship, by Deed from Gordon D. Staub and Charlotte M. Staub, h/w, dated 05/14/1996, recorded 05/20/1996 in Book 1196, Page 28.

Tax Parcel: 35, J12-0030A--000

Premises Being: 552 Poplar Road, New Oxford, PA 17350-8404

SEIZED and taken into execution as the property of **Gordon, Charlotte, Michael & Catherine Staub** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-361 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of land situate in Reading Township, Adams County, Pennsylvania, being more particularly described as Lot #586 on a plan of lots of Lake Meade, Subdivision duly entered and appearing of record in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plan Book 1, Map 2, Sheet 4 of 9.

UNDER and SUBJECT to all restrictions, conditions and agreements as set forth in the Deed from Lake Meade, Inc., dated May 3, 1967 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Deed Book 323, Page 3 to Chester K. Moreland and Barbara J. Moreland, his wife.

TOGETHER with all buildings, improvements, easements, rights of way, rights, privileges and hereditaments appurtenant thereto.

UNDER and SUBJECT to all covenants, conditions, restrictions, reservations, rights, rights of way and easements of record.

TITLE SAID PREMISES IS VESTED IN Saranne McCullough, by Deed from Thomas P. McCullough and Suzanne McCullough, correctly known as Saranne McCullough, dated 05/05/1999, recorded 07/07/1999 in Book 1869, Page 0128.

Tax Parcel: 37,005-0072---000

Premises Being: 21 McClellan Drive, East Berlin, PA 17316-9312

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

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-415 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN lot or piece of ground situate in Conewago Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING for a corner at a stone on the Northeastern side of the road leading to Gettysburg at lands now or formerly of Paul Rahn; thence along said road North 72 degrees West, 8.5 perches to a stone; thence along lands now or formerly of John Rahn, North 17-1/2 degrees East, 3.8 perches to a stake; thence along the same North 21-1/2 degrees West, 13.5 perches to a stone; thence North 81-1/2 degrees East, 7.5 perches to a stone; thence along lands now or formerly of Charles E. Klunk and lands now or formerly of Paul Rahn, aforesaid, South 24-1/2 degrees East, 17.15 perches to a stone; thence along lands now or formerly of Paul Rahn, South 30-1/2 degrees West, 5 perches to the point and place of BEGINNING.

UNDER and SUBJECT to any existing covenants, easements, encroachments, conditions, restrictions, and agreements affecting the property.

TITLE SAID PREMISES IS VESTED IN Sara B. Topper, a single woman, by Deed from Chris C. Degasper, joined by his wife and Shelley L. Degasper, dated 06/01/2005, recorded 06/13/2005 in Book 4003, Page 82.

Tax Parcel: 08, K14-0061

Premises Being: 5500 Hanover Road, Hanover, PA 17331-9058

SEIZED and taken into execution as the property of **Sara B. Topper a/k/a Sara B. Rothenboef** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

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

9/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-579 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in the Borough of Arendtsville, Adams County, Pennsylvania, with the improvements thereon erected, known and numbered as 49 Gettysburg Street, being more particularly bounded and described as follows:

BEGINNING at an iron pin for, a corner on the West side of Gettysburg Street; thence running with said Street on said curb line, South 9 degrees East, 47 feet to a post on said curb line; thence running by lot now or formerly of Alice Schlosser, south 79-3/4 degrees West, 216.5 feet to a post; thence running by land of the same, North 4-1/2 degrees East, 63.5 feet to an iron pin; thence running by land now or formerly of William E. Wolf, North 84-1/4 degrees East, 204.8 feet to an iron pin on the aforesaid curb line, the place of BEGINNING. CONTAINING 42 Perches and 201 Square Feet.

TAX PARCEL #: 02-006-0082

PREMISES BEING: 49 Gettysburg Street, Arendtsville, PA 17303

SEIZED and taken into execution as the property of **Susan K. Fetter** & **Clark L. Fetter** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1640 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land, together the improvements thereon erected, situate on the East side of Jacobs Street in the Borough of East Berlin, Adams County, Pennsylvania, being the Southern half of Lot #25 and all of Lots #26 and #27 on a plan of lots as laid out by Paul E. Jacobs, and being known and numbered as 210 Jacobs Street, more fully bounded and described as follows:

BEGINNING at a stake at the intersection of the east side of Jacobs Street with the north side of Walnut Street thence by Jacobs Sweet, North 22 degrees 50 minutes East, 131 feet to a stake on the center line of Lot #25; thence through the center of Lot #25, South 67 degrees 10 minutes East, 180 feet to a stake on the west side of a 20 foot alley; thence along the west side of said alley, South 22 degrees, 50 minutes West, 131 feet to a stake on the North side of Walnut Street; thence along the North side of Walnut Street, North 67 degrees 10 minutes West, 180 feet to the first mentioned stake on the east side of Jacobs Street, and the place of BEGINNING.

BEING the same which Genevieve I. Tate, widow, by her deed dated February 22, 1984 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Deed Book 375 at page 393, sold and conveyed unto Robert A. Brodbeck and Patricia J. Rabine, as joint tenants with the right of survivorship, the Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Robert A. Brodbeck and Patricia J. Brodbeck, husband and wife, as tenants by the entireties by deed from Robert A. Brodbeck and Patricia J. Bine dated 9/26/1984 recorded 9/27/1984 in Deed Book 387 Page 449.

Being Parcel # 10-006-0052-000

BEING KNOWN AS: 210 Jacobs Street, East Berlin, PA 17316

SEIZED and taken into execution as the property of **Robert A. Brodbeck, Patricia J. Brodbeck & United States** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in

accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-492 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING for a corner at a steel pin at Lot No. 41 on the hereinafter mentioned subdivision plan at the right-of-way line of Fox Run Terrace; thence along Lot No. 41 North forty-one (41) degrees sixteen (16) minutes three (3) seconds East three hundred thirty-three and two hundredths (333.02) feet to a steel pin at Lot No. 34 on the hereinafter mentioned subdivision plan; thence along Lot No. 34 South fifty-seven (57) degrees forty-three (43) minutes forty-three (43) seconds East one hundred twenty-five (125) feet to a steel pin at Lot No. 43 on the hereinafter mentioned subdivision plan; thence along Lot No. 43 South thirty-six (36) degrees fifty-three (53) minutes thirty-five (35) seconds West three hundred forty-two and ninety-eight hundredths (342.98) feet to a steel pin at the right-of-way line of Fox Run Terrace; thence along the right-of-way line of Fox Run Terrace North fifty-three (53) degrees six (6) minutes twenty-five (25) seconds West ninety-nine and sixty-two hundredths (99.62) feet to a steel pin; thence continuing along the right-of-way line of Fox Run Terrace by a curve to the right having a radius of one thousand four hundred seventy-five (1,475) feet, the long chord of which is North fifty-two (52) degrees seven (7) minutes forty-two (42) seconds (erroneously described in prior deed as forty) West with a chord length of fifty and thirty-eight hundredths (50.38) feet to a steel pin at Lot No. 41 aforesaid, the point and place of BEGINNING. CONTAINING 1.0636 acres. The foregoing property is Lot No. 42 on a final plan of Fox Run Estates,

Phase III, prepared for Mummert Enterprises, Inc., by Worley Surveying. The plan is dated November 11, 1993, and is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 64, page 41.

TITLE TO SAID PREMISES IS VESTED IN Connie L. Kraft by deed from Michael A. Abendschoen, unmarried and Leslie E. Abendschoen, unmarried, dated October 27, 2005 and recorded November 4, 2005 in Deed Book 4193, Page 29, Instrument # 200600023781.

TAX I.D. #: (41) K 17-0170-000

Being Known As: 1150 Fox Run Terrace, Hanover, PA 17340.

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

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-707 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN lot or piece of ground situate in Menallen Township, County of Adams, Pennsylvania bounded and described as follows to wit:

BEGINNING at an iron pin located North 74 degrees 14 minutes 10 seconds West, a distance of 25 feet from a reference pin in Township Road T-368; thence in said Township Road T-368, North 16 degrees 45 minutes East 324.10 feet to a railroad spike in the center line of Township Road T-368; thence continuing in said road, North 8 degrees 10 minutes 40 seconds East 42.61 feet to a railroad spike in the center line of Township Road T-368 at corner of land now or formerly of William Kane; thence by said lands, South 78 degrees East 100 feet to an iron pin; thence continuing along said lands, South 68 degrees 5 minutes 30 seconds East 186.85 feet (erroneously stated to be 168.85 feet in prior deed) to an iron pin at lands now or formerly of Robert E. Northern; thence by said lands, South 54 degrees 00 minutes 20 seconds East 120 feet to an iron pin at land now or formerly of Clair Showers; thence by said lands, South 4 degrees 53 minutes 20 seconds West 319.64 feet to an iron pin; thence continuing by the same, North 74 degrees 14 minutes 10 seconds West, 458.07 feet, passing through a reference pin set back 25 feet from the end of this course, to an iron pin in Township Road T-368, the place of BEGINNING, CONTAINING 3.469 Acres.

SUBJECT, NEVERTHELESS, to the following restrictions and covenants which shall be deemed to run with the land in perpetuity:

1. All structures placed on the lot herein conveyed shall be faced with brick, stone, vinyl, aluminum or wood siding.
2. No mobile homes or similar dwelling substitutes shall be permitted.
3. No dwelling shall be erected whose floor plan is less than 1,200 square feet, garage area not included.
4. No junk of any sort including uncensed vehicles unless garaged.

TITLE TO SAID PREMISES IS VESTED IN Michael R. Hockensmith, by Deed from Ricky R. Showers and Beverly A. Showers, h/w, dated 07/29/1999, recorded 07/30/1999 in Book 1884, Page 106.

Tax Parcel: 29, C06-0044C--000

Premises Being: 175 Boyds Hollow Road, Biglerville, PA 17307

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

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-317 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THOSE three lots of ground situate in Huntington Township, Adams County, Pennsylvania, being more particularly bounded and described as follows:

LOT NO. 1: BEGINNING at a stone in the Gettysburg Road (now State Road); thence along said road, North 9-3/4 degrees East, 3.2 perches to a stone in said road; thence by land now or formerly of A.W. Kuntz, South 72-3/4 degrees East, 6.3 perches to a stone; thence by land formerly of Robert A. Paxton, South 11-3/4 degrees West, 3.2 perches to a stone; thence by residue of Lot, North 72-1/4 degrees West, 6.3 perches to the place of BEGINNING, CONTAINING 20 perches, neat measure, more or less.

LOT NO. 2: BEGINNING at a post; thence by lands formerly of Amos A. Miller and Robert A. Paxton, North 12 degrees East, 9.4 perches to a stone; thence by land formerly of Anna Britcher, South 78 degrees East, 19.3 perches to a stone; thence by land now or formerly of Dr. May, South 12 degrees West, 9.9 perches to a post; thence by land formerly of P.W. Group, North 78 degrees West, 19.4 perches to the place of BEGINNING, CONTAINING 1 acre and 27 perches, neat measure, more or less.

LOT NO. 3: BEGINNING at an iron pin in the Gettysburg-Carlisle Highway; thence by lands now or formerly of Albert Paxton, South 71-1/2 degrees East, 92.4 feet to a post; thence by the same land South 12 degrees West, 106 feet to a post; thence by land now or formerly of Charles Miller, North 71-1/2 degrees West 92.4 feet to an iron pin in the said Gettysburg-Carlisle Highway; thence along said Highway, North 12 degrees East, 106 feet to the place of BEGINNING. CONTAINING 36 perches and 269 square feet, more or less.

HAVING THEREON erected a residence known and numbered as 3751 Carlisle Road, Gardners, PA 17324.

BEING the same premises which Larry M. Kuhn, widower, by his deed dated January 26, 2001, and recorded in the Adams County Recorder of Deeds Office at Record Book 2202, Page 0314, granted and conveyed onto Larry S. Kuhn and Kelley L. Kuhn, husband and wife.

TAX PARCEL: (22) G-03-0036

Premises Being: 3751 Carlisle Road, Gardners, PA 17324

SEIZED and taken into execution as the property of **Larry S. Kuhn & Kelley L. Kuhn** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-418 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

All those two (2) tracts of land situate, lying and being in Latimore Township, Adams County, Pennsylvania, bounded and described as follows:

Tract No. 1:

ALL that certain lot of land situate in Latimore Township, Adams County, Pennsylvania, being more particularly described as Lot No. 1149 on a plan of lots of Lake Meade Subdivision, duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 1 at Page 21. Subject to all legal highways, easements, rights of way and restrictions of record.

Tract No. 2:

ALL that certain lot of land situate in Latimore Township, Adams County, Pennsylvania, being more particularly described as Lot No. 1148 on a plan of lots of Lake Meade Subdivision, duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 1 at Page 21.

Subject to all legal highways, easements, rights of way and restrictions of record.

TITLE TO SAID PREMISES IS VESTED IN Christian S. Mueller and Cynthia E. Mueller by deed from Carl S. Overby, single, dated September 23, 2005 and recorded September 26, 2005 in Deed Book 4139, Page 60.

TAX ID. #: (24) 009-0045

Being Known As: 11 Barlow Drive, East Berlin, PA 17316.

SEIZED and taken into execution as the property of **Christian S. Mueller & Cynthia E. Mueller** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the

purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-632 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at an iron pipe on the right-of-way of Conewago Drive; thence running along said right-of-way North eighty-one (81) degrees, twenty-two (22) minutes, ten (10) seconds East, forty (40) feet to an iron pipe at Lot No. 6; thence along said Lot, South eight (08) degrees, thirty-seven (37) minutes, fifty (50) seconds East, two hundred (200.00) feet to an iron pipe at lands now or formerly of Miser-Weber Associates and Vincent P. Pisula, Jr.; thence along said lands South eighty-one (81) degrees, twenty-two (22) minutes, ten (10) seconds East, forty (40) feet to an iron pipe at lands now or formerly of Samuel R. Sneeringer at Lot No. 2, recorded in Plat Book 36, at page 148; thence along said lot North eight (08) degrees, thirty-seven (37) minutes, fifty (50) seconds West, two hundred (200) feet to the place of BEGINNING, CONTAINING 8,000 square feet, more or less. Being Lot No. 7 on the final plan of Samuel R. Sneeringer, as prepared by Mort, Brown and Associates, Registered Surveyors, said plan being dated April 17, 1984 and recorded in the Recorder of Deeds Office for Adams County, Pennsylvania on April 25, 1984, in Plat Book 40 at Page 8.

SUBJECT to restrictions as set forth in a Declaration of Lot Restrictions dated November 6, 1984 and recorded in the Recorder of Deeds Office for Adams County, Pennsylvania in Record Book 390, Page 326.

EXCEPTING AND RESERVING unto Samuel R. Sneeringer, his heirs and assigns, the full, free liberty and right at all times hereafter forever, to have and use a passageway fifteen (15) feet wide along the rear boundary line of the lot hereby granted for any and all purposes connected with the use and occupation of other land now owned by Samuel R. Sneeringer adjoining the lot hereby granted.

UNDER AND SUBJECT to any existing covenants, easements, encroach-

ments, conditions, restrictions and agreements affecting the property.

MAP & PARCEL NO.: 8-1-236.

The improvements thereon being known as 30 Conewago Drive, Hanover, PA 17331

SEIZED and taken into execution as the property of **Heather R. Heinemann & James W. Heinemann** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-464 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land situated, lying, and being in Germany Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING in the center line of Feeser Road (T-442) at corner of Lot No. 6; thence by Lot No. 6 South 74 degrees 30 minutes 10 seconds East 752.83 feet to a steel rod; thence by Lot No. 6 and Lot No. 5 North 31 degrees 23 minutes 45 seconds East 663.76 feet to a 14 inches Shagbark Hickory; thence by Lot No. 10 North 79 degrees 32 minutes 30 seconds East 264.51 feet to a steel rod; thence by same South 37 degrees 22 minutes 00 seconds East 52.44 feet to a 16 inches Swamp White Oak; thence continuing by same South 68 degrees 35 minutes 05 seconds West 111.62 feet to a 14 inches Shagbark Hickory; thence by same South 67 degrees 22 minutes 40 seconds East 228.30 feet to a 16 inches Shagbark Hickory; thence by same South 40 degrees 10 minutes 50 seconds East 69.58 feet to an 18 inches Hickory; thence by same North 26 degrees 01 minute 30 seconds East 65.74 feet to a steel rod; thence by same South 47 degrees 27 minutes 00 seconds East 124.93 feet to a steel rod; thence by same North 75 degrees 03 minutes 35 seconds East 148.32 feet to a steel rod; thence by same North 01 degrees 38 minutes 45 seconds East 67.18 feet to a 14 inches Swamp White Oak; thence by same North 70 degrees 27 minutes 00 seconds East 79.86 feet to a point in creek; thence by land now or formerly of Gregory Lang South 00 degrees 01 minute 20 seconds East 53.06 feet to an existing steel rod; thence by land now or formerly of National Tree Company South 24 degrees 01 minute 00 seconds West 193.56 feet to an existing steel rod; thence by land now or formerly of Ideldon Baum South 25 degrees 37 minutes 20 seconds West 448.95 feet to an existing steel rod; thence by same South 34 degrees 26 minutes 15 seconds West 155.81 feet to a steel rod; thence by Lot No. 9 North 74 degrees 30 minutes 10 seconds West 1,560.58 feet to a point in the center line of Feeser Road; thence in the center line of Feeser Road North 09 degrees 52 minutes 05 seconds East 50.24 feet to a point, the place of BEGINNING.

THE ABOVE DESCRIPTION was taken from a Subdivision Plan dated September 23, 1996 and recorded February 19, 1997 in the Office of the Recorder of Deeds for Adams County, Pennsylvania in Plat Book 70 at Page 71-A and designated as Lot No. 3.

TITLE SAID PREMISES IS VESTED IN Frank E. Walker and Patricia A. Walker, h/w, as tenants of an estate by the entireties, by Deed from Randy E. Smith and Bonnie S. Smith, h/w, dated 04/14/2000, recorded 05/01/2000, in Deed Book 2040, page 001.

Tax Parcel: 15-116-0072-000

Premises Being: 145 Feeser Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Frank E. Walker & Patricia A. Walker** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-487 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

The land referred to in this Commitment is described as follows:

ALL THAT CERTAIN parcel or tract of land situate in Latimore Township, Adams County, Pennsylvania, and described in accordance with a survey by Gerrit J. Betz, R.S., dated December 17, 1973, as follows, to wit:

BEGINNING at a point in the center line of Legislative Route 01008, a/k/a Franklin Church Road, 272.80 feet south of the center line of Legislative Route 01036, said point also being the northwest corner of premises described herein; thence North 68 degrees 30 minutes

East 209.15 feet to a point in the center line of Legislative Route 01036; thence along the center line of Legislative Route 01036, South 58 degrees 28 minutes 18 seconds East 155.90 feet to a point in said center line of Legislative Route 01036; and at the northeast corner of lands N/F of Clarence Sheaffer; thence along lands of the said Clarence Sheaffer, and lands N/F of Joel Greist, South 68 degrees 30 minutes West, 302.91 feet to a point in the center line of Legislative Route 01008; thence along the said center line, North 21 degrees 30 minutes West, 124.54 feet to a point, the Place of BEGINNING, HAVING THEREON erected a two story aluminum dwelling house and also a two car garage.

TITLE SAID PREMISES IS VESTED IN Randall C. Travitz, a married man, by Deed from Nina L. Lantz, formerly Nina L. Wolfe, a married woman, dated 06/03/2003, recorded 06/06/2003 in Book 3137, Page 25.

Tax Parcel: (23) K03--0016

Premises Being: 1230 Braggstown Road, Dillsburg, PA 17019-9201

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

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-468 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL these two tracts of land situate in the Village of Idaville, Huntingdon Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

TRACT #1:

BEGINNING at a stone at the eastern edge of an alley and at land now or formerly of Andrew Crist; thence by land of same, North 87-1/2 degrees East, 130 feet to an iron pin; thence by lands now or formerly of Catherine A. Myers and husband, South 3 degrees East, 87 feet to an iron pin, thence by lands of same, South 87 degrees West, 130 feet to an iron pin at the eastern edge of the aforesaid alley; thence by said alley, North 3 degrees West, 87 feet to a point, the place of BEGINNING.

TRACT #2:

BEGINNING at a point, which point is located at the Southeast corner of land now owned by Douglas W. Hailer, which beginning point is North 87 degrees 00 minutes 00 seconds East, 130.00 feet from a steel rod set on the easterly side of a 12 foot wide public alley at Lot No. 1 on the hereinafter recited plan; thence along said Hailer land, North 03 degrees 01 minutes 00 seconds East, 89.50 feet to a point at land now or formerly of Russel Yeagy; thence along said Yeagy land, North 85 degrees 53 minutes 50 seconds East, 34.42 feet to an existing steel rod at corner of land now or formerly of Keith Gingrich; thence along said Gingrich land, South 05 degrees 26 minutes 15 seconds East, 90.24 feet to a set concrete monument at corner of land now or formerly of Catherine Myers, being designated as Lot No. 1 on the hereinafter recited plan; thence along said Myers land, South 87 degrees 00 minutes 00 seconds West, 38.26 feet to the point and place of BEGINNING, CONTAINING 0.074 acres and being identified as No. 2 on the hereinafter recited plan.

TITLE SAID PREMISES IS VESTED IN Kenneth L. Weyant and Rosetta K. Weyant, h/w, by Deed from Douglas W. Hailer and Anne L. Hailer, h/w, dated 11/26/2002, recorded 12/30/2002 in Book 2924, Page 222.

Tax Parcel: (22) G03-0076

Premises Being: 14 Idaville York Springs Road, Idaville, PA 17324

SEIZED and taken into execution as the property of **Kenneth Weyant & Rosetta K. Weyant** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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9/18, 25 & 10/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 03-S-867 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN lot of land situated in Reading Township, Adams County, Pennsylvania, being more particularly described as Lot No. 827 on a Plan of Lots of Lake Meade Subdivision, duly entered and appearing of record in the Office of the Recorder of Deeds in and for Adams County in Misc Deed Book 1, page 5, and subject to all legal highways, easements, rights of way and restrictions of record.

TOGETHER with the right in common with other owners of lots in said subdivision to use for all usual purposes the streets, ways, beaches, recreation areas, and other public areas, as shown on the said plot, and the right in common with the other owners of lots in the said subdivision to use the lake and beaches for swimming, fishing and boating in accordance with the rules and regulations of Lake Meade Property Owners Association, its successor or assigns.

UNDER AND SUBJECT to the restrictions, conditions and agreement set forth at length in deed of Lake Meade, Inc. to the grantors herein, referred to above.

HAVING thereon erected a dwelling house known as: 397 Lake Meade Drive, East Berlin, PA 17316.

BEING THE SAME PREMISES WHICH Robert W. Snyder and Linda S.

Snyder, by Deed dated 6/30/00 and recorded 7/25/00 in Adams County Deed Book 2093, Page 56, granted and conveyed unto Gary Zittle.

SEIZED IN EXECUTION AS THE PROPERTY OF GARY D. ZITTLE UNDER ADAMS COUNTY JUDGMENT NO. 03-S-867

MAP & PARCEL 37-10-56

PREMISES BEING: 397 Lake Meade Drive, East Berlin, PA 17316

SEIZED and taken into execution as the property of **Gary D. Zittle** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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9/18, 25 & 10/2

ESTATE NOTICES

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

FIRST PUBLICATION**ESTATE OF JUNE E. EISENBERGER, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Executor: Douglas H. Gent, Esq., Law Offices of Douglas H. Gent, 1157 Eichelberger Street, Suite 4, Hanover, PA 17331

Attorney: Douglas H. Gent, Esq., Law Offices of Douglas H. Gent, 1157 Eichelberger Street, Suite 4, Hanover, PA 17331

ESTATE OF MARIE L. MELLOTT, DEC'D

Late of Latimore Township, Adams County, Pennsylvania

Co-Executors: Denise K. Smith, Doreen L. Byers & Darren G. Mellott, c/o Stephen L. Bloom, Esq., Irwin & McKnight, P.C., 60 West Pomfret Street, Carlisle, PA 17013

Attorney: Stephen L. Bloom, Esq., Irwin & McKnight, P.C., 60 West Pomfret Street, Carlisle, PA 17013

ESTATE OF DOROTHY A. RALSON a/k/a DOROTHY ANN RALSON, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Lesley L. Ralson, 58 York Street, Gettysburg, PA 17325

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore Street, Gettysburg, PA 17325

ESTATE OF RALPH E. SCHILDT, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Charlene A. Leatherman, Larry S. Schildt & Jane C. Baugher, c/o Robert Clofine, Esq., 120 Pine Grove Commons, York, PA 17403

Attorney: Robert Clofine, Esq., 120 Pine Grove Commons, York, PA 17403

ESTATE OF JAMES E. SMITH, JR., DEC'D

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Executrix: Karen L. Smith, P.O. Box 641, Fairfield, PA 17320

Attorney: John J. Murphy, III, Esq., Patrono & Associates, LLC, 28 West Middle Street, Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF RUTH R. FUNK a/k/a RUTH ELIZABETH FUNK, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executor: Charles Rowland Funk, c/o Douglas H. Gent, Esq., Law Offices of Douglas H. Gent, 1157 Eichelberger Street, Suite 4, Hanover, PA 17331

Attorney: Douglas H. Gent, Esq., Law Offices of Douglas H. Gent, 1157 Eichelberger Street, Suite 4, Hanover, PA 17331

ESTATE OF ROBERT J. KALAS, SR., DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: Alida D. Kalas, 115 E. Lincoln Ave., Gettysburg, PA 17325

ESTATE OF NANCY L. KLINEFELTER, DEC'D

Late of Germany Township, Adams County, Pennsylvania

Executrix: Judy C. Wentz, c/o Douglas H. Gent, Esq., Law Offices of Douglas H. Gent, 1157 Eichelberger Street, Suite 4, Hanover, PA 17331

Attorney: Douglas H. Gent, Esq., Law Offices of Douglas H. Gent, 1157 Eichelberger Street, Suite 4, Hanover, PA 17331

ESTATE OF CORA B. KOONTZ, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Fred O. Koontz, 3113 Park Road, Harrisburg, PA 17111

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

ESTATE OF THELMA V. SMITH, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Vaughn W. Smith, Jr., 66 Asper North Rd., Aspers, PA 17304

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

ESTATE OF THERON BURNELL UNGER, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: PNC Bank, NA, Successor to Bank of Hanover & Trust Co.

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

THIRD PUBLICATION**ESTATE OF RUTH HOFF, DEC'D**

Late of Huntington Township, Adams County, Pennsylvania

Co-Executors: Brian T. Hoff, Tracey L. Hoff and Kevin L. Hoff, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

ESTATE OF MARION M. PACKARD, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Champlain Smith Packard, III, 1355 Fairfield Road, P.O. Box 4283, Gettysburg, PA 17325

Attorney: Barbara Jo Entwistle, Esq., Pyle and Entwistle, 66 West Middle Street, Gettysburg, PA 17325

ESTATE OF LOUIS B. TOLER, DEC'D

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Executor: Adams County National Bank, c/o Christine R. Settle, Trust Officer, 16 Lincoln Square, Gettysburg, PA 17325

Attorney: Ronald J. Hagarman, Esq., 110 Baltimore Street, Gettysburg, PA 17325

ESTATE OF PATRICIA C. WINDER, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Russell C. Williams, P.O. Box 339, Hanover, PA 17331

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-1268 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Oxford Township, City of New Oxford, County of Adams, Commonwealth of Pennsylvania.

BEGINNING at a point on the Eastern edge of a 50 foot wide street and the Southernmost corner of Lot No. 27; thence by said Lot No. 27, North 33 degrees, 01 minutes, 49 seconds East 276.83 feet to a point on line of land now or formerly of Michael Sanders; thence by said land of Michael Sanders and by other land now or formerly of George Graft, South 54 degrees, 33 minutes, 42 seconds East 107 feet to a point at corner Lot No. 29; thence by said Lot No. 29, South 30 degrees, 16 minutes, 52 seconds West 270.85 feet to a point on the Eastern edge of a 50 foot wide street aforesaid; thence along the Eastern edge of said Street on a curve to the right, having a radius of 1,711.53 feet, an arc distance of 82.82 feet, and a bearing and chord distance of North 58 degrees, 21 minutes, 10 seconds West, 82.81 feet to a point; thence continuing by same, North 56 degrees, 58 minutes, 11 seconds West, 37.38 feet to a point at the Southern corner of Lot No. 27, the place of beginning, Containing 31,079 square feet.

BEING known as 90 Croft Drive, New Oxford, PA 17350

BEING the same premises which Laurena A. Weaver, formerly known as Laurena A. Reese and Michael N. Weaver, by Deed dated 3/20/2001 and recorded 3/22/01 in and for the County of Adams, Commonwealth of Pennsylvania, in Deed Book 2236 Page 247, granted and conveyed unto Michael N. Weaver and Laurena A. Weaver, Husband and Wife, in fee.

TAX PARCEL# (35) J12-0125

SEIZED and taken into execution as the property of **Laurena Ann Weaver & Michael N. Weaver** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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9/18, 25 & 10/2

CERTIFICATE OF AUTHORITY

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on August 25, 2009, by TURING CONSULTING INC., a foreign corporation formed under the laws of the State of New Jersey, where its principal office is located at c/o CSC, 830 Bear Tavern Road, West Trenton, NJ 08628, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at 1050 Schadt Avenue, Whitehall, PA 18052.

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CERTIFICATE OF AUTHORITY

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, under the provisions of the Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended.

The name of the corporation is R.W. WARNER, INC. and it is incorporated under laws of the State of Maryland with its principal place of business located at 217 Monroe Avenue, Frederick, Maryland 21701. The registered office of the corporation in the Commonwealth of Pennsylvania is 220 Baltimore Street, Gettysburg, Pennsylvania 17325.

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

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