

**Chester
County
Bar
Association**

Chester County Law Reporter

(USPS 102-900)

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Chester County Law Reporter

(USPS 102-900)

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15 West Gay Street, 2nd Floor, West Chester, Pennsylvania 19380

www.chescobar.org
gcunningham@chescobar.org

Telephone: 610/692-1889 Fax: 610/692-9546

Richard Meanix, Editor

Assistant Editors

Patrick M. McKenna, Esquire

Richard Meanix, Chairperson-Publications Committee

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[59 Ches. Co. Rep. **Appeal of Chester County Outdoor from Decision of Zoning Hearing Board of Penn Township**

**Appeal of Chester County Outdoor from
Decision of Zoning Hearing Board of Penn Township**

Land use appeal – Substantive validity challenge – Site specific relief – Standing to appeal – Additional evidence

1. An applicant to a zoning hearing board is not aggrieved by a decision in its favor and therefore lacks standing to appeal to court from that decision.
2. A successful challenger to a zoning ordinance is not entitled to site-specific relief as of right.
3. Even if a successful challenger to a zoning ordinance is, as will usually be the case, entitled to some sort of site-specific relief, the relief to which the challenger is entitled is neither unlimited nor automatic.
4. The fact that the ZHB finds an Ordinance exclusionary as to off-site billboards does not automatically permit an applicant to erect whatever kind of structure it wishes without investigation into the reasonableness of the proposed plans.
5. A legal brief is not an appropriate method of creating a factual record nor are statements in the brief the equivalent of a motion.
6. The question of whether the presentation of additional evidence is to be permitted under the Municipalities Planning Code, 53 P.S. §11006-A(d), is a matter within the discretion of the trial court.
7. A trial court must hear additional evidence only where the party seeking the hearing demonstrates that the record is incomplete because the party was denied an opportunity to be heard fully or because relevant testimony was offered and excluded.
8. A trial court may properly refuse to consider additional evidence where that evidence was available at the time of hearing.
9. Where a challenger demonstrates that the ordinance challenged is invalid, it is entitled to site-specific relief according to a plan for site development subject to compliance with other applicable municipal ordinances in effect on the date of the original application and to reasonable regulation by the municipality, which must not be arbitrary or discriminatory and must bear a reasonable relationship to public health, safety, welfare and morals.
10. Where a successful challenger to the validity of a zoning ordinance does not submit a plan for site development with the challenge, it must first make application to the municipality to determine compliance with other municipal ordinances in effect at the time of the challenge. If the municipality fails to comply with its obligations, only then will the challenger be in a position to invoke the assistance of the court.
11. The trial court's role in fashioning appropriate zoning relief after a finding of exclusionary zoning is governed by §1006-A of the Municipalities Planning Code. This section of the Municipalities Planning Code has been interpreted as granting a trial court broad discretion in formulating zoning relief in connection with a successful challenge to the validity of an ordinance.

**Appeal of Chester County Outdoor from Decision of Zoning
Hearing Board of Penn Township**

317 (2012)]

12. The trial court is in the best position to judge whether the proposed use should be approved as filed or whether the board, under the supervision of the court, may require adherence to certain reasonable regulations.
13. Chester County Outdoor, LLC successfully challenged the validity of certain zoning ordinance provisions of Penn Township. Prior to the decision of the zoning hearing board granting the substantive validity challenge, the challenger withdrew from consideration the plans for a billboard which were originally attached to the validity challenge. As such, the zoning hearing board denied the challenger's request for site specific relief. Chester County Outdoor, LLC appealed the zoning hearing board's decision to the Court of Common Pleas, which denied the appeal on the same basis. Thereafter, Chester County Outdoor, LLC appealed the Court of Common Pleas' decision and the Court issued a decision.

P.McK.

C.C.P. Chester County, Civil Action – Land Use Appeal, No. 2011–13721-ZB;
Chester County Outdoor, LLC v. Zoning Hearing Board of Penn Township and
Penn Township.

Gregg I. Adelman for Appellant Chester County Outdoor, LLC
Edward M. Foley for Appellee Zoning Hearing Board of Penn Township
Michael G. Crotty for Intervenor Penn Township
Shenkin, J., June 12, 2012:-

**[Ed. Note: Appeal filed 4/19/12 to the Commonwealth Court, Docket # 741
CD 2012]**

[59 Ches. Co. Rep. **Appeal of Chester County Outdoor from Decision of Zoning Hearing Board of Penn Township**

APPEAL OF CHESTER COUNTY : IN THE COURT OF COMMON PLEAS
 OUTDOOR, LLC FROM THE DECISION : CHESTER COUNTY, PENNSYLVANIA
 OF THE ZONING HEARING BOARD OF :
 OF PENN TOWNSHIP DATED : NO. 11-13721
 DECEMBER 1, 2011 : LAND USE APPEAL

Gregg I. Adelman, Esquire, Attorney for Appellant Chester County Outdoor
 Edward M. Foley, Esquire, Attorney for Appellee Penn Township Zoning Hearing Board
 Michael G. Crotty, Esquire, Attorney for Intervenor Penn Township

OPINION

Chester County Outdoor, LLC (“Outdoor”) has taken an appeal from our order dated April 11, 2012. Pursuant to Pa.R.A.P. No. 1925(a), we herewith file this opinion setting forth the reasons for our order.

Following the filing of the appeal, Outdoor was directed to file a concise statement of the errors complained of on appeal and has done so. Outdoor claims that we erred in concluding that it did not have standing to appeal the decision of the zoning hearing board; in failing to grant site-specific relief; in failing to hold a hearing to receive additional evidence; in concluding that the township and/or zoning hearing board has jurisdiction to grant Outdoor site-specific relief; and in failing to “reverse” the zoning hearing board’s findings and conclusions that Outdoor is not entitled to site-specific relief. In its land use appeal to this court, the only relief sought by Outdoor was that the decision of the Zoning Hearing Board be reversed “to the extent that the Decision determines that [Outdoor] is not entitled to site-specific relief ... and that this Court grant [Outdoor] site-specific relief under Section 1006-A(c) of the MPC [53 P.S. § 11006-A(c)] to permit the proposed billboard sign on the Property.” Since the Zoning Hearing Board had **not** determined that Outdoor was not entitled to site-specific relief and Outdoor had withdrawn from consideration by the Zoning Hearing Board **any** plan for development of Outdoor’s site, we found that there was no case or controversy for this court to decide.

As we stated in denying appellant’s appeal:

This appeal appears to stem from a misunderstanding of the action taken by appellee, the Zoning Hearing Board of Penn Township (“ZHB”). Appellant, Chester County Outdoor, LLC (“Outdoor”), filed an application with the ZHB challenging the substantive validity of the then existing zoning ordinance of intervenor, Penn Township (“Township”). As part of its application,

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Outdoor stated that “as the successful challenger to the substantive validity of the [Zoning] Ordinance, [Outdoor] is entitled to develop the Property as proposed in the plans attached to the Zoning Application.” However, during the hearing on Outdoor’s application, counsel for Outdoor stated, “I hereby formally withdraw the plans that were attached to our application, and ask the Board not to consider them at all this evening.” Therefore, all that remained before the ZHB was the issue of the substantive validity of the Zoning Ordinance. In its decision, the ZHB sustained Outdoor’s validity challenge. Therefore, Outdoor was the prevailing party and, as such, has no standing to appeal. An applicant to a zoning hearing board is not aggrieved by a decision in its favor and, therefore lacks standing to appeal to court from that decision. *West v. Colebrookdale Township Zoning Hearing Board*, 83 Pa.Cmwlth. 322, 477 A.2d 590 (1984). Indeed, Outdoor’s appeal does not challenge the ZHB’s decision insofar as the ZHB found the challenged ordinance was invalid. In its notice of appeal, Outdoor erroneously states that the ZHB determined that Outdoor “is not entitled to site-specific relief.” (Notice of appeal, paragraph 16). In its prayer for relief, Outdoor requests that we reverse the decision that Outdoor is not entitled to site-specific relief and grant Outdoor site-specific relief “to permit the **proposed billboard sign** on the property.” (emphasis added) What proposed billboard sign? As noted above, the only specific plans for a billboard sign were withdrawn from the ZHB’s consideration and, therefore, are not before us either.

In its decision, the ZHB specifically noted that the specific plans submitted with Outdoor’s application had been withdrawn. In *dicta*, and speculative *dicta* at that, the ZHB did not, as Outdoor suggests, decide that Outdoor is not entitled to site-specific relief but, rather, stated that Outdoor “would not be entitled to **the particular** site-specific relief as depicted in its application” (emphasis added) and then stated its reasons for that conclusion. It is likely, but of no consequence to this appeal, that the ZHB is correct but in the absence of a record on that issue, we could not definitively so state. It appears to us that a further application to Township is required to raise the issue of to what, if any, site-specific relief Outdoor is entitled. See §916.1(g) of the Pennsylvania Municipalities Planning Code (MPC), Act of July 31, 1968, P.L. 805, as amended, added by Section 99 of the Act of December 21, 1988, P.L. 1329, 53 P.S. §10916.1(g) and *J.B. Steven, Inc. v.*

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Council of Borough of Edgewood, 657 A.2d 1355, (Pa.Cmwlt. 1995).

Outdoor contends that it is entitled to site-specific relief from this Court pursuant to Section 916.1(c)(5) of the MPC. By way of *dicta* of our own, we note that a successful challenger to a zoning ordinance is not entitled to site-specific [relief] as of right and Outdoor (understandably, for the reasons set forth above) presented no evidence to the ZHB with respect to the billboard depicted on the withdrawn plans attached to its application. For the same reason, there was no other evidence presented by any party with respect to the withdrawn plans. For that reason, the ZHB was not and we are not now in a position to opine on whether or not those particular plans for that particular billboard must be approved by Township. Even if a successful challenger to a zoning ordinance is, as will usually be the case, entitled to some sort of site-specific relief, the relief to which the challenger is entitled is neither unlimited nor automatic. See *Piper Group, Inc. v. Bedminster Township Board of Supervisors*, ___ Pa ___, 30 A.3d 1083 (2011); *Lamar Advertising of Penn, LLC v. Zoning Hearing Board of Borough of Deer Lake*, 915 A.2d 705 (Pa.Cmwlt. 2007) (“[t]he fact that the Board found the Ordinance exclusionary as to off-site billboards does not automatically permit [applicant] to erect whatever kind of structure it wishes without investigation into the reasonableness of the proposed plans.”) See also *Interstate Outdoor Advertising, L.P. v. Zoning Hearing Board of Warrington Township*, — A.3d —, 2012 WL 787395 (Pa. Cmwlt. 2012) and *Adams Outdoor Advertising Ltd. Partnership v. Borough of Mt. Pocono Zoning Hearing Board*, 803 A.2d 852 (Pa.Cmwlt. 2002).

¹ No such hearing was ever properly requested. This issue was not preserved for appeal. Outdoor’s notice of appeal from the decision of the Zoning Hearing Board was filed on December 15, 2011. Outdoor’s brief in support of land use appeal was filed February 3, 2012, and in that brief, **and only in that brief**, is the issue of a hearing raised. In our view, a legal brief is not an appropriate method of creating a factual record nor are statements in the brief the equivalent of a motion. The Municipalities Planning Code provides that “**upon motion** by any of the parties ... the court **may** hold a hearing ... to receive additional evidence ...” 53 P.S. §11006-A(d)(emphasis added). If we were requested to hold a hearing, we chose not to do so and we believe that decision was within our discretion. For the reasons noted in our opinion, we believe that any further hearing should be initiated by Outdoor before the Penn Township Board of Supervisors.

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Outdoor's position on appeal appears to be that we were obligated to conduct a hearing *de novo* "to receive additional evidence to frame an appropriate order granting [Outdoor] site-specific relief."¹ We disagree. "The question of whether the presentation of additional evidence is to be permitted under this provision is a matter within the discretion of the trial court. *Kossman v. Zoning Hearing Board of the Borough of Green Tree*, 143 Pa.Cmwlth. 107, 597 A.2d 1274 (1991). A trial court **must** hear additional evidence **only** 'where the party seeking the hearing demonstrates that the record is incomplete because the party was denied an opportunity to be heard fully, or because relevant testimony was offered and excluded.' *In re Appeal of Little Britain Township*, 651 A.2d 606, 613 (Pa.Cmwlth.1994). **In addition, a trial court may properly refuse to consider additional evidence where that evidence was available at the time of hearing.** *Hogentogler v. Windsor Township Zoning Hearing Board*, 65 Pa.Cmwlth. 451, 442 A.2d 834 (1982)." *Morris v. South Coventry Township Board of Supervisors*, 898 A.2d 1213, 1217-1218 (Pa.Cmwlth. 2006)(emphasis added). Obviously, Outdoor cannot contend that any of the aforementioned conditions which would mandate the holding of a hearing are applicable to this case and has not contended that it wished to present evidence that was not available to it at the time of the hearing before the Zoning Hearing Board. In fact, Outdoor has never specified the evidence it would have presented at a hearing before the court if such hearing had been conducted.

The additional evidence would, presumably, be the plans that were withdrawn from the application to the Zoning Hearing Board or, perhaps, some other plans. We can only surmise that Outdoor's position is that the court should conduct a hearing appropriate for the governing body of a municipality, not for the court.² At a hearing as requested by Outdoor, the issue would be the relief to which Outdoor is entitled. As it has been established that the ordinance challenged by Outdoor is invalid, Outdoor is entitled to site-specific relief according to a plan for site development submitted by Outdoor "subject, of course, to compliance with other applicable Township ordinances in effect on the date of the original application and to reasonable regulation by the Township, which must not be arbitrary or discriminatory and must bear a reasonable relationship to public health, safety, welfare and morals." *Atiyeh v. Board of Commissioners of the Township of Bethlehem*, 41 A.3d 232, 238 (Pa.Cmwlth. 2012). In the procedure contemplated by Outdoor,

² Outdoor contends that a Zoning Hearing Board would have no authority to grant approval of site-specific development plans. Even assuming, *arguendo*, that Outdoor is correct in that position, there can be no reason at all not to submit those plans to the governing body which, in this case, would be the Board of Supervisors of Penn Township.

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the Township would have no opportunity to review the plans to determine compliance as above permitted nor to impose regulations as also above permitted. In our view, upon receiving the favorable ruling from the Zoning Hearing Board, Outdoor's next step should have been (and still is) to submit plans to the Township.³ Only if the Township fails to comply with its obligations as set forth in *Atiyeh, supra*, will Outdoor be in a position to invoke the assistance of the court.

Outdoor cites (actually, miscites) *Adams Outdoor Advertising, Ltd. v. Borough of Coopersburg Zoning Hearing Board, supra*, for the proposition that the court has exclusive authority to grant and determine the site-specific relief to which Outdoor is entitled. Actually, *Adams, supra*, stands for quite a different proposition. In *Adams*, the Commonwealth Court noted that "[t]he trial court's role in fashioning appropriate zoning relief after a finding of exclusionary zoning is governed by Section 1006-A of the Municipalities Planning Code (MPC) relief ...," *Adams, supra* at 596, 625 A.2d at 771 and that this section of the Municipalities Planning Code "has been interpreted by the supreme court as granting a trial court broad discretion in formulating zoning relief in connection with a successful challenge to the validity of an ordinance. *Appeal of Shore*, 524 Pa. 436, 573 A.2d 1011 (1990). Furthermore, the trial court is in the best position to judge whether the proposed use should be **approved as filed** or whether the Board, under the supervision of the court, may require adherence to certain reasonable regulations. *Id.*" *Ibid.* (emphasis added). Since there were no plans filed, we could hardly approve the use as filed. The Zoning Hearing Board sustained Outdoor's challenge to the validity of Penn Township's ordinance. The Township did not appeal from that decision. We will not assume that the Township will now fail to comply with its legal obligations pursuant to the Zoning Hearing Board's decision. The Township may require compliance with other applicable Township ordinances in effect on the date of the original application and impose reasonable regulations on Outdoor's use so long as the regulations are not arbitrary or discriminatory and bear a reasonable relationship to public health, safety, welfare and morals. See *Atiyeh, supra*.

Having obtained all the relief that it sought from the Zoning Hearing Board, we are at a loss to see how Outdoor is entitled to anything further in this pro-

³ Although Outdoor apparently contends that the court can and should receive into evidence new plans — or, perhaps, the plans submitted to and then withdrawn from consideration by the Zoning Hearing Board — it is to us instructive to note that with the exception of *Budco Theatres, Inc. v. Zoning Hearing Board of Springettsbury Township*, 159 Pa.Cmwlth. 257, 632 A.2d 1072 (1993), in every case cited by Outdoor in support of its argument in favor of that procedure, plans had already been submitted to either a governing body or zoning hearing board before the matter proceeded to court. *Budco, supra*, does hold that a substantive challenge to an ordinance may be submitted without submitting specific plans but does not address the issue of the procedure to be followed in the event that no plans are submitted but the substantive challenge is successful.

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317 (2012)]

ceeding. It is now undoubtedly entitled to site-specific relief of some nature. Why Outdoor has not yet sought (or does not now seek) approval by the governing body of a specific plan for its site is something of a mystery to us. Before Outdoor can possibly hope to obtain approval of a specific plan, it must first submit that plan to someone, which in our view, should be the governing body of Penn Township. We can see no reason why that plan should be submitted to the court *ab initio* or even why Outdoor would wish to do so. If submitted to the court, we would necessarily devise a procedure for obtaining the Township's position as to the plan's compliance with Township ordinances, other than those already determined to be invalid, and as to regulations which the Township would impose as permitted by law. We believe that conducting that hearing before the Township in the first instance would be more efficacious than having the plan first submitted to the court.

For the foregoing reasons, we entered the order from which this appeal has been taken and suggest that this appeal be quashed as the appellant is not a party aggrieved and also for lack of a justiciable issue.

BY THE COURT:

/s/ Robert J. Shenkin, J.

Date: June 12, 2012

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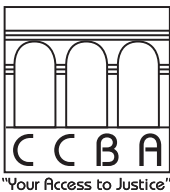


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DIVISION OF THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA**

**NOTICE OF FILING ACCOUNTS
ACCOUNTS LISTED FOR AUDIT ON
WEDNESDAY, OCTOBER 3, 2012**

Courtroom 15 at 9:00 A.M. PREVAILING TIME

THE HONORABLE JOHN L. HALL

Notice is hereby given to all parties interested, that accounts in the following matters have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Chester County, Pennsylvania for AUDIT, CONFIRMATION AND DISTRIBUTION at the above date, time and place. At that time and place interested parties, claimants and objectors to the same will be heard.

ESTATE OF GLADYS WILSON, DECEASED	1511-1878
FIRST AND FINAL ACCOUNT	
OF: BEVERLY BAREFIELD, EXECUTOR	
ATTORNEY(S):	
MARSHA M. DAVIS, ESQUIRE	

ESTATE OF PAUL A. PROUDFOOT, DECEASED	1511-0891
FIRST AND FINAL ACCOUNT	
OF: CHRISTY A. PROUDFOOT, ADMINISTRATOR	
ATTORNEY(S):	
H. MICHAEL COHEN, ESQUIRE	

ESTATE OF KATHLEEN MONTGOMERY, DECEASED	1511-2066
FIRST AND FINAL ACCOUNT	
OF: SENTRILLA F. MONTGOMERY, EXECUTOR	
RAYMOND H. MONTGOMERY, EXECUTOR	
ATTORNEY(S):	
THOMAS JOSEPH BURKE JR, ESQUIRE	

ESTATE OF GEORGE A. MENIGE, DECEASED	1510-0492
FIRST AND FINAL ACCOUNT	
OF: PETER FASCIA, EXECUTOR	
ATTORNEY(S):	
FRANK B TRACY, ESQUIRE	

ESTATE OF JENNIE REGINA GERVATOSKI, DECEASED	1510-0316
FIRST AND FINAL ACCOUNT	
OF: JOAN MARIE GERVATOSKI, EXECUTOR	
ATTORNEY(S):	
NANCY WORTH PINE, ESQUIRE	

IN RE: THOMAS LAWRENCE REEVES, TRUST**1512-1530**

FIRST AND FINAL ACCOUNT

OF: BNY MELLON, N.A., TRUSTEE

ATTORNEY(S):

MATTHEW PAUL D'EMILIO, ESQUIRE

IN RE: MILTON UPSHER NO. 3, TRUST**1512-1533**

FIRST AND FINAL ACCOUNT

OF: W. STEVEN WOODWARD, TRUSTEE

ATTORNEY(S):

WAYNE STEVEN WOODWARD, ESQUIRE

IN RE: MILTON UPSHER NO. 4, TRUST**1512-1534**

FIRST AND FINAL ACCOUNT

OF: W. STEVEN WOODWARD, TRUSTEE

ATTORNEY(S):

WAYNE STEVEN WOODWARD, ESQUIRE

IN RE: ELLA UPSHER NO. 2, TRUST**1512-1535**

FIRST AND FINAL ACCOUNT

OF: W. STEVEN WOODWARD, TRUSTEE

ATTORNEY(S):

WAYNE STEVEN WOODWARD, ESQUIRE

CHARLES T. DeTULLEO

Attorney at Law**134 North Church St.****West Chester, PA 19380****610-436-5766**

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 12-09073**

NOTICE IS HEREBY GIVEN that the name change petition of Monalisa B. List natural mother of Alisandro Alfaro Baldesco was filed in the above-named court and will be heard on November 26, 2012, at 9:30 AM, in Courtroom 14 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: August 24, 2012

Name to be changed from: Alisandro Alfaro Baldesco to: Alisandro Miguel List

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 12-07194**

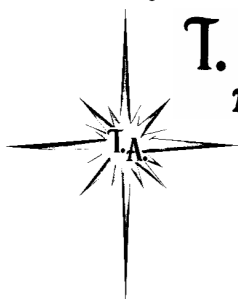
NOTICE IS HEREBY GIVEN that the name change petition of Zixing Fang guardian and natural father of Yuhua Fang was filed in the above-named court and will be heard on October 8, 2012, at 9:30 AM, in Courtroom 10 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: July 12, 2012

Name to be changed from: Yuhua Fang to: Kelly Elizabeth Fang

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 12-08196**

NOTICE IS HEREBY GIVEN that the name change petition of Tara Victoria Musser was filed in the above-named court and will be heard on October 29, 2012, at 9:30 AM, in Courtroom 10 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: August 6, 2012

Name to be changed from: Tara Victoria Musser to: Tara Victoria Bosler

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

BUSINESS CORPORATION

Notice is hereby given that Articles of Incorporation were filed with the Department of State for QUANTUS, INC., a corporation organized under the Pennsylvania Business Corporation Law of 1988.

DUANE MORRIS LLP, Solicitors
30 South 17th Street
Philadelphia, PA 19103-4196

BUSINESS CORPORATION

Notice is hereby given that Articles of Incorporation were filed with the Department of State for BLACKBURN AVE GROUP, CO., a corporation organized under the Pennsylvania Business Corporation Law of 1988.

PALMER & GRAY LLP, Solicitors
301 Lindenwood Drive, Suite 217
Malvern, PA 19355

**INCORPORATION AND
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FORMATION**

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CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on September 10, 2012 for Brandywine River Dogs Association, in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

The purpose or purposes for which it was organized are: To provide the opportunity for the youth in the West Bradford township and surrounding area to participate in youth baseball for charitable and educational purposes while fostering amateur athletic competition.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania for DOWNINGTOWN COLLISION, INC., in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

RAYMOND J. FALZONE, JR., Solicitor
22 East Third St.
P.O. Box 1939
Media, PA 19063

ESTATE NOTICES

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

1st Publication

ADAMS, Daniel W., late of East Coventry Township. Ernest D. Adams, 866 Ellis Woods Road, Pottstown, PA 19465, Executor. **KATHLEEN M. MARTIN**, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 East High Street, Pottstown, PA 19464-5426, atty.

CRANSTON, Jeffrey W., late of Tredyffrin Township. Stephen A. Cranston and Janine M. Bunce, care of **DAVID T. VIDEON**, Esquire, 1000 N. Providence Road, Media, PA 19063, Administrators. **DAVID T. VIDEON**, Esquire, 1000 N. Providence Road, Media, PA 19063, atty.

DAVIS, Margaret F., late of West Whiteland Township. Patricia J. Ozer, care of **ALLEN H. TOLLEN**, Esquire, 15 East Front Street, Media, PA 19063, Executrix. **ALLEN H. TOLLEN**, Esquire, 15 East Front Street, Media, PA 19063, atty.

DENNY, William M., JR., late of West Pikeland Township. Ellen G. Denny, Nancy D. Myers and Linda D. Miller, care of **EDWARD M. WATERS, III**, Esquire, 899 Cassatt Road, Berwyn, PA 19312, Executrices CTA. **EDWARD M. WATERS, III**, Esquire, Pepper Hamilton LLP, 899 Cassatt Road, Berwyn, PA 19312, atty.

EDSTROM, Christeen M. Edstrom, late of Malvern Borough. Linda Huffman, 455 Monument Avenue, Malvern PA, 19355, Executrix. **FRANCIS C. ORTNER, JR.**, Esquire, 4 Mystic Lane, Malvern, PA 19355, atty.

EICHMAN, Robert P. a/k/a Robert Peter Eichman, late of Coatesville. Caryl Lynn Shupe, 416 Waverly Boulevard, Ocean City, NJ 08226, Executrix. **BRETT B. WEINSTEIN**, Esquire, Weinstein Law Offices PC, 705 W. DeKalb Pike, King of Prussia, PA 19406, atty.

FLOUNDERS, Mary T., late of Caln Township, Chester County and Cape May Borough. **NANCY W. PINE**, Esquire, 104 S. Church Street, West Chester, PA 19382, Executrix. **NANCY W. PINE**, Esquire, Pine & Pine Law Offices, 104 S. Church Street, West Chester, PA 19382, atty.

HAGGERTY, Dennis E., late of West Chester. Edward D. Haggerty, care of **MICHAEL P. ROWAN**, Esquire, 214 S. New Street, West Chester, PA 19382, Administrator. **MICHAEL P. ROWAN**, Esquire, 214 S. New Street, West Chester, PA 19382, atty.

HIRIAK, Michael, late of North Coventry Township. Michael Hiriak, Jr., 257 Beacon Drive, Phoenixville, PA 19460, Executor. **KENNETH E. PICARDI**, Esquire, 1129 East High Street, P.O. Box 776, Pottstown, PA 19464, atty.

JOHNSTON, Miriam A., late of East Goshen Township. Paul K. Johnston, care of KEVIN HOLLERAN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. KEVIN HOLLERAN, Esquire, Gawthrop Greenwood, P.C., 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

LODER, Drew, late of Willistown Township. Sharon Loder, care of SUZANNE A. DE SEIFE, Esquire, 15 E. Front Street, Media, PA 19063, Administratrix. SUZANNE A. DE SEIFE, Esquire, 15 E. Front Street, Media, PA 19063, atty.

MARCELLO, Linda Galvis, late of Oxford Borough. Kathleen Watson, 15 Cherokee Lane, Honey Brook, PA 19344, Administratrix. BRIDGET M. WHITLEY, Esquire, Skarlatos Zonarich LLC, 17 S. 2nd Street, 6th Fl., Harrisburg, PA 17101-2039, atty.

MCNICHOL, Joseph F., late of East Goshen Township. Nancy McNichol, care of KEVIN J. RYAN, Esquire, 220 W. Gay Street, West Chester, PA 19380-2917, Executrix. KEVIN J. RYAN, Esquire, Ryan, Morton & Imms LLC, 220 W. Gay Street, West Chester, PA 19380-2917, atty.

METALLO, Betty J., late of Borough of Kennett Square. Jeri Metallo, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

MONAGHAN, Brian T., late of West Goshen Township. Michele Mancini, care of DUKE SCHNEIDER, Esquire, 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, Administratrix. DUKE SCHNEIDER, Esquire, Mac Elree Harvey, Ltd., 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, atty.

PRICHARD, Charlotte S., late of City of Coatesville. Roger T. Prichard, 201 Fulton Street, Riverton, NJ 08077, Executor. LARISSA RENSHAW WHITMAN, Esquire, Montgomery, Mc Cracken, Walker & Rhoads, LLP, 123 South Broad Street, Avenue of the Arts, Philadelphia, PA 19109, atty.

QUINN, M. Dolores, late of East Goshen Township. Mary Lisa Parry Howard, care of STACEY WILLITS MC CONNELL, Esquire, 24 E. Market Street, P.O. Box 565, West Chester, PA 19381, Executrix. STACEY WILLITS MC CONNELL, Esquire, Lamb Mc Erlane PC, 24 E. Market Street, P.O. Box 565, West Chester, PA 19381, atty.

ATTORNEY DISCIPLINARY / ETHICS MATTERS

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REGAN, Maree Esther Philips, late of Easttown Township. **ROBERT M. SLUTSKY**, Esquire, 600 W. Germantown Pike, Suite 400, Plymouth Meeting, PA 19462 and **DEBRA G. SPEYER**, Esquire, 2 Bala Plaza, Suite 300, Bala Cynwyd, PA 19004, Executors. **ROBERT M. SLUTSKY**, Esquire, Robert Slutsky Associates, 600 W. Germantown Pike, Suite 400, Plymouth Meeting, PA 19462, atty.

SHAFER, Charles H., late of East Goshen Township. Thalia S. Evons, care of **JAMES R. ABBOTT**, Esquire, 108 Chesley Drive, Media, PA 19063, Executrix. **JAMES R. ABBOTT**, Esquire, Abott Lastowka & Overholt LLP, 108 Chesley Drive, Media, PA 19063, atty.

SHEETZ, Glenn A., late of West Caln Township. Joyce E. Sheetz, 631 Farmland Way, Coatesville, PA 19320, Executor. **ALAN J. JARVIS**, Esquire, Highlands Corporate Center, 495 Highlands Boulevard, Suite 109, Coatesville, PA 19320, atty.

SIRIGNANO, Arthur J., late of West Chester, East Bradford Township. Cathy O'Neill, 807 Cobblestone Court, West Chester, PA 19380 and Michael O'Neill, 807 Cobblestone Court, West Chester, PA 19380, Executors. **DEIRDRE A. AGNEW**, Esquire, Law Office of Deirdre A. Agnew, 1450 East Boot Road, Building 400A, West Chester, PA 19380, atty.

SPOLEN, Suzanne, late of Phoenixville, East Pikeland Township. Joseph F. Spollen, 22 Jonathan Drive, Phoenixville, PA 19460, Executor.

WOOD, Suellen B., late of West Chester. Leon D. Baily, Jr., 604 Chesterville Way, West Chester, PA 19382, Executor. **DANIEL P. MAN-NIX**, V, Esquire, Butler, Griffen & Mannix, 18 W. Market Street, West Chester, PA 19382, atty.

WORTLEY, Mildred O., late of West Chester. Celia W. Preston, care of **THOMAS A. PITT**, III, Esquire, 214 S. New Street, West Chester, PA 19382, Executrix. **THOMAS A. PITT**, III, Esquire, 214 S. New Street, West Chester, PA 19382, atty.

2nd Publication

AMWAKE, Helen, late of North Coventry Township. Helen S. Simmons, 569 Neiman Road, Pottstown, PA 19465 and Arthur Amwake, III, 344 N. Reading Avenue, Apt. C., Boyertown, PA 19512, Executors. **KATHLEEN M. MARTIN**, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 East High Street, Pottstown, PA 19464-5426, atty.

BARNES, Marian, late of Pocopson Township. Good News Consulting, 140 Roosevelt Ave., Suite 206, York, PA 17401, Administrator. **JEFFREY R. BELLOMO**, Esquire, 10 Wyntre Brooke Drive, York, PA 17403, atty.

COLLINS, Madeleine M., late of Easttown Township. Brendan Collins, care of **KEVIN HOLLERAN**, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. **KEVIN HOLLERAN**, Esquire, Gawthrop Greenwood, P.C., 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

CRESS, E. Alice, a/k/a E.A. Cress, Emma Alice Cress, late of Borough of Phoenixville. Ann Kunsch, 736 Fernwood Drive, Douglassville, PA 19518, Executrix.

FORMANOWSKI, Anna, a/k/a Anna Formanowsky, aka Angela Anna M. Formanowski, late of Borough of Avondale. Maureen Zagorskie, care of **DOLORES M. TROIANI**, Esquire, 131 Lancaster Avenue, Devon, PA 19333, Executrix. **DOLORES M. TROIANI**, Esquire, Troiani & Gibney, 131 Lancaster Avenue, Devon, PA 19333, atty.

KRIEGL, Jeffrey W., late of Upper Uwchlan Township. Rainer Schulz, 541 Milford Road, Downingtown, PA 19335, Executor. **DEIRDRE A. AGNEW**, Esquire, Law Offices of Deirdre A. Agnew, 1450 East Boot Road, Building 400A, West Chester, PA 19380, atty.

MASSON, Florence L., a/k/a Florence Laurie Masson-Masotti, Laurie Mason-Masotti, Florence L. Masotti, Laurie Masson, Laurie M. Masotti, Laurie Masotti, Florence Masson, Florence Masotti, late of Berwyn, Tredyffrin Township. Patricia Masotti-Smith, 1813 Evergreen Court, Harlingen, TX 78550, Executrix. **ARTHUR M. ROSENBAUM**, Esquire, 326 Hilltop Road, Paoli, PA 19301-1211, atty.

MYLOTTE, Hallie Fitch, late of Malvern/East Whiteland. Thomas J. Mylotte III, 5 Markel Rd., Malvern, PA 19355 and Richard A. Mylotte, 2104 Eliot St., Denver, CO 80211, Administrators.

PERRY, Margaret, late of Caln Township. JoANNE Beverley, 1519 Stirling St., Coatesville, PA 19320, Executrix. **KATHLEEN K. GOOD**, Esquire, Keen, Keen & Good, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

ROBINS, Laura Jean, late of Tredyffrin Township. Adele R. Warlick, 5 Sycamore Circle, Paoli, PA 19301, Administrator. **STEVEN J. CHUEY**, Esquire, 261 Avon Road, I-440, Devon, PA 19333, atty.

SHANNON, Virginia Bloomer, late of Kennett Square. Virginia Roberts, 38 Orchard Street, Cambridge, MA 02140, Executrix.

STINEMAN, John S., late of East Brandwine Township. Robert Stineman, 291 Willow Dell Lane, Leola, PA 17540, Administrator. **JANET SATTERTHWAITE**, Esquire, Hudson L. Voltz, PC, 110 Hopewell Road, Suite 200, Downingtown, PA 19335, atty.

WEBB, Patricia H., late of Pennsbury Township. Andrea Webb and L. Peter Temple, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

3rd Publication

BALEN, Winifred M., late of Tredyffrin Township. Suzanne B. Ercole, care of **MICHAEL C. MC BRATNIE**, Esquire, 747 Constitution Drive, Suite 100, P.O. Box 673, Exton, PA 19341-0673, Executrix. **MICHAEL C. MC BRATNIE**, Esquire, Fox Rothschild LLP, 747 Constitution Drive, Suite 100, P.O. Box 673, Exton, PA 19341-0673, atty.

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BOYD, Emma J., late of Oxford Borough. Kenneth D. Boyd and Richard W. Boyd, care of DAVID L. MYERS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executors. DAVID L. MYERS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

CLAYTON, Leon E., Jr., late of Charlestown Township. Leon E. Clayton, III, 18 Rollingview Drive, Paoli, PA 19301 and Jayne S.E. Clayton, 1302 State Street, Veazie, ME 04401, Executors. W. STEVEN WOODWARD, Esquire, Gadsden Schneider & Woodward LLP, 201 King of Prussia, Suite 100, Radnor, PA 19087, atty.

FIENTI, James Anthony, late of New Garden Township. Gabriel Joseph Fieni, 160 Starr Road, Landenberg, PA 19350, Administrator. WILLIAM E. HOWELL III, Esquire, 110 E. State St., Kennett Square, PA 19348, atty.

GOLDBERG, Annette, late of Tredyffrin Township. David N. Goldberg and Barbar L. Halpern, care of BURTON K. STEIN, Esquire, 200 Four Falls Corporate Center, Suite 400, West Conshohocken, PA 19428, Executors. BURTON K. STEIN, Esquire, Cozen O'Connor P.C., 200 Four Falls Corporate Center, Suite 400, West Conshohocken, PA 19428, atty.

HAYES, Mary C., late of West Goshen Township. Maureen Kropp, care of JOHN A. WETZEL, Esquire, Walnut Building, 101 East Evans Street, Suite A, West Chester, PA 19380-2600, Administratrix. JOHN A. WETZEL, Esquire, Wetzel Gagliardi & Fetter LLC, Walnut Building, 101 East Evans Street, Suite A, West Chester, PA 19380-2600, atty.

JAMISON, Harry C., Jr., late of Borough of West Chester. Harry C. Jamison, III, care of VERA PARENTI-ANCONE, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. VERA PARENTI-ANCONE, Esquire, Gawthrop Greenwood, P.C., 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

MCMEEKIN, Thomas, late of Downingtown, Chester County. Kerry E. McMeekin, care of CARL J. MINSTER III, Esquire, 521 S. 2nd Street, Philadelphia, PA 19147, Administratrix. CARL J. MINSTER III, Esquire, 521 S. 2nd Street, Philadelphia, PA 19147, atty.

MERNER, Patricia R., late of London Grove Township. Laurie B. Dillon and Patricia M. Harden, care of Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

MILLER, Arvel C., a/k/a Orville C. Miller, late of East Nottingham Township. Jessie C. Miller, 2420 Baltimore Pike, Oxford, PA 19363, Executor. KENNETH R. PYLE, Esquire, P.O. Box 141, Lewisville, PA 19351-0141, atty.

OAT, Julia D., a/k/a Julia de Veaux Foulce Oat and Judy D. Oat, late of Borough of West Chester. Neil W. Head, care of MARY R. LASOTA, Esquire, 218 West Miner Street, West Chester, PA 19382-2925, Executor. MARY R. LASOTA, Esquire, Klein, Head & Head, LLP, 218 West Miner Street, West Chester, PA 19382-2925, atty.

O'NEILL, Irene W., late of West Goshen Township. DENISE A. SMITH, Esquire, PO Box 1490, Havertown, PA 19083, Executrix. DENISE A. SMITH, Esquire, Law Offices of Denise A. Smith, PO Box 1490, Havertown, PA 19083, atty.

O'NEILL, Robert, late of West Goshen Township. DENISE A. SMITH, Esquire, PO Box 1490, Haverford, PA 19083, Executrix. DENISE A. SMITH, Esquire, Law Offices of Denise A. Smith, PO Box 1490, Haverford, PA 19083, atty.

SEACRIST, Mary M., late of West Vincent Township. Shirley Ann Nace, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

SMITH, David T., a/k/a David Tosh Smith, Jr. and David T. Smith, Jr., late of East Marlborough Township. Ellen G. Looby, care of GUY F. MATTHEWS, Esquire, 344 West Front Street, P.O. Box 319, Media, PA 19064, Executrix. GUY F. MATTHEWS, Esquire, Eckell Sparks Levy Auerbach Monte Sloane Matthews & Auslander, P.C., 344 West Front Street, P.O. Box 319, Media, PA 19064, atty.

TONONI, Cecelia K., late of Pocopson Township. Joseph A. Panaro, 32 Conifer Circle, Honey Brook, PA 19344, Executor.

WAGNER, Irene T., late of Tredyffrin. Robin Wagner, 275 S. Bryn Mawr Avenue, Apt. K8, Bryn Mawr, PA 19010, Executrix. **LINDA M. ANDERSON**, Esquire, Anderson Elder Law, 206 Old State Road, Media, PA 19063, atty.

NONPROFIT CORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation-Nonprofit was filed with the Commonwealth of Pennsylvania, Department of State on August 16, 2012 to form a non-profit corporation under the name **ETTINGER-POWERS-CAMBELL POST #1564 VETERANS OF FOREIGN WARS OF THE UNITED STATES, INC.** pursuant to the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended.

The Corporation has been organized exclusively for charitable purposes under Section 501(c) (3) of the Internal Revenue Code.

ELIZABETH R. HOWARD, Esquire
301 Gay St.
P.O. Box 507
Phoenixville, PA 19460

NONPROFIT CORPORATION

NOTICE IS HEREBY GIVEN that **GREAT VALLEY TRACK & FIELD BOOSTERS** was incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988 on August 10, 2012. The purposes of the corporation are to promote athletic activities, specifically track and field, in Great Valley School District and for the public and any other lawful purpose permitted.

TOSCANI & LINDROS LLP, Solicitors
1205 Westlakes Drive, Suite 195
Berwyn, PA 19312

CLASSIFIED ADS SECTION

MEETING SPACE?

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SAMPLE AD

Classified Ads for the Chester County Law Reporter **ONLY** \$.16 per space/character

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

BANK OF AMERICA, N.A.
SUCCESSOR BY MERGER TO
BAC HOME LOANS SERVICING, LP
Vs.

COURT OF COMMON PLEAS

CIVIL DIVISION

CHESTER COUNTY

BARRY EDWARD CUMMINGS, INDIVIDUALLY
AND IN HIS CAPACITY AS HEIR OF THE
ESTATE OF MARY L. CUMMINGS... ET AL

NO. 12-04927

NOTICE

TO UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING THE RIGHT, TITLE OR INTEREST FROM OR UNDER
MARY L. CUMMINGS, DECESAED:

You are hereby notified that on 5/15/12, Plaintiff, BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of CHESTER County Pennsylvania, docketed to No. 12-04927. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 112 SUNNYSIDE ROAD, WEST GROVE, PA 19390-9438 whereupon your property would be

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

CHESTER COUNTY
LAWYER REFERRAL SERVICE
CHESTER COUNTY BAR ASSOCIATION
15 W. GAY STREET
WEST CHESTER, PA 19380
(610) 429-1500

NOTICE

Court of Common Pleas
Chester County, PA
Civil Action – No. 12-04218

Old Forge Crossing Condominium Association,
Plaintiff vs. George A. Petrosky, Defendant

To: George A. Petrosky, Defendant, whose last known address is 118 Old Forge Crossing, 1027 Valley Forge Rd., Devon, PA 19333.

Take Notice That Plaintiff has filed a Complaint in Civil Action/Claim for Condominium Assessments in the CCP of Chester County PA No. 12-04218. Complaint arises from Defendant's non-payment of monthly installments ("Assessments") from 6/15/10 through 4/13/12. Wherefore, Plaintiff demands judgment against Defendant in the amount of \$5,426.50 plus interest/costs hereto. Notice: You have been sued in Court. If you wish to defend against the claims set forth in the above, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by an attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a Judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claimed or relief requested by the Plaintiff. You may lose money or property or other rights important to you. You should take this notice to your lawyer at once. If you do not have a Lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a Lawyer. If you cannot afford to hire a Lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee. Chester County Bar Assoc., Lawyer Referral Service, 15 W. Gay St., 2nd Fl., West Chester, PA 10381, 610-429-1500. Gilbert E. Toll, Atty. for Plaintiff, 150 Monument Rd., Ste. 603, Bala Cynwyd, PA 19004, 610-660-6505.

LEGAL NOTICE

A Petition has been filed against you, Carlos A. Mangual Colon, a/k/a Carlos Colon-Mangual, in Court by Eric Kinsman and Julie Kinsman, regarding a 2007 Suzuki XL7, VIN 2S3DA117676108416, in order for Eric Kinsman and Julie Kinsman to obtain title to and ownership of said vehicle. If you wish to defend against the claims set forth in the Petition to Obtain Title and ownership of said vehicle, which has been filed in the Court of Common Pleas of Bradford County, Pennsylvania, to Case No. 12IR000253, you must appear at the Bradford County Courthouse, 301 Main Street, Towanda, Pennsylvania 18848, on October 17, 2012 at 3:45 p.m. You are warned that if you fail to appear on said date and at said time, the case may proceed without you and a Final Order may be entered against you by the Court, without further notice to you, for the relief requested by the Petitioners, so that Eric Kinsman and Julie Kinsman will be declared the owners of said vehicle and title shall be transferred to them. You may lose money or property or other rights important to you. You should take this notice to your lawyer at once. If you do not have a lawyer, or cannot afford a lawyer, go to or telephone the following office to find out where you can get legal help: Prothonotary's Office, Bradford County Courthouse, 301 Main Street, Towanda, PA 18848, (570) 265-1705

NOTICE

ERIE INSURANCE EXCHANGE	:	COURT OF COMMON PLEAS
a/s/o SANDEEP & ASHWINI KHANNA	:	CHESTER COUNTY
vs.	:	NO. 12-03906
AQUA AMERICA, INC.	:	
and	:	
BLUE BOY PRODUCTS, INC.	:	

NOTICE**The nature of this action is as follows:**

Defendant, Aqua was in the business of selling, distributing and providing water service to consumers and to Plaintiff's insured at 29 Rampart Drive, Wayne, PA 19087. On or about October 20, 2010, Defendant, Blue Boy, worked on, inspected, tested and/or installed a pressure reducing valve on a supply line that supplied water from Aqua to Plaintiff's insured's home. Shortly after the work was performed by defendant, Blue Boy, excessive water pressure entered the home of the Plaintiff's insureds causing a pipe to come loose and the damage occurred. As a result of the damages sustained, Plaintiff's insureds filed a claim with plaintiff and were paid a sum of \$13,803.41 for property damage. As a result of said payments, Plaintiff became subrogated to any and all claims its insureds had against the Defendants or any other parties responsible for those damages. The Defendants are jointly and severally liable to Plaintiff for the damages sustained.

If you wish to defend this action you must:

Enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH THE INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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CHESTER COUNTY BAR ASSOCIATION
15 W. Gay Street
West Chester, PA 19380
Phone: 610-429-1500

**NOTICE OF ADMINISTRATIVE
SUSPENSION**

Notice is hereby given that the following **Chester County** attorneys have been **Administratively Suspended** by Order of the Supreme Court of Pennsylvania dated August 2, 2012, pursuant to Rule 111(b), Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective September 1, 2012 for Compliance Group 3.

Kruzek, Wayne Carl
Lloyd, Elizabeth A.
McAndrew, Edward John
McGill, Ann
Milone, Michael Francis
Ring, Daniel P.
Sossman, Meredith Anne
Woodruff, John Ralston

Suzanne E. Price
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

2nd Publication**TRUST NOTICE**

ESTHER DOYLE INCOME TRUST,
dated August 5, 2011,
Esther M. Doyle, Deceased
Late of West Bradford Twp, Chester County

All persons having claims or demands against the Trust of Esther Doyle, to make known the same and all persons indebted to the Trust to make payment immediately to Kathleen M. Doyle, Successor Trustee, c/o HighPoint Law Offices, 200 Highpoint Drive, #209, Chalfont, PA 18914

Atty: Peter J. Gilbert, 200 Highpoint Drive,
#209, Chalfont, PA 18914


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**Statement of Ownership, Management, and Circulation
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<i>Wendy C. Hoffman, Executive Director, Owner</i>					9/12/2012	
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PS Form 3526, August 2012 (Page 2 of 3)



September-October 2012 CLE Opportunities

@ Chester County Bar Association

DATE	CLE SESSIONS	TIME	CREDIT HOURS
Sept. 11	BRIDGE THE GAP	12 pm – 4 pm	4 Ethics
Sept. 20-22	FALL BENCH BAR CONFERENCE***	ALL DAY	7 SUB & 3 Ethics
Sept. 27	PBI: The Proliferation of Hate Groups in America (g)	12 pm – 2 pm	2 SUB
Sept. 28	PBI: IRAs- What is Your Exit Strategy? (g)	9 am – 12:15 pm	3 SUB
Oct. 2	PBI: Family Law in the Internet Age (g)	9 am – 12:15 pm	3 SUB
Oct. 3	Beer & BULL Session: You Are What You Eat and Drink!***	5 pm – 6 pm	1 Ethic
Oct. 4	PBI: Realty Transfer Tax Update (g)	12 pm - 3:15 pm	3 SUB
Oct. 10	Custody Mediation Seminar	8:30 am-12:30 pm	TBD
Oct. 11	Brandywine Battlefield & Saving Our Historic Sites***	4 pm – 5 pm reception to follow	1 SUB
Oct. 12	PBI: How to Properly Document a Settlement Agreement (v)	9 am – 1:30 pm	4 SUB
Oct. 17	PBI: Family of Laws for the Family Lawyer (v)	9 am – 4:30 pm	6 SUB
Oct. 18	PBI: Thorny Issues in PA's Landlord Tenant Law (g)	9 am – 1:15 pm	4 SUB
Oct. 19	PBI: Preparing LLC Documents (g)	9 am – 12:15 pm	3 SUB
Oct. 22	PBI: Saving the Family Home in the Continuing Foreclosure Crisis (g)	12:30 pm-4:45 pm	4 SUB
Oct. 23	PBI: The 2 nd Season: Issues for Divorce over Fifty (g)	8:30 am-4:30 pm	5 SUB & 1.5 Ethics
Oct. 25	Immigration CLE***	TBD	TBD
Oct. 26	Pro Bono CLE for New Pro Bono Attorneys***	9 am – 1 pm	3 SUB & 1 Ethics
Oct. 30	PBI: iPad for Legal Professionals (v)	9 am – 5 pm	6 SUB
Oct. 31	PBI: 16 Annual Family Law Update (g)	8:30 am – 1:15 pm	4.5 SUB

(v) = video
(g) = live groupcast
*** = all welcome to attend

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Chester County Law Reporter

The Official Legal Publication for Chester County

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