

Adams County Legal Journal

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MICHAEL STRAUSBAUGH

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FICTITIOUS NAME REGISTRATION

An application for registration of the fictitious name BLUEBIT, 19 Cherry Tree Court, Abbottstown, PA 17301, has been filed in the Department of State at Harrisburg, PA, File Date 01/29/2019 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Darrin J. Crowl, 19 Cherry Tree Court, Abbottstown, PA 17301.

4/5

CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on January 16, 2019, a petition for name change was filed in the Court of Common Pleas of Adams County, Pennsylvania requesting a decree to change the name of Petitioner Everett C. Shaffer to Maya C. Shaffer. The Court has affixed April 18th at 10:00 am in courtroom #4, third floor of the Adams County Courthouse as the time and place for the hearing of said petition, when and where all persons interested may appear and show cause, if any they have, why the Petition should not be granted.

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FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN that a certificate was or will be filed under the Fictitious Name Act approved May 24, 1945, in the Office of the Secretary of the Commonwealth of Pennsylvania, setting forth that Dana S. Kinneman, 14 Jenna Lane, New Oxford, PA 17350, is the only person(s) owning or interested in a business, the character of which is Mobile Retail Food and Beverage Sales and that the name, style and designation under which said business is and will be conducted is SUNDOWN SOFT SERVE & CONCESSIONS LLC and the location where said business is and will be located is 14 Jenna Lane, New Oxford, PA 17350.

Dana S. Kinneman
Owner

4/5

NOTICE BY THE ADAMS COUNTY
CLERK OF COURTS

NOTICE IS HEREBY GIVEN to all heirs, legatees and other persons concerned that the following accounts with statements of proposed distribution filed therewith have been filed in the Office of the Adams County Clerk of Courts and will be presented to the Court of Common Pleas of Adams County — Orphans' Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on Thursday, April 18, 2019 at 8:30 a.m.

HOFFMAN — Orphans' Court Action Number OC-63-1997. The First and Final Account of the Estate of Robert C. Hoffman, Deceased, late of Gettysburg, Adams County, Pennsylvania.

MELLOTT — Orphans' Court Action Number OC-7-2019. The First and Final Account of John W. Schubert a/k/a John W. Shubert, Executor of the Estate of Patsy L. Mellott, late of Adams County, Pennsylvania.

BELTZ — Orphans' Court Action Number OC-18-2019. The First and Final Account of Raymond C. Beltz Jr., Administrator of the Estate of Jay Stephen Beltz, late of Adams County, Pennsylvania.

Kelly A. Lawver
Clerk of Courts

4/5 & 12

FICTITIOUS NAME REGISTRATION

An application for registration of the fictitious name COMPASSIONATE IN-HOME CARE, LLC, 20 Glenwood Drive, Biglerville, PA 17307, has been filed in the Department of State at Harrisburg, PA, File date 01/29/2019 pursuant to the Fictitious Name Act, Act 1982-295. The name and address of the person who is a party to the registration is Airell Mazer, 20 Glenwood Drive, Biglerville, PA 17307.

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LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Directors and the Shareholders of ARTILLERY RIDGE ENTERPRISES, INC., with an office and principal places of business at 610 Taneytown Road, Gettysburg, Pennsylvania, 17325, have voted to voluntarily dissolve the Corporation. The Board of Directors of the Corporation is currently engaging in the winding-up and settling of the affairs of the Corporation. This notice of the dissolution proceedings is given pursuant to Section 1975 of Pennsylvania Business Corporation Law of 1988 as amended.

Robert E. Campbell, Esq.
Salzmann Hughes, P.C
112 Baltimore Street, Suite 1
Gettysburg, PA 17325
Attorney for Corporation

4/5

LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Directors and the Shareholders of GETTYSBURG HORSE PARK, INC., with an office and principal places of business at 610 Taneytown Road, Gettysburg, Pennsylvania, 17325, have voted to voluntarily dissolve the Corporation. The Board of Directors of the Corporation is currently engaging in the winding-up and settling of the affairs of the Corporation. This notice of the dissolution proceedings is given pursuant to Section 1975 of Pennsylvania Business Corporation Law of 1988 as amended.

Robert E. Campbell, Esq.
Salzmann Hughes, P.C
112 Baltimore Street, Suite 1
Gettysburg, PA 17325
Attorney for Corporation

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REBECCA STRAUSBAUGH VS.
MICHAEL STRAUSBAUGH

1. A Decree of Divorce under section 3301 (d) was granted on January 7, 2014, by the Honorable Robert G. Bigham. On December 26, 2018, just short of five years after the entry of the Decree, Husband filed a “Motion to Open Divorce Decree” on the basis that this Court erroneously entered a Decree of Divorce without ruling on Husband’s request for economic relief. In support of his contention, Husband noted that the Federal Bureau of Prisons had recently approved correspondence between the parties “to take care of any pending legal matters.” On December 28, 2018, the undersigned denied Husband’s Motion to Open Divorce Decree.

2. On January 18, 2019, Husband filed a Motion to Reconsider the Denial of Motion to Open Divorce Decree and a Motion to Vacate or Strike Divorce Decree. On January 22, 2019, the undersigned entered an Order denying Husband’s Motion to Vacate or Strike Divorce Decree. Husband’s Motion to Reconsider the Denial of Motion to Open Divorce Decree was not granted.

3. Husband’s Concise Statement of Matters Complained of On Appeal simply states that this Court committed error in denying Husband’s Motions, but fails to state any specific rationale therefor.

4. Husband’s December 26, 2018 Motion was filed within five years of the issuance of the date of the Decree. However, Husband has failed to assert grounds, which would warrant the opening of the Divorce Decree pursuant to 23 Pa. C.S.A. §3332.

5. In light of these facts, along with Husband’s failure to assert fraud or some other extraordinary cause justifying intervention by this Court, the undersigned denied Husband’s December 26, 2018 Motion and did not grant reconsideration of that ruling. As Husband’s January 18, 2019 Motion was filed outside of the aforementioned five-year time frame required by §3332, it was also denied.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, 12-S-185, REBECCA STRAUSBAUGH VS.
MICHAEL STRAUSBAUGH

Rebecca Strausbaugh, self-represented

Michael Strausbaugh, self-represented

Simpson, J., March 19, 2019

OPINION PURSUANT TO Pa. R.A.P. 1925(a)

Michael Strausbaugh (“Husband”) appeals from this Court’s Orders dated December 28, 2018 (denying Husband’s Motion to Open Divorce Decree) and January 22, 2019 (denying Husband’s Motion to Vacate or Strike Divorce Decree). The parties were married on July 5, 2003. Rebecca Strausbaugh (“Wife”) filed a Complaint in Divorce under Sections 3301 (c) and (d) of the Pennsylvania Divorce Code on February 7, 2012. **23 Pa. C.S.A. §3301**. Husband was personally served with the Complaint on February 14, 2012. Wife filed a Notice of Intention to Request Entry

of Section 3301 (d) Divorce Decree and a blank Counter-Affidavit on November 5, 2013.

On November 22, 2013, Husband filed a Counter-Affidavit, indicating that he opposed the entry of a divorce decree because the parties had not lived separate and apart for a period of at least two years and that the marriage was not irretrievably broken. He also raised claims for economic relief. Attached to Husband's Counter-Affidavit was a narrative-style pleading, in which he referenced, *inter alia*, the parties' inability to communicate due to their respective incarcerations¹, custody of their minor child, and economic claims regarding the former marital residence and the parties' bank accounts. Specifically, Husband requested 50% of all funds that were withdrawn from the parties' personal and business accounts at Members First Federal Credit Union. Husband further indicated that these accounts were closed sometime after the parties were both incarcerated on March 18, 2011. Husband also requested "100% of all right to 1946 East Berlin Road, New Oxford, Pennsylvania". This property went into foreclosure and was sold at Sheriff's sale in 2013². In addition, Husband cited the parties' date of separation as March 18, 2011, by virtue of their respective incarcerations.

By Order dated November 25, 2013³, this Court addressed the claims raised in Husband's Counter-Affidavit and the attachment thereto. In the same Order, this Court denied Husband's Motion to Dismiss 3301 (d) Divorce Action, Motion for Appointment of Counsel or Paralegal and Motion for Extension of Time to File Brief in Support of Defendant's Counter-Affidavit. This Order directed the parties to follow the applicable Rules of Civil Procedure regarding service of documents and urged them to consult with legal counsel. Wife filed an Amended Praecipe to Transmit Record on November 26, 2013 requesting a 3301 (d) divorce. A Decree of Divorce under

¹ On May 12, 2012, Husband was sentenced to 45 years in federal prison for child pornography convictions. Wife is presently serving a 15-year sentence in federal prison, also for child pornography convictions.

² In *Green Tree Servicing v. Rebecca Strausbaugh and Michael J. Strausbaugh* (Adams County docket number 12-S-71), the Pennsylvania Superior Court affirmed the final judgment in foreclosure (case number 462 MDA 2013). A review of the land records in the Adams County Recorder of Deeds Office reflects that this property was conveyed by the Sheriff of Adams County to Federal National Mortgage Association by deed dated February 21, 2013, recorded in deed book 5800 at page 196.

³ This Order was entered by the Honorable Robert G. Bigham.

section 3301 (d) was granted on January 7, 2014 by the Honorable Robert G. Bigham.

On December 26, 2018, just short of five years after the entry of the Decree, Husband filed a “Motion to Open Divorce Decree” on the basis that this Court erroneously entered a Decree of Divorce without ruling on Husband’s request for economic relief. In support of his contention, Husband noted that the Federal Bureau of Prisons had recently approved correspondence between the parties “to take care of any pending legal matters”. On December 28, 2018, the undersigned denied Husband’s Motion to Open Divorce Decree.

On January 18, 2019, Husband filed a Motion to Reconsider the Denial of Motion to Open Divorce Decree and a Motion to Vacate or Strike Divorce Decree. On January 22, 2019, the undersigned entered an Order denying Husband’s Motion to Vacate or Strike Divorce Decree. Husband’s Motion to Reconsider the Denial of Motion to Open Divorce Decree was not granted. On February 5, 2019, Husband filed a Notice of Appeal to the December 28, 2018 Order and the January 22, 2019 Order. This Notice of Appeal was filed 39 days after the December 28, 2018 Order and 14 days after the January 22, 2019 Order. A notice of appeal “shall be filed within 30 days after the entry of the order from which the appeal is taken.” ***Pa. R.A.P., Rule 903***. Therefore, the undersigned submits that Husband’s appeal to the December 28, 2018 Order is not timely.

Husband’s Concise Statement of Matters Complained of On Appeal simply states that this Court committed error in denying Husband’s Motions, but fails to state any specific rationale therefor. When an appellant fails adequately to identify in a concise manner the issues sought to be pursued on appeal, the trial court is impeded in its preparation of a legal analysis, which is pertinent to those issues. ***Com. v. Dowling***, 778 A.2d 683 (Pa. Super. 2001). “Issues not included in the [Concise] Statement and/or not raised in accordance with the provisions of this paragraph (b)(4) are waived.” ***Pa. R.A.P. Rule 1925 (b)***. It is respectfully submitted that Husband has waived the issues on appeal.

In the alternative, the undersigned respectfully submits that this Court’s Orders should be affirmed for the reasons that follow. Generally, petitions to open a divorce decree must be filed within 30 days. ***42 Pa. C.S.A. § 5505***. “After this 30-day period, an order can

only be opened or vacated if there is fraud or some other circumstance so grave or compelling as to constitute extraordinary cause justifying intervention by the court.” *Justice v. Justice*, 612 A.2d 1354, 1357 (Pa. Super. 1992).

The motion may lie where it is alleged that the decree was procured by intrinsic fraud or that there is new evidence relating to the cause of action, which will sustain the attack upon its validity. A motion to vacate a decree or strike a judgment alleged to be void because of extrinsic fraud, lack of jurisdiction over the subject matter or a fatal defect apparent upon the face of the record must be made within five years after entry of the final decree. Intrinsic fraud relates to a matter adjudicated by the judgment, including perjury and false testimony, whereas extrinsic fraud relates to matters collateral to the judgment which have the consequence of precluding a fair hearing or presentation of one side of the case.

23 Pa. C.S.A. § 3332. Husband’s December 26, 2018 Motion was filed within five years of the issuance of the date of the Decree. However, Husband has failed to assert grounds, which would warrant the opening of the Divorce Decree pursuant to 23 Pa. C.S.A. §3332. It should be noted that the only economic issues alluded to by Husband in the attachment to his counter-affidavit concerned the former marital residence, which was lost to foreclosure, and bank accounts that, by his admission, were no longer in existence. The 3301 (d) Counter-Affidavit signed by Husband clearly states that “I understand that in addition to checking (b) above, I must also file all of my economic claims in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further delay.” In addition, the two-year date of separation requirement had been met, thus the entry of a Decree was appropriate. In light of these facts, along with Husband’s failure to assert fraud or some other extraordinary cause justifying intervention by this Court, the undersigned denied Husband’s December 26, 2018 Motion and did not grant reconsideration of that ruling. As Husband’s January 18, 2019 Motion was filed outside of the aforementioned five-year time frame required by §3332, it was also denied.

In conclusion, it is respectfully submitted that Husband has waived the issues cited in his concise statement of appeal because it is a vague statement, which impedes this Court's ability to prepare a response to it. It is also submitted that the appeal to the December 28, 2018 Order is not timely, as the Notice of Appeal was not filed within thirty days of that date. Alternatively, it is respectfully requested that this Court's December 28, 2018 Order and January 22, 2019 Order be affirmed for the reasons outlined above.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that the Board of Directors and the Shareholders of LIBERTY HILL LAND, INC., with an office and principal places of business at 610 Taneytown Road, Gettysburg, Pennsylvania, 17325, have voted to voluntarily dissolve the Corporation. The Board of Directors of the Corporation is currently engaging in the winding-up and settling of the affairs of the Corporation. This notice of the dissolution proceedings is given pursuant to Section 1975 of Pennsylvania Business Corporation Law of 1988 as amended.

Robert E. Campbell, Esq.
Salzmann Hughes, P.C
112 Baltimore Street, Suite 1
Gettysburg, PA 17325
Attorney for Corporation

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CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on March 21, 2019, the Petition of Patricia Berger was filed in the Court of Common Pleas of Adams County, Pennsylvania, requesting an Order be entered to change the name of Patricia Berger to Patricia Marie Berger.

The Court has scheduled a hearing on the Petition to be held on June 14, 2019 at 11:30 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.

Matthew R. Battersby, Esq.
Battersby Law Office
P.O. Box 215
Fairfield, PA 17320
717-642-6260

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FICTITIOUS NAME REGISTRATION

An application for registration of the fictitious name REAPER PERFORMANCE, 804 Green Ridge Road, New Oxford, PA 17350, has been filed in the Department of State at Harrisburg, PA, File Date 01/04/2019 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Philip G. Hansen, 804 Green Ridge Road, New Oxford, PA 17350.

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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 EMELIA E. CARRICK, DEC'D**

Late of the Borough of Fairfield, Adams County, Pennsylvania

Executor: Hugh Bruce Carrick, Jr., 1011 Weldin Circle, Wilmington, DE 19803

Attorney: Matthew R. Battersby, Esq., Battersby Law Office, P.O. Box 215, Fairfield, PA 17320

ESTATE OF BARBARA ANN DeGROFT, DEC'D

Late of Union Township, Adams County, Pennsylvania

Tracey Ann DeGroot, 1009 Bollinger Road, Littlestown, PA 17340

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

ESTATE OF MARIAN M. HENRY, DEC'D

Late of Hamilton Township, Adams County, Pennsylvania

Sandra Kuhn, 615 Winding Lane, East Berlin, PA 17316

Attorney: Thomas R. Nell, Esq., 130 W. King Street, P.O. Box 1019, East Berlin, PA 17316

ESTATE OF FRANCES C. JOLLY a/k/a FRANCES L. JOLLY, DEC'D

Late of Union Township, Adams County, Pennsylvania

Executrix: Toni L. Queen, 8 Meadowview Drive, Littlestown, PA 17340

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

ESTATE OF EDITH G. MILLER a/k/a EDITH GRACE MILLER, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Nora J. Sites, 372 Hilltop Road, Newburg, PA 17240

Attorney: Lawrence R. Rife, IV, Esq., Hoskinson, Wenger & Rife, 147 East Washington Street, Chambersburg, PA 17201

ESTATE OF ANNA JANE WELSH, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Keith A. Welsh, 1131 Boyds School Road, Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF MADELINE E. MARTIN, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Administrator: Robert A. Martin, 25 Brickyard Road, New Oxford, PA 17350

ESTATE OF WALTER REYNOLDS OTTEY, JR., DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: James Tuschall, c/o Andrew D. Cotlar, Esq., Law Offices Cotlar & Cotlar, 23 West Court Street, Doylestown, PA 18901

Attorney: Andrew D. Cotlar, Esq., Law Offices Cotlar & Cotlar, 23 West Court Street, Doylestown, PA 18901

ESTATE OF FREDERICK D. RANDT, DEC'D

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

Executor: Ronald F. Schultz, 13253 Old Mill Road, Waynesboro, PA 17268

Attorney: Matthew R. Battersby, Esq., Battersby Law Office, P.O. Box 215, Fairfield, PA 17320

ESTATE OF HAZEL B. RIDER, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executor: Christine V. Rider, 584 Lake Meade Drive, East Berlin, PA 17316

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

ESTATE OF WALTER C. SHOWERS, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Administratrix CTA: Doris A. Showers, c/o Jared S. Childers, Esq., R. Thomas Murphy & Associates, P.C., 237 East Queen Street, Chambersburg, PA 17201

Attorney: Jared S. Childers, Esq., R. Thomas Murphy & Associates, P.C., 237 East Queen Street, Chambersburg, PA 17201

ESTATE OF RICHARD E. WHISLER a/k/a RICHARD E. WHISLER, SR., DEC'D

Late of Latimore Township, Adams County, Pennsylvania

Executor: Eugene R. Whisler, 220 Union Church Road, Dillsburg, PA 17019

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

THIRD PUBLICATION**ESTATE OF FRANCES E. ANDREW, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Clarence L. Andrew, 199 Blacksmith Shop Road, Gettysburg, PA 17325

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

ESTATE OF MARGARET L. DELLINGER, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Ernest G. Dellinger, 875 Oxford Road, New Oxford, PA 17350

Attorney: Kristen Snyder, Esq., 1215 Manor Drive, Suite 202, Mechanicsburg, PA 17055

ESTATE OF JEANNE E. GLENNY, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Co-Executor: Robin J. Cohen, 47505 Sharpskin Island Square, Sterling, VA 20165

ESTATE OF BARBARA A. HOFFMAN, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Representative: Timothy E. Hoffman, 3907 Gettysburg Road, Camp Hill, PA 17011-6705

ESTATE OF GLADYS J. LEESE, DEC'D

Late of the Borough of New Oxford, Adams County, Pennsylvania

Executor: Ronald E. Leese, c/o Craig A. Diehl, Esq., CPA, Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362

Attorney: Craig A. Diehl, Esq., CPA, Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362

STATE OF EMERSON F. MULLER, DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania

Executors: Ray E. Muller, 21401 Northeast Evelyn Place, Bend, OR 97701; Stephanie L. Muller, 5594 Fairway Drive West, Fayetteville, PA 17222

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

THIRD PUBLICATION CONTINUED

E ESTATE OF JACKLYN M. MYERS, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Administratrix: Melissa Myers, 3635 Baltimore Pike, Littlestown, PA 17340

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

ESTATE OF MARY L. ROHRBAUGH a/k/a MARY LOUISE ROHRBAUGH, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executrix: Tina M. Steich, 323 Terrace Avenue, Hanover, PA 17331

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

ESTATE OF LARRY R. SHORB, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Barbara A. Shorb, c/o Linda S. Siegle, Esq., Siegle Law, 1010 Eichelberger Street, Suite 3, Hanover, PA 17331

Attorney: Linda S. Siegle, Esq., Siegle Law, 1010 Eichelberger Street, Suite 3, Hanover, PA 17331

ESTATE OF NEREIDA SIMON, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Administrators: Monica Ramirez-Hsu, 2500 Mill Road, Unit 3, Mechanicsburg, PA 17055; Rodolfo Ramirez, 239 Spanglers Mill Road, New Cumberland, PA 17070, Alice Ramirez, 164 Gettys Street, Gettysburg, PA 17325

Attorney: Teeter Law Office, 108 West Middle Street, Gettysburg, PA 17325

ESTATE OF CHARLES L. SWOPE, DEC'D

Late of the Borough of Biglerville, Adams County, Pennsylvania

Executors: Judy Ann Shultz, 129 Zeigler Mill Road, Gettysburg, PA 17325; Ryan E. Taylor, 50 Ditzler Road, Biglerville, PA 17307

Attorney: Teeter Law Office, 108 West Middle Street, Gettysburg, PA 17325

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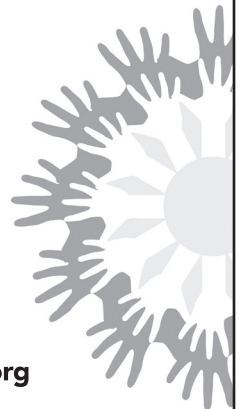
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