

# *Adams County* Legal Journal

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BOROUGH OF YORK SPRINGS EMERGENCY PETITION

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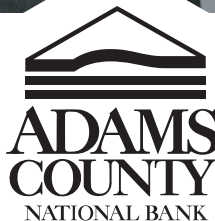
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## ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-660 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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 Biglerville, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin at the intersection of Fourth Street and a public alley; thence by said Fourth Street South 3-1/2 degrees West, 120 feet to an iron pin; thence by land now or formerly of Joe Boyer, South 86-1/2 degrees East, 35 feet to a stake; thence by land now or formerly of C.H. Musselman, North 64 degrees West to an iron pin 161.7 feet; thence by land now or formerly of the Adams County Packing Co., North 69.7 feet North 3 1/2 degrees East to an iron pin; thence by a public alley, South 87-3/4 degrees East, 155 feet to the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Frank Alvarado and Kimberly Alvarado, husband and wife, as tenants by an estate by the entireties, by Deed from Jeanne L. Motter and Kenneth I. Bream, Co-Executors of the Estate of Fred W. Bream, dated 07/30/2001, recorded 08/09/2001, in Deed Book 2368, page 106.

Premises being: 101 4th Street, Biglerville, PA 17307

Tax Parcel No. 05-06-000 1

SEIZED and taken into execution as the property of **Frank Alvarado & Kimberly Alvarado** 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 September 18, 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.

7/31, 8/7 & 14

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1562 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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 lot of land, situate, lying and being in Hamilton Township, Adams County, Pennsylvania, bounded and limited as follows, to-wit:

BEGINNING at an iron pin at the Northern edge of the right-of-way line of Boy Scout Road and at the corner of Lot No. 1 at the hereinafter referred to plan of lots; thence along the edge of said Boy Scout Road South thirty-two (32) degrees zero (00) minutes thirty (30) seconds West, two hundred (200) feet to an iron pin at the corner of Lot No. 3 of the hereinafter referred to plan of lots; thence by Lot No. 3 North forty-nine (49) degrees twenty (20) minutes fifteen (15) seconds West, two hundred thirty-one and fifty-nine hundredths (231.59) feet to an iron pin on line of land now or formerly of Stephen A. Glassman; thence by said land of Stephen A. Glassman North thirty-two (32) degrees zero (00) minutes thirty (30) seconds East, two hundred (200.00) feet to an iron pin at the corner of Lot No. 1 on the hereinafter referred to plan of lots; thence by said Lot No. 1 South forty-nine (49) degrees twenty (20) minutes fifteen (15) seconds East, two hundred thirty-one and fifty-nine hundredths (231.59) feet to an iron pin on the Northern edge of Boy Scout Road, the point and place of BEGINNING, CONTAINING 1.051 acres.

The above description was taken from a plan of lots prepared by George M. Wildasin, CE., Inc. dated July 2, 1991 and recorded in the Office of the

Recorder of Deeds Adams County, Pennsylvania, in Plat Book 62, page 37, designated the above description as Lot No. 2.

BEING KNOWN AS: 35 Boy Scout Road, New Oxford, PA 17350

Map (17) J09-0099B

SEIZED and taken into execution as the property of **Martin, Samuel** 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 September 18, 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.

7/24, 31 & 8/7

## BOROUGH OF YORK SPRINGS EMERGENCY PETITION

1. Since two council members remained in office after the resignation of the other three members, those two constituted a quorum and were authorized to act as Borough Council.

2. While not expressly divided into sub-sections, Section 45901 is made up of five separate paragraphs. From this format and the clear language of the statute, the Court can identify a three step process that is to be used to fill council vacancies. Each step in the line of progression is to be used only if the step prior to it does not result in filling the council vacancy.

3. The Court should intervene when there is a vacancy in a majority of council seats only if the council fails to act within 30 days and the vacancy board fails to act within 15 days.

In the Court of Common Pleas of Adams County, Pennsylvania,  
Civil, No. 2008-S-1517, BOROUGH OF YORK SPRINGS EMERGENCY PETITION

Julia S. Harris and Phillip B. Harris, Petitioners, *pro se*  
Kuhn, P.J., October 21, 2008

### ORDER

AND NOW, this 21st day of October, 2008, the Emergency Petition filed October 17, 2008 by Co-Petitioners Julia S. Harris and Phillip B. Harris is dismissed.

### DISCUSSION

The facts, as presented to this Court by the Petitioners, appear to be as follows: The Borough of York Springs is made up of a Borough Council of five members. On September 18, 2008 three members offered their resignations which were accepted by the remaining two council members. On October 9, 2008 the remaining members, Gray Nichols and Bryan Gaura, held a special meeting wherein they appointed Douglas Doelp, Dale Monnier, and Co-Petitioner Julia Harris to fill the three vacant positions. Prior to the regularly scheduled Council meeting to be held on October 16, 2008 an issue arose as to the legality of the three appointments. The Co-Petitioners have alleged that pursuant to Section 901 of the Borough Code, when there is a vacancy in the majority of council offices the Court of Common Pleas shall fill the vacancies upon presentation of a petition signed by not less than 15 registered electors of the Borough. **53 P.S. § 45901.**

Petitioners have failed to provide any form of verification under oath that the signatures provided on the petition were those of registered electors of the Borough of York Springs<sup>1</sup> and therefore a proper petition has not been made to this Court. Therefore the petition is dismissed.

This Court recognizes that resolution of this matter is of utmost importance in light of the questions that have been raised about the legitimacy of the government of the Borough of York Springs. Therefore, in light of the importance of this matter, the undersigned will offer some guidance to both the Petitioners and the Borough.

As an initial matter, I note that the legitimacy of the borough's government is not threatened. The Borough Code provides that "[a] majority of the membership of council then in office shall constitute a quorum." **53 P.S. § 46001.**<sup>2</sup> Accordingly, since two council members remained in office after the resignation of the other three members, those two constituted a quorum and were authorized to act as Borough Council.

The issue here revolves around the last sentence in Section 45901 which provides; "[i]n the case where there are vacancies in more than a majority of the offices of council, the court of common pleas shall fill such vacancies upon presentation of petition signed by not less than fifteen registered electors of the borough." **53 P.S. § 45901.** Petitioners argue that because three of the five offices were left vacant by the resignations, the Court, and not the two remaining Council members, is tasked with filling the vacancies.

However, that is simply one way in which to interpret the statute. This provision is the final portion of a systematic method of filling vacancies in elective offices within the boroughs. While not expressly divided into sub-sections, Section 45901 is made up of five separate

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<sup>1</sup> Neither the Petition nor the attachment thereto states that the persons whose names are listed are registered electors of the Borough. The attachment lists 14 names (Helen Lott is listed twice and includes no address.) One person is listed as "Mrs. May R" with a signature of "May Yohe." All names, except Helen Lott, include an address (four are post office box numbers only and ten list a street number) but none are identified as being in York Springs. Apparently, the Petitioners expected the Court to assume that the persons named resided in the Borough. Petitioners did file a supplemental list of six signatures of which three included their street address and that the address was in the Borough.

<sup>2</sup> See also *In Re Gianoplos*, 11 Pa. D. & C.3d 436 (Clinton 1979) ("The language 'then in office' clearly excludes defining a quorum by reference to the number of authorized officers rather than by reference to the number of occupied offices).

paragraphs. From this format and the clear language of the statute, the Court can identify a three step process that is to be used to fill council vacancies. Each step in the line of progression is to be used only if the step prior to it does not result in filling the council vacancy.

The first paragraph (the first step) provides:

If any vacancy shall occur in the office of...member of council...by...resignation...the borough council shall fill such vacancy within 30 days by appointing, by resolution, a registered elector of the borough, or of the ward in case of a ward office, to hold such office...

**§ 45901.** As previously indicated, the two remaining members of Borough Council constituted a quorum and were therefore able to officially act as Borough Council. The two remaining members so acted by appointing three people to fill the vacancies.

The second and third paragraphs of Section 45901 pertain to bond matters which are not at issue here.

Paragraph 4 (the second step) of Section 45901 provides:

If the council of any borough shall...fail...for any reason whatsoever, to fill any vacancy within thirty days after the vacancy happens, as provided in this section, then the vacancy shall be filled within fifteen days by the vacancy board.

**§ 45901.** Here, the vacancy board did not act, presumably because the relevant Borough officials believed that Council had already filled the seats in accordance with the law.

Paragraph 5 (the third step) of Section 45901 provides:

If the vacancy is not filled by the vacancy board within fifteen days, the chairman shall or in the case of a vacancy of the chairmanship the remaining members of the vacancy board shall petition the court of common pleas to fill the vacancy by the appointment of a registered elector of the borough...to hold such office...In the case where there are vacancies in more than a majority of the offices of council, the court of common pleas shall fill such vacancies upon presentation of petition signed by not less than fifteen registered electors of the borough.

**§ 45901.**

The present issue revolves around the scope of the last sentence in Paragraph 5. There are two possible interpretations of this provision. The first, as presented by the Petitioners, contends this provision applies to the statute as a whole and anytime there is a vacancy in a majority of council seats the court is to fill the vacancies upon petition of 15 electors. Another reasonable and more logical interpretation is that the last sentence in paragraph five is part of the third step and only applies when the vacancy is not filled by either the first or second step. It is reasonable to interpret Paragraph 5 as providing two different ways of applying the third step: one method if the vacant positions constitute less than a majority of council seats and the other method if the vacancies do constitute a majority of the council seats. Based on this interpretation, the court should intervene when there is a vacancy in a majority of council seats only if the council fails to act within 30 days and the vacancy board fails to act within 15 days. If the Court adopts the second approach, then the two remaining council members complied with the law when appointing three people to fill the vacant positions.

While there is no case law directly on point, a Court of Common Pleas decision issued shortly after this section was adopted in 1978 suggests that the subject provision is only applicable if the vacancy is not filled by one of the first two steps (the council appointment and the vacancy board appointment).

In *In Re Gianoplos*, 11 Pa. D. & C.3d 436 (Clinton 1979) the Court was faced with a situation where there were five vacancies in a nine member council. *Id.* at 437. A petition was filed with the Court to appoint Gianoplos to one of the vacancies. The Court interpreted the law as follows:

Under the current statute vacancies on council are to be filled by the remaining members of council within 30 days of the vacancy. In default of such action, the vacancy is to be filled by a vacancy board within 15 additional days. If the vacancy board fails to fill the vacancy, then the chairman of the vacancy board may petition the Court to fill the vacancy.

*Id.* at 438. The issue in this case arose because council failed to fill the vacancies within 30 days and a vacancy board had not been appointed because the statute did not provide the mechanism for appointment of the board until January, 1980. *Id.*

The Court held that “[d]espite the patent shortcomings of the 1978 Act, it does manifest a clear legislative intent to diminish the judiciary’s function in filling vacancies in borough offices...” *Id.* at 439-40. Rather than appoint someone to fill the vacant council seat, the Court gave borough council, as it then existed, leave to appoint a chairman to the vacancy board within a reasonable period of time. *Id.* at 441.

The Court of Common Pleas in Clinton County made it clear that the purpose of the 1978 act was designed to restrict the role of the courts in filling council vacancies. Despite there being a majority of council seats vacant, the Court never addressed the subject provision of Paragraph 5. Rather the Court took a systematic, step-by-step approach to the statute, and determined that because the council failed to make an appointment within 30 days, the next action was to be taken by the vacancy board, not the Court. This strongly suggests that at least one other court presented with the issue concluded that the subject sentence of Section 45901 only applies if the steps before it fail to result in filling the vacant position.

Accordingly, it would seem the remaining two members of council acted in accordance with the vacancy provisions of the Borough Code.

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-277 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a point on the right-of-way line of South Avenue, a fifty (50) feet wide right-of-way, at corner of Lot No. 88 on the subdivision plan hereinafter referred to; thence along the right-of-way line of South Avenue, the following two (2) courses and distances: [1] by a curve to the left having a radius of three hundred twenty-five (325.00) feet, an arc distance of seventy-six and eighty-two hundredths (76.82) feet, and a long chord bearing and distance of North eighty-three (83) degrees forty-nine (49) minutes fifty-eight (58) seconds West, seventy-six and sixty-four hundredths (76.64) feet to a point; and [2] South eighty-nine (89) degrees twenty-three (23) minutes forty-five (45) seconds West, twenty-three and thirty-two hundredths (23.32) feet to a point on the right-of-way of the intersection of South Avenue and Bryan Court; thence along the right-of-way line of said intersection, North forty-six (46) degrees nine (09) minutes forty-four (44) seconds West, thirty-five and seventy hundredths (35.70) feet to a point on the right-of-way line of Bryan Court; thence along the right-of-way line of Bryan Court the following two (2) courses and distances: [1] North one (01) degree forty-three (43) minutes thirteen (13) seconds West, seventy-nine and eighty hundredths (79.80) feet to a point; and [2] by a curve to the right having a radius of one hundred twenty-five (125.00) feet, an arc distance of seventeen (17.00) feet, and a long chord bearing and distance of North two (02) degrees ten (10) minutes thirty-three (33) seconds East, sixteen and ninety-nine hundredths (16.99) feet to a point at corner of Lot No. 86 on the subdivision plan hereinafter referred to; thence along Lot No. 86, South seventy-eight (78) degrees forty-four (44) minutes fifty-four (54) seconds East, one hundred fifty-two and eighty-five hundredths (152.85) feet to a point at Lot No. 88, aforesaid; thence along Lot No. 88, South twelve (12) degrees fifty-six (56) minutes nineteen (19) seconds West, one hundred two and twenty-three

hundredths (102.23) feet to a point on the right-of-way line of South Avenue, the point and place of BEGINNING. (CONTAINING 14,795.3 square feet, 0.340 acres, more or less, and designated as Lot No. 87 on Subdivision Plan for Patriots Choice, Phase I Lots, prepared by Robert A. Sharrah, Professional Land Surveyor, dated March 29, 2005, as last revised June 14, 2005, File 9814, Drawing No. E-625, which said plan is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 88, page 72.)

IT BEING part of the premises which Westminster Land Trust by its deed dated November 12, 2002, and recorded November 14, 2002, in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 2874, page 26, granted and conveyed to Joseph A. Myers, of Grantors herein. J. A. Myers Homes, LLC, joins in this deed to convey its interest in and to the improvements erected on the hereinabove described tract of land.

UNDER AND SUBJECT, NEVERTHELESS, to any restrictions, easements, building setback lines, notes, covenants and conditions as may be shown on subdivision plan recorded in Adams County Plat Book 88, page 72.

UNDER AND SUBJECT, ALSO, to the covenants and conditions of the Declaration of Planned Community of Patriots Choice, and Patriots Choice Homeowners' Association, Inc., a Pennsylvania non-profit corporation, dated June 22, 2005, and recorded August 8, 2005, in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 4074, page 308, as may be amended from time to time, together with the Declaration Plan recorded therewith, as may be amended from time to time, and any unrecorded By-Laws and Rules and Regulations of said Patriots Choice Homeowners' Association, Inc.

TITLE TO SAID PREMISES IS VESTED IN Sally Harmon, by Deed from Joseph A. Myers, unmarried and JA Myers Homes, LLC, a Pennsylvania limited liability company, dated 12/08/2005, recorded 12/20/2005 in Book 4251, Page 344.

Tax Parcel: 09-FI 1-0306---000

Premises Being: 95 South Avenue, Gettysburg, PA 17325-8026

SEIZED and taken into execution as the PROPERTY of **Sally Harmon** 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 September 18, 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.

8/7, 14 & 21

## CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on April 29, 2009, the Petition of Samantha N. Nakamoto and Richard S. Nakamoto on behalf of her minor child, Annika Madeleine Dahlgren, was filed in the Court of Common Pleas of Adams County, Pennsylvania, requesting an Order be entered to change the name of Annika Madeleine Dahlgren to Annika Samiko Nakamoto.

The Court has scheduled a hearing on the Petition to be held on August 25, 2009 at 10:00 o'clock a.m. in the assigned Courtroom of the Adams County Courthouse, Gettysburg, Pennsylvania, when and where all interested parties may appear and show cause, if any, why the relief requested in the Petition should not be granted.

Jeffrey S. Evans, Esq.  
Attorney for Petitioners  
2025 East Main Street  
Waynesboro, PA 17268  
(717)762-1415  
PA Atty. ID No. 55654

8/7 & 14



## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-279 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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, more particularly bounded and described as follows:

BEGINNING at a railroad spike set in Township Route T-348 at corner of land now or formerly of Chester Brent; thence through an iron pin set back 20.9 feet along the line from the point of beginning and running by land now or formerly of Chester Brent and Logan Brent (now Susie Brent) South 87 degrees 45 minutes East, 280 feet to a point; thence running by land now or formerly of Logan Brent (now Susie Brent) South 2 degrees 15 minutes West, 125 feet to a point; thence running by land of the same North 87 degrees 45 minutes West, 275.97 feet through an iron pin set back 13.7 feet from the railroad spike in the road to the railroad spike in Township Route T-348; thence running in Township Route T-348 North 0 degrees 42 minutes East, 125.07 feet to a railroad spike, the place of BEGINNING.

The original description taken from a draft of survey made by Gettysburg Engineering Company on August 21, 1965, for a lot of depths of 200 feet and 195.97 feet facing the road and the extra additional 80 feet on the rear thereof being an extension.

TITLE TO SAID PREMISES IS VESTED IN John E. Hodge and Judy Ann Hodge, h/w, as tenants of an estate by the entireties, by Deed from Stephen E. Brent and Joan E. Brent, his wife, dated 11/16/1970, recorded 11/16/1970 in Book 288, Page 517.

Tax Parcel: 12-E11-0012-000

Premises Being: 815 Belmont Road, Gettysburg, PA 17325-7484

SEIZED and taken into execution as the property of **Judy Ann Hodge** 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 September 18, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-128 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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 tract of land situate on the westerly right of way line of Abbotts Drive in the Borough of Abbotstown, Adams County, PA known and numbered as Lot No.51 on a plan of lots for Abbotts Manor, Phase III, recorded in the Office of the Recorder of Deeds in and for Adams County, PA in Subdivision Plan Book 76, page 99, more fully bounded and described as follows, to wit;

BEGINNING at a point on the westerly right of way line of Abbotts Drive at a corner of Lot No.50 on said plan; thence extending along the said Lot No. 50 South forty-two (42) degrees forty-three (43) minutes twenty-six (26) seconds West two hundred forty-three and four one-hundredths (243.04) feet to a point; thence North nineteen (19) degrees thirty-one (31) minutes thirty (30) seconds West twenty-five and eighty one-hundredths (25.80) feet to a point; thence North seventeen (17) degrees forty-four (44) minutes zero (00) seconds East one hundred eighty-six and twelve one-hundredths (186.12) feet to a point; thence extending along the westerly right of way line of Abbotts Manor on a line curving to the right having a radius of one hundred seventy-five (175) feet, an arc distance of seventy-nine (79) feet with a chord bearing South sixty (60) degrees twelve (12) minutes thirty (30) seconds East seventy-eight and thirty-three one-hundredths (78.33) feet to a point; thence continuing South forty-seven (47) degrees sixteen (16) minutes thirty-four (34) seconds East twenty-five and twelve one-hundredths (25.12) feet to the point and place of BEGINNING. CONTAINING 11,983 Sq. Ft.

TOGETHER with all buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and any reversions, remainders, rents, issues and profits thereof, and of every part and parcel thereof, including any interests specifically set forth, if any. And also, all the

estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the Grantor of, in and to the same.

To Have And To Hold the same premises, and the appurtenances, hereby granted to Grantee and Grantee's heirs, successors and assigns, to and for the only proper use, benefit and behoove of the said Grantee and Grantee's heirs, successors and assigns forever, under and subject to the conditions set forth, if any.

And The Said Grantor hereby covenants and agrees that Grantor will warrant specially the property hereby conveyed.

Under And Subject, nevertheless to the same condition, restrictions, exceptions and reservations as exist by virtue of prior recorded instruments, deeds and conveyances.

It Being Part of The Same Premises which Hadley Holdings Corporation, by their deed dated May 30, 1996 and recorded in the Office of The Recorder of Deeds in and for Adams County, Pennsylvania in Record Book 1218, Page 136, granted and conveyed unto Garland Construction, Inc., Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN William H. Harrison, by Deed from Garland Construction, Inc., dated 10/22/1999, recorded 11/23/1999 in Book 1957, Page 0333.

Tax Parcel: 01-0005-0039-000

Premises Being: 43 Abbotts Drive, Abbotstown, PA 17301-9615

SEIZED and taken into execution as the property of **William H. Harrison & Linda A. Harrison** 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 September 18, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-197 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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 Hamilton Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a point on the western edge of Springfield Drive at Lot 7 of the hereinafter referenced subdivision plan; thence along same and by a curve to the left whose radius is 500 feet and whose long chord bearing is South 10 degrees 45 minutes 42 seconds East, 117.91 feet for an arc distance of 118.18 feet to a point at Lot 5 of said plan; thence along same South 72 degrees 28 minutes 01 second West, 266.54 feet to a point on the centerline of Carlisle Pike (S.R. 94); thence along same North 25 degrees 01 minute 11 seconds West, 192.31 feet to a point at Lot 7 of said plan; thence along same North 86 degrees 00 minutes 34 seconds East, 314.23 feet to a point on the western edge of Springfield Drive, the point and place of BEGINNING, CONTAINING 43,532 square feet and identified as Lot 6, Cedar Ridge, Phase I. Said description is taken from a plan of lots prepared by Worley Surveying on March 25, 2005, as revised on April 27, 2005, May 16, 2005 and May 19, 2005. Said plan is recorded in the Recorder of Deeds Office in and for Adams County, Pennsylvania in Plat Book 89, page 85.

BEING a portion of the same real estate which Stone Ridge Development Corporation, a Pennsylvania Corporation, by its Deed dated June 22, 2006, and recorded June 29, 2006, in Adams County, Pa., Record Book Volume 4471, Page 294, conveyed to Dan Ryan Builders, Inc., a Maryland Corporation, the Grantor herein.

SUBJECT TO Covenants and Restrictions at Record Book 4369, Page 261, and Book 4469, Page 189, as well as any other covenants, conditions, and restrictions of prior record.

TITLE TO SAID PREMISES IS VESTED IN Alfonso Lua and Paula Lara, by Deed from Dan Ryan Builders, Inc., a Maryland Corporation, dated 01/04/2008, recorded 01/08/2008 in Book 5080, Page 274.

Tax Parcel: 09-0066

Premises Being: 74 SPRINGFIELD DRIVE, NEW OXFORD, PA 17350

SEIZED and taken into execution as the property of **Paula R. Lara & Alfonso Lua** 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 September 18, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-125 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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 Oxford Township, Adams County, Pennsylvania, more particularly bounded and limited as follows, to wit:

BEGINNING for a point on the center line of Rose Lane and Lot No. 38 of the hereinafter referenced subdivision plan; thence along said center line of Rose Lane, North forty-two (42) degrees fifty-five (55) minutes fifty-two (52) seconds East one hundred nine and ninety-five hundredths (109.95) feet to a point at Lot No. 40 of said plan; thence along same and Lot No. 41 of said plan South forty-seven (47) degrees five (5) minutes thirty-nine (39) seconds East two hundred twenty (220) feet to a point at Lot No. 43 of said plan; thence along same, South forty-two (42) degrees fifty-five (55) minutes fifty-two (52) seconds West, one hundred ten (110) feet to a point at Lot No. 38 of said plan; thence along same North forty-seven (47) degrees five (5) minutes thirty-nine (39) seconds West two hundred twenty (220) feet to a point on the center line of Rose Lane, the point and place of BEGINNING. CONTAINING 24,193 square feet and identified as Lot No. 39 on a plan of lots prepared by Thomas Associates, Surveyors, on April 3, 1978. Said plan is recorded in the

Adams County Recorder of Deeds Office in Plat Book 23, at page 41.

TITLE TO SAID PREMISES IS VESTED IN Daniel L. McKinney and Cynthia E. McKinney, h/w, as tenants of an Estate by the Entireties, by Deed from Joyce L. Luckenbaugh, dated 08/24/2006, recorded 08/30/2006 in Book 4549, Page 171.

Tax Parcel: 35-J12-0148-000

Premises Being: 95 Rose Lane, New Oxford, PA 17350

SEIZED and taken into execution as the property of **Daniel L. McKinney & Cynthia E. McKinney** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on September 18, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1811 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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 south side of Maple Avenue and being improved with the western one-half of a duplex to be known generally as 622 Maple Avenue, all of which is situate in the Village of Midway, Conewago Township, Adams County, Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point on the South side of Maple Avenue aforesaid at other lands of Jad S. Sneeringer and Patricia S. Sneeringer as marked by an iron pin at the intersecting property lines of Lot No. 4 and Lot No. 3 on the plot plan hereinafter mentioned, said iron pin being ten (10) feet South of the South curb face of Maple Avenue, ninety (90) feet to a pin at Lot No. 5; thence by other lands of Jad S. Sneeringer and Patricia S. Sneeringer, South eighty-six (86) degrees ten (10) minutes West, fifty-six and fifty-eight hundredths (56.58) feet to an iron pin at lands of Henry C. Pottorff; thence by lands of Henry C. Pottorff, also known as Lot No. 2, North three (3) degrees fifty (50) minutes West, ninety (90) feet to an iron pin on the South property line of Maple Avenue; thence along the South property line of Maple Avenue, North eighty-six (86) degrees ten (10) minutes East, fifty-six and one hundredths (56.01) feet to an iron pin, the point and place of Beginning.

CONTAINING 5.066 square feet.

TITLE TO SAID PREMISES IS VESTED IN Paul M. Mickley, by Deed from Anthony Reid, dated 10/26/2006, recorded 11/01/2006 in Book 4626, Page 315.

Tax Parcel: 08-008-0070C-000

Premises Being: 622 Maple Avenue, Hanover, PA 17331-4624

SEIZED and taken into execution as the property of **Paul M. Mickley** 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 September 18, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1562 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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 the Borough of Bonneauville, Adams County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING for a point at the corner of Bonnie Field Circle and Lot No. 40 as more particularly described on the hereinafter referred to subdivision plan, thence along Lot No. 40, South eleven (11) degrees forty (40) minutes forty-nine (49) seconds West, one hundred five and one hundredth (105.01) feet to a point at lands now or formerly of Ronald L. Carter and Meyer & Meyer Partnership thence along said lands, South sixty-three (63) degrees twenty-eight (28) minutes forty-eight (48) seconds West, thirty-seven and two hundredths (37.02) feet to a point at Lot No. 41-B as more particularly described in the hereinafter referred to subdivision plan, thence along Lot No. 41-B, North zero (00) degrees thirty-two (32) minutes thirty-eight (38) seconds West one hundred twenty-three and sixty-two hundredths (123.62) feet to a point at Bonnie Field Circle thence along Bonnie Field Circle by a curve to the right having a radius of two hundred thirty-eight and ninety-seven hundredths (238.97) feet, an arc distance of fifty-five and eighty-four hundredths (55.84) feet and a long chord bearing and distance of South eighty-five (85) degrees thirty-seven (37) minutes thirty (30) seconds East, fifty-five and seventy-two hundredths (55.72) feet to a point, the place of BEGINNING. CONTAINING 5.019 square feet and known as Lot No. 41-A on Final Plan of Bonnie Field, prepared by Worley Surveying, dated April 3, 1995, File No. C-1488, which said subdivision plan is recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plan Book 67, page II.

Tax Map#: (6) 9-55A

SEIZED and taken into execution as the property of **Kathleen D. Mikesell** 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 September 18, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-283 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 28th day of August, 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 Gettysburg Borough, County of Adams, Commonwealth of Pennsylvania, known and designated as Lot No. 21 on a certain plan of lots entitled 'Breckenridge Village', made by D.P. Raffensperger Associates, Engineers and Surveyors, dated May 7, 1971, which plan is of record in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Plat Book 1 at Page 90 bounded and described as follows:

BEGINNING at a point on the Westerly line of Village Drive which point marks the intersection of the Northerly line of the lot herein described the Southerly line of Lot No. 20 on the hereinafter mentioned plan of lots and the said Westerly line of Village Drive and from said point along the Westerly line of Village Drive South 17 degrees 28 minutes West 20 feet to a point; thence along the line of Lot No. 22 on the hereinafter mentioned plan of lots and through the center of a partition wall North 72 degrees 32 minutes West 94 feet to a point; thence North 17 degrees 28 minutes East 20 feet to a point; thence along the Southerly line of Lot No. 20 on the hereinafter mentioned plan of lots and through the center of a partition wall South 72 degrees 32 minutes East 94 feet to the place of BEGINNING.

Tax ID #: (16) 9-147

By fee simple deed from David J. Whelan as set forth in Deed Book 2769, Page 0050 and recorded on 8/16/2002, Adams County Records.

TITLE SAID PREMISES IS VESTED IN Christian F. Robinder, by Deed from David J. Whelan, a single man, dated 08/16/2002, recorded 08/16/2002 in Book 2769, Page 50.

Tax Parcel: 16,009-0147---000

Premises Being: 373 Village Drive, Gettysburg, PA 17325-3002

SEIZED and taken into execution as the property of **Christian F. Robinder** 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 September 18, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-271 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of September, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain piece, parcel or tract of land, 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 point on the Eastern right-of-way line of Los Alamitos Circle, a sixty (60) foot wide right-of-way, at corner of Lot No. 336 on the subdivision plan hereinafter referred to; thence along the right-of-way line of Los Alamitos Circle, North twenty-eight (28) degrees fifty-one (51) minutes zero (00) seconds West, one hundred five and zero hundredths (105.00) feet to a point at Lot No. 334 on the subdivision plan hereinafter referred to; thence along Lot No. 334, North sixty-one (61) degrees nine (09) minutes zero (00) seconds East, one hundred fifty and zero hundredths (150.00) feet to a point at Lot No. 326, Allwood Manor, Phase IV, Section II; thence along said Lot No. 326, South twenty-eight (28) degrees fifty-one (51) minutes zero (00) seconds East, one hundred five (105.00) feet to a point at Lot No. 336, aforesaid; thence along Lot No. 336, South sixty-one (61) degrees nine (09) minutes zero (00) seconds West, one hundred fifty and zero hundredths (150.00) feet to a point on the right-of-way line of Los Alamitos Circle, the point and place of BEGINNING. CONTAINING 15,750 square feet and designed as Lot No. 335 on final plan of Allwood Manor, Phase IV, Section 1B, prepared by Group Hanover, Inc., designated as Project No. 892015, dated May 2, 1997, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plan Book 74, page 18.

TITLE SAID PREMISES IS VESTED IN Gerald Franklin Cook and Nickees B.

Duncan, as Tenants in Common, by Deed from Nickees B. Duncan, a widow, dated 05/18/2005, recorded 05/24/2005 in Book 3975, Page 150.

Tax Parcel: 080310023 000

Premises Being: 49 Los Alamitos Circle, Hanover, PA 17331-7773

SEIZED and taken into execution as the property of **Nickees B. Duncan & Gerald Franklin Cook** 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 September 25, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-686 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of September, 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 Latimore Township, Adams County, Pennsylvania, being more fully bounded, limited and described as follows:

BEGINNING at a surveyor's pin at Lot No. 2; said surveyor's pin being located 30 feet from the centerline of L.R. 01009, a/k/a Mountain Road; thence along Lot No. 2 North 76 degrees 9 minutes 55 seconds West 536.19 feet to a surveyor's pin at lands of Martin H. Hess; thence along the last mentioned lands North 22 degrees 01 minutes 50 seconds East 484.57 feet to a surveyor's pin at lot No. 4; thence along Lot No. 4 South 70 degrees 30 minutes 40 seconds East 432.64 feet to a surveyor's pin on the western side of L.R. 01009, a/k/a Mountain Road, said pin being located 30 feet from the centerline of last mentioned roadway; thence along the western side of said last mentioned roadway South 09 degrees 03 minutes 05 seconds West 438.53 feet to a Surveyor's pin and the place of BEGINNING.

CONTAINING 5.094 Acres and being designated as Lot No. 3 on a Final Plan of Minor Subdivision for Harold S. Davis, Jr., prepared by Rodney Lee Decker, R.S. dated May 8, 1980.

Being Known As: 978 Mountain Road, York Springs, PA 17372

Tax Parcel # 12-4 1

SEIZED and taken into execution as the property of **Jimmy R. Carte** 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 September 25, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-251 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of September, 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 parcel of land in the Township of Franklin, Adams County, Commonwealth of Pennsylvania, as more fully described in Deed Book 511, Page 1065, ID# (12) B08-0009, being known and designated as Lot 5 on a 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 in and for Adams County, Pennsylvania, in Plat Book 46, at Page 67, more particularly described as metes and bounds.

Deed from Harmon-Graves Company, and Kimba, Inc. as set forth in Deed Book 511, Page 1065 dated 12/16/1988 and recorded 01/12/1989, Adams County Records, Commonwealth of Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN James M. Helsley and Carol Helsley, h/w, by Deed from Harmon-Graves Company and Kimba, Incorporated, dated 12/16/1988, recorded 01/12/1989 in Book 0511, Page 1065.

Tax Parcel: 12-B08-0009-000

Premises Being: 1620 Buchanan Valley Road, Ortanna, PA 17353-9553

SEIZED and taken into execution as the property of **James M. Helsley** 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 September 25, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-7 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of September, 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 in Reading Township, Adams County, Pennsylvania, being known as Lot No. 99 as more particularly shown on a Plan of Lots of Lake Meade Subdivision which is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 1 at Page 6.

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

TITLE TO SAID PREMISES IS VESTED IN Tyrone S. Harris, by deed from Donald W. Harvey and Barbara J. Harvey, husband and wife, and Anthony A. Miller, dated 5/21/2003, recorded 5/27/2003 in Record Book 3120, Page 12.

Tax Map No. 37-12-20

Property Address: 56 Segwick Drive, East Berlin, PA 17316

SEIZED and taken into execution as the property of **Tyrone S. Harris** 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 September 25, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-358 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of September, 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, lying and being on the south side of the State Highway leading from Gettysburg to Hanover in Conewago Township, Adams County, Pennsylvania, which is bounded and described as follows:

BOUNDED on the North by the State Highway aforesaid, on the South by an alley, on the East by land now or formerly of Henry Wolf and bounded on the West by land now or formerly of William D. Gordon, Secretary of Banking of the Commonwealth of Pennsylvania, in possession of the business and property of the Littlestown Savings Institution. Said lot having a frontage on said State Highway of 40 feet and extending thence in a southwarily direction with a uniform width for a distance of 162 feet to said alley.

SUBJECT, NEVERTHELESS to the restriction that no building shall be built upon said lot within 30 feet from the south side of State Highway.

BEING THE SAME PREMISES which Patricia A. Deamer, by Deed dated October 31, 2001 and recorded November 6, 2001, in the Office for the Recorder of Deeds in and for the County of Adams, in Deed Book 2455 Page 01, granted and conveyed unto the George O. Tubies, in fee.

PROPERTY ADDRESS: 5809 Hanover Road, Hanover, PA 17331

SEIZED and taken into execution as the property of **George O. Tubies** 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 September 25, 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.

8/7, 14 & 21

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-196 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of September, 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 Huntingdon Township, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at a point in the center of the cartway of the Peach Glen-Idaville Road (L.R. 01047), said point marking the common point of adjoiner of Lots No. 5 and No. 6 on the hereinafter mentioned plan of subdivision with the center of said cartway; thence departing from the centerline of the Peach Glen-Idaville Road, and extending along Lot Nos. 5 and 3 on the hereinafter mentioned plan of subdivision, North 30 degrees 12 minutes 30 seconds East, through a concrete monument set 30 feet from the origin of this call, for a total distance of 450 feet to a concrete monument which marks the common point of adjoiner of Lot Nos. 1, 2, 3 and 6 on the hereinafter mentioned plan of subdivision; thence extending along Lot No. 1, South 59 degrees 47 minutes 30 seconds East, for a distance of 270 feet to a steel pin at Lot No. 8 on the hereinafter mentioned plan of subdivision; thence departing from Lot No. 1, and extending along Lot No. 8, South 30 degrees 12 minutes 30 seconds West, for a distance of 230 feet to a steel pin at Lot No. 7 on the hereinafter mentioned plan of subdivision; thence extending along Lot No. 7, the following two courses and distances: North 59 degrees 47 minutes 30 seconds West, for a distance of 220 feet to a steel pin; thence continuing South 30 degrees 12 minutes 30 seconds West, through a steel pin set back 30 feet from the terminus of this call for a total distance of 220 feet, to a point in the center of the cartway of Peach Glen-Idaville Road; thence extending in and through the center of the cartway of the Peach Glen-Idaville Road, North 59 degrees 47 minutes 30 seconds West, for a distance of 50 feet to a point in said cartway at Lot No. 5 on the hereinafter mentioned plan of subdivision, said point marking the place of beginning. CONTAINING 1.678 acres and being designated as Lot No. 6 on a final plan of subdivision of Peach Glen Meadows, Phase I, prepared for Kimba, Inc., by Mort, Brown and Associates, dated August 16, 1984, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 40 at page 131.

TITLE TO SAID PREMISES IS VESTED IN Ivan Richardson and Rebecca Richardson, his wife by Deed from Eleanor J. Runkles dated 7/6/2000 and recorded 7/6/2000 in Record Book 2083, Page 82.

Premises being: 315 Peach Glen-Idaville Road, Gardners, PA 17324

Tax MAP G3, PARCEL 91

Tax Parcel: 22-G03-0091---000

SEIZED and taken into execution as the property of **Ivan Richardson & Rebecca M. Richardson** 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 September 25, 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.

8/7, 14 & 21

**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 GEORGE E. BESHORE, DEC'D**

Late of Hamiltonban Township, Adams County, Pennsylvania

Administratrix: Amy L. Martin, 6987 Bergen Circle, Bethlehem, PA 18017

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

**ESTATE OF GRACE HELEN BOTTOMLEY, DEC'D**

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Executor: Randy Bottomley, 1701 Cottonwood Rd., Carrollton, TX 75006

**ESTATE OF ANTHONY J. DOWD, DEC'D**

Late of Mt. Joy Township, Adams County, Pennsylvania

Executors: Patricia B. Dowd and Anthony J. Dowd, III, 10 Old Tavern Road, Newtown, CT 06470

Attorney: Elyse E. Rogers, Esq., Keefer Wood Allen & Rahal LLP, 635 North 12th Street, Suite 400, Lemoyne, PA 17043

**ESTATE OF RAYMOND L. FAIR, DEC'D**

Late of Butler Township, Adams County, Pennsylvania

Executors: Richard A. Fair, 12 Matthew Ct., Carlisle, PA 17015; Garry R. Fair, 535 Goldenville Rd., Gettysburg, PA 17325

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

**ESTATE OF EILEENE S. REYNOLDS a/k/a EILEENE YVONNE REYNOLDS, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Executrices: Patricia E. Hufnagel and Linda D. Dunkin, c/o Thomas E. Miller, Esq., Miller & Shultis, P.C., 249 York Street, Hanover, PA 17331

Attorney: Thomas E. Miller, Esq., Miller & Shultis, P.C., 249 York Street, Hanover, PA 17331

**ESTATE OF EILEEN PATRICIA ZITZMAN, DEC'D**

Late of the Borough of Fairfield, Adams County, Pennsylvania

Executor: Tom Zitzmann, CPA, PFS, 3510 Spenard Rd., Suite 103, Anchorage, AK 99503

**SECOND PUBLICATION****ESTATE OF JOHN W. McDANNELL, DEC'D**

Late of Menallen Township, Adams County, Pennsylvania

Executor: Mark E. McDannell, 915 Mountain Road, Orrtanna, PA 17353

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

**ESTATE OF ABBAS MOFID, DEC'D**

Late of Wildeshausen, Germany

Executrix: Hendrika Hofstede-Mofid, Oldenburgerweg 28a, 27793 Wildeshausen, Germany

Attorney: Robert L. McQuaide, Esq., Suite 204, 18 Carlisle St., Gettysburg, PA 17325

**ESTATE OF WILLIAM C. PHELPS, DEC'D**

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

Executors: Jeanne E. Phelps, Frances C. Phelps, and William C. Phelps, Jr., 11271 Sea Grass Circle, Boca Raton, FL 33498

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

**ESTATE OF STANLEY R. TAYLOR, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Administrators: Shelly A. Lawyer, 115 Main Street, McSherrystown, PA 17344; Patrick A. Taylor, 307 Matthew Dr., New Oxford, PA 17350

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

**THIRD PUBLICATION****ESTATE OF BENNY L. BAUGHMAN, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Linda M. Spielman a/k/a Linda L. Spielman, 1777 Buchanan Valley Road, Orrtanna, PA 17353

Attorney: Robert L. McQuaide, Esq., Suite 204, 18 Carlisle St., Gettysburg, PA 17325

**ESTATE OF JOHN HENRY BLY, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Executrices: Sharon E. Nicholson, Vicki K. Bigelow, Kelly S. Kessler, 2095 Hunterstown-Hampton Rd., New Oxford, PA 17350

**ESTATE OF LLOYD HERRING, JR., DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Co-Executors: Ron Herring, 965 Fairfield Rd., Gettysburg, PA 17325; Michael L. Herring, 430 Herr's Ridge Rd., Gettysburg, PA 17325

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

**ESTATE OF CHARLES ABRAHAM HERSHEY, DEC'D**

Late of Conewago Township, Adams County, Pennsylvania

Executrix: Mary Kathryn Hershey, c/o Elinor Albright Rebert, Esq., 515 Carlisle St., Hanover, PA 17331

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

**ESTATE OF DOROTHY L. KUMP, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Michael John Kump, 71 Clearview Lane, Biglerville, PA 17307

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

**ESTATE OF MIRIAM A. MYERS, DEC'D**

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Executrices: Patricia A. Sponseller, 4499 Hanover Road, Hanover, PA 17331; Sharon T. Aupperle, 27 Third Street, Hanover, PA 17331

Attorney: Crabbs & Crabbs, 202 Broadway, Hanover, PA 17331

**ESTATE OF ALVIN P. SANDERS, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Brenda L. Brechbill, c/o R. Thomas Murphy & Associates, PC, 114 West Third Street, Waynesboro, PA 17268

Attorney: R. Thomas Murphy, Esq., R. Thomas Murphy & Associates, PC, 114 West Third Street, Waynesboro, PA 17268

**THIRD PUBLICATION (CONTINUED)**

ESTATE OF VIRGINIA SHANHOLTZ  
a/k/a VIRGINIA FAY SHANHOLTZ,  
DEC'D

Late of Franklin Township, Adams  
County, Pennsylvania

Executrix: Karen Runkles, 811 Green  
Ridge Road, Orrtanna, PA 17353

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

ESTATE OF NORMAN R. STEENSTRA,  
DEC'D

Late of Oxford Township, Adams  
County, Pennsylvania

Executor: Carole L. Dykhouse, 47  
Orchard St., Midland Park, NJ 07432

Attorney: Fred E. Kilgore, Esq., 2550  
Kingston Rd., Suite 323, York, PA  
17402

**SHERIFF'S SALE**

IN PURSUANCE of a Writ of Execu-  
tion, Judgment No. 09-S-1722 issuing  
out of Court of Common Pleas Adams  
County, and to me directed, will be  
exposed to Public Sale on Friday, the 4th  
day of September, 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 fol-  
lowing Real Estate, viz.:

ALL the following two tracts of land sit-  
uate, lying and being in Straban  
Township, Adams County, Pennsylvania,  
more particularly bounded and described  
as follows:

**TRACT NO. 1:** BEGINNING at a point  
in the centerline of U.S. Route 30 at Lot  
No. 3; thence in said U.S. Route 30,  
North eighty-seven (87) degrees zero  
(00) minutes forty (40) seconds West,  
two hundred eighty and seventy-nine  
hundredths (280.79) feet to a concrete  
nail at the intersection of U.S. Route 30  
and Township Road T-514 (New Chester  
Road); thence in said Township Road  
T-514 (New Chester Road) North six (06)  
degrees thirty (30) minutes thirty (30)  
seconds East, one hundred eighty-three  
and eleven hundredths (183.11) feet to a  
liet spike six (6) feet West of the center-  
line in said Township Road T-514 (New  
Chester Road); thence continuing in said  
Township Road T-514 (New Chester  
Road), North twenty-two (22) degrees  
thirty-eight (38) minutes forty (40) sec-  
onds East, one hundred fifty-three and  
thirty-four hundredths (153.34) feet to a  
railroad spike in the centerline of said  
Township Road T-514 (New Chester  
Road) at Lot No. 1; thence by said lot  
and through a reference pipe located  
eighteen and eighteen hundredths  
(18.18) feet from the beginning of this  
course, South eighty-two (82) degrees

forty-eight (48) minutes forty (40) sec-  
onds East, two hundred forty-one and  
thirty-five hundredths (241.35) feet to a  
pipe at Lot No. 3; thence by said lot and  
through a reference pipe set back thirty-  
six and thirty hundredths (36.30) feet  
from the end of this course, South seven  
(07) degrees eleven (11) minutes twenty  
(20) seconds West, three hundred ten  
and thirty-three hundredths (310.33) feet  
to the place of BEGINNING. CON-  
TAINING 2.003 Acres.

The description herein is taken from a  
plan of subdivision of Norman K. Lady  
made by Adams County Surveyors, J.  
Riley Redding, R.S., on July 2, 1981,  
approved as a subdivision by the  
Supervisors of Straban Township on  
June 13, 1981 and recorded in the Office  
of the Recorder of Deeds of Adams  
County, Pennsylvania in Plat Book 35 at  
page 112 on which plan said lot is desig-  
nated as Lot No. 2.

**TRACT NO. 2:** BEGINNING at a point  
in the center of the State Highway U.S.  
30 leading from Gettysburg to York,  
which point is South eighty-seven (87)  
degrees zero (00) minutes forty (40) sec-  
onds East, two hundred eighty and sev-  
enty-nine hundredths (280.79) feet from  
a certain concrete nail in the center of  
said road at its intersection with the cen-  
ter of the New Chester Road T-514;  
thence by other lands now or formerly of  
Norman K. Lady and wife and through a  
reference pipe located 36.30 feet from  
the beginning of this course, North seven  
(07) degrees eleven (11) minutes twenty  
(20) seconds East, three hundred ten  
and thirty-three hundredths (310.33) feet  
to a pipe on line of Lot No. 1 in the sub-  
division; thence by said Lot No. 1, South  
eighty-two (82) degrees forty-eight (48)  
minutes forty (40) seconds East, one  
hundred eighty-one and thirteen hun-  
dredths (181.13) feet to a pipe on line of  
Lot No. 3 now or formerly of Joseph  
Weiner and wife; thence by said Weiner  
lands, Lot No. 3, South thirteen (13)  
degrees twelve (12) minutes ten (10)  
seconds West, three hundred one  
(301.00) feet through a reference pipe  
located 36.30 feet from the end of this  
course to a point in the center line of said  
U.S. Route 30; thence in and along the  
center line of said U.S. Route 30, North  
eighty-seven (87) degrees zero (00) min-  
utes forty (40) seconds West, one hun-  
dred fifty (150.00) feet to the point in the  
center line of said U.S. Route 30, the  
place of BEGINNING. Containing 1.155  
Acres.

The description herein is taken from a  
plan of subdivision of Norman K. Lady  
made by Adams County Surveyors, J.  
Riley Redding, R.S. on July 2, 1981,  
approved as a subdivision by the  
Supervisors of Straban Township on the  
26th day of October, 1981 and recorded  
in the Office of the Recorder of Deeds of

Adams County, Pennsylvania in Plat  
Book 36 at page 33 on which plan said  
lot is designated as Lot No. 4.

IT BEING the same which Thomas L.  
Walls, Sr., and Dorothy E. Walls, hus-  
band and wife, by their deed dated  
October 15, 2004, and recorded October  
26, 2004, in the Office of the Recorder of  
Deeds of Adams County, Pennsylvania,  
in Record Book 3748 at page 83, sold  
and conveyed unto Phillip P. Comaromi,  
a married individual.

SEIZED and taken into execution as  
the property of **Phillip P. Comaromi** 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 September 25,  
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.

8/7, 14 & 21