



Chester County Law Reporter

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Old Eagle Associates, LLC v. Pet Valu, Inc.

Intention of rule - Confession of judgment - Breach of contract - Motion to compel discovery

1. The title or heading prefixed to a chapter of rules shall not be considered to control but may be used in construing the rules.
2. In ascertaining the intention of the Supreme Court in the promulgation of a rule, it is presumed that the Supreme Court does not intend a result that is absurd, impossible of execution or unreasonable.
3. It is not appropriate to attach additional claims in a Complaint in Confession of Judgment for Money.
4. Plaintiff filed a Complaint for Confession of Judgment and for Breach of Contract and sought discovery on the latter count and, when discovery was not produced, filed a motion to compel discovery. Because the Court had granted Defendant's Petition to Strike off the Confessed Judgment and a plaintiff cannot include a breach of contract claim with a confession of judgment, the Court concluded the breach of contract claim, for which discovery was sought, was a legal nullity and denied the motion to compel discovery.

R.E.M.

C.C.P. Chester County, Pennsylvania, Civil Action No. 2021-00494; Old Eagle Associates, LLC vs. Pet Valu, successor to Pet Valu International, Inc.

David M. Burkholder for Plaintiff

Jeffrey P. Lewis for Defendant

Binder, J., July 20, 2021:-

Old Eagle Associates, LLC v. Pet Valu, Inc.		294 (2021)]
OLD EAGLE ASSOCIATES, LLC	:	IN THE COURT OF COMMON PLEAS
	:	CHESTER COUNTY, PENNSYLVANIA
vs.	:	
PET VALU, INC., successor to Pet Valu	:	CIVIL ACTION – LAW
International, Inc.	:	
	:	NO. 2021-00494-JD
	:	

ORDER and MEMORANDUM

AND NOW, this 20th day of July, 2021, upon consideration of Plaintiff’s Motion to Compel Discovery Responses, filed June 24, 2021, and Defendant’s Response, filed July 12, 2021, for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that the Motion is **DENIED**.

BY THE COURT:

/s/ **BRET M. BINDER, J.**

MEMORANDUM

On January 21, 2021, Plaintiff filed a Complaint in Confession of Judgment for Money alleging that Defendant breached a commercial lease and owes at least \$1,322,288.10. Plaintiff set forth two (2) counts. The first count Plaintiff entitled Count I – Confession of Judgment for Money. The second count Plaintiff entitled Count II: Breach of Contract. The Prothonotary entered a confessed judgment in favor of Plaintiff on January 21, 2021 which this court struck on June 4, 2021 when it granted Defendant’s Petition to Strike off Confessed Judgment, filed March 3, 2021.

Now before this court is Plaintiff’s Motion to Compel Discovery Responses, filed June 24, 2021. By its Motion, Plaintiff asked this court to compel Defendant to answer Plaintiff’s Requests for Interrogatories and Requests for Production of Documents that Plaintiff served on May 18, 2021. Motion, 6/24/2021, ¶¶ 8, 11-13, 22. Plaintiff argued that “the case is not over as [Plaintiff] has asserted a claim for Breach of Contract claim [sic] against [Defendant.]” Motion, 6/24/2021, ¶ 14. Plaintiff argued that “[i]n accordance with Pa.R.C.P. No. 4003.1, a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action.” Motion, 6/24/2021, ¶ 17.

Defendant objected to Plaintiff’s discovery asserting that Count II: Breach of Contract does not exist because it cannot be joined to a claim for confession of judgment. Defendant argued that the rules of procedure that govern confession of judgment, Pa.R.C.P. No. 2950, *et seq.*, do not expressly authorize joinder of another claim which is to be expected since a proceeding to confess judgment is a unique form of action to which the other rules of procedure governing other forms of action do not apply. *See* Brief, 7/12/2021, pp. 3-8. Plaintiff countered that Count II: Breach of Contract exists because it was pled and Defendant never attacked it by Petition or Preliminary Objection. Motion, 6/24/2021, ¶¶ 3, 5, 14-15. To that, Defendant countered that any such attack would have been unauthorized by law. Brief, 7/12/2021, p. 9 (“The Rules of Civil Procedure do not offer any specific remedy where plaintiff has wrongfully included a count for Breach of Contract in a confession of judgment action.”).

This court has given the matter some thought. First, it should be noted that Plaintiff rested its request for discovery solely on the existence of Count II. *See, e.g.* Motion, 6/24/2021, ¶ 14 (“However, [Defendant] has conveniently ignored that the case is not over as [Plaintiff] has asserted a claim for Breach of Contract claim [sic] against [Defendant]. That cause of action remains viable and [Plaintiff] is entitled to take discovery related to that claim.”). Plaintiff did not argue to this court that Count I remains viable and thus Plaintiff tacitly acknowledged that the order that struck the confessed judgment also struck Count I – Confession of Judgment for Money. That tacit acknowledgment was in accord with United Parcel Service v. Hohider, 954 A.2d 13 (Pa.Super. 2008) which held that the lower court order that struck the confessed judgment ended the litigation as to all parties

and claims and was immediately appealable as a final order as defined by Pa.R.A.P. 341(b).

Second, as to the existence of Count II, there seems to be no controlling rule of procedure that expressly allows or disallows additional claims in a Complaint in Confession of Judgment for Money. Similarly, neither Plaintiff nor Defendant provided this court with a case where a Complaint for Confession of Judgment contained a second claim and this court's own research failed to find such an example for guidance. Under such circumstances, this court believes the better view is the one advocated by Defendant which is that an Action for Confession of Judgment for Money is an action governed by Pa.R.C.P. Nos. 2950-2967 which stands apart from a Civil Action governed by Pa.R.C.P. Nos. 1001-1042.71. See Pa.R.C.P. No. 129(d) ("The title or heading prefixed to a chapter of rules shall not be considered to control but may be used in construing the rules.").

This court thinks it is telling that Pa.R.C.P. No. 2952(b) commands that a Complaint for Confession of Judgment "shall neither contain a notice to defend nor be endorsed with a notice to plead". See also id. at Note ("Neither Rule 1018.1 nor Rule 1361 applies to a complaint in confession of judgment."). Pa.R.C.P. No. 1018.1 commands that "[e]very [Civil Action] complaint filed by a plaintiff and every [Civil Action] complaint filed by a defendant against an additional defendant shall begin with a notice to defend." It cannot be true that a Civil Action claim, such as a claim for Breach of Contract, can be pled together with a Confessed Judgment claim because then a notice to plead or defend would be both required and prohibited at the same time. That result is prohibited by Pa.R.C.P. No. 128(a) ("In ascertaining the intention of the Supreme Court in the promulgation of a rule, [it is to be presumed that] the Supreme Court does not intend a result that is absurd, impossible of execution or unreasonable.").

Such an approach is bolstered by the recognition of the courts that a confession of judgment complaint is not, in and of itself, an adversarial proceeding. Midwest Fin. Acceptance Corp., 78 A.3d 614, 622, 626 (Pa. Super. 2013) (opining that a confession of judgment for money is not governed by the same rules of notice and adversarial protections as ordinary civil complaints) (citing Newton v. First Union Nat. Bank, 316 F.Supp.2d 225, 233-34 (E.D.Pa. 2004)). Accordingly, as the complaint for confession has its own set of rules, a suggested form with mandated inclusions, no notice to plead, and is not wholly adversarial in nature, it is not appropriate to attach additional claims.

For the reasons set forth above, this court concludes that Plaintiff's Count II: Breach of Contract is a legal nullity and that there remains pending no legally cognizable claim filed to docket number 2021-00494-JD. Accordingly, for the reasons set forth above, this court will enter an order denying Plaintiff's Motion to Compel.

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2021-05909-NC

NOTICE IS HEREBY GIVEN that the name change petition of Danni Rae Beltz was filed in the above-named court and will be heard on Monday, October 25, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Tuesday, September 28, 2021

Name to be changed from: Danni Rae Beltz to:
Daniel Ray Beltz

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

DISSOLUTION NOTICE

The directors and shareholders of TISC, Inc. have approved a proposal that the corporation dissolve voluntarily, and the Board of Directors is now engaged in winding up and settling the affairs of the corporation in the manner prescribed in Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

LENTZ, CANTOR & MASSEY, LTD., Solicitors
460 E. King Rd.
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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

ALBRECHT, Cathryn R., late of East Bradford Township. Kurt W. Albrecht, care of ANTHONY MORRIS, Esquire, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, Executor. ANTHONY MORRIS, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, atty.

BAKKER, Lynne F., late of East Pikeland Township. Eric Bakker, 551 Coldstream Dr., Berwyn, PA 19312, Executor. GREGORY A. BARONI, Esquire, 13 E. Central Ave., First Floor, Paoli, PA 19301, atty.

DOWNS, Janis M., late of New Garden Township. Deborah Sears, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

DRAGER, Richard, late of West Whiteland Township. Colin Drager, 2181 Davis Drive, Media, PA 19063, Executor.

DRAPER, James M., late of Tredyffrin Township. Sandi A. Draper, care of DUKE K. SCHNEIDER, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. DUKE K. SCHNEIDER, Esquire, MacErlane Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

DYER, Robert, a/k/a Robert Dyer, Sr., late of Schuylkill Township. Daniel R. Dyer, care of STEPHEN I. BAER, Esquire, 1288 Valley Forge Rd., Suite 63, Phoenixville, PA 19460, Executor. STEPHEN I. BAER, Esquire, Baer Romain & Ginty, LLP, 1288 Valley Forge Rd., Suite 63, Phoenixville, PA 19460, atty.

ELDON, Margaret, a/k/a Margaret Duplicki, late of Downingtown. Bradley Duplicki, 102 Stephen Dr., Downingtown, PA 19335, Executor.

GIAMBOY, Rae M., a/k/a Rae Marion Giamboy, late of West Brandywine Township. Lynn Anne Devone, 228 Creeks Bend Dr., Downingtown, PA

19335, Executrix. REBECCA A. HOBBS, Esquire, O'Donnell, Weiss & Mattei, PC, 41 E. High St., Pottstown, PA 19464, atty.

GRAMAS, Lillian, a/k/a Lillian M. Gramas, late of East Pikeland Township. Joseph S. Gramas, 448 Loop Rd., Pottstown, PA 19464, Executor. RICHARD D. LINDERMAN, Esquire, O'Donnell, Weiss & Mattei, PC, 41 E. High St., Pottstown, PA 19464, atty.

GREENE, JR., Joseph E., late of Tredyffrin Township. Anita Greene, care of DOUGLAS E. COOK, Esquire, P.O. Box 397, Drexel Hill, PA 19026, Executrix. DOUGLAS E. COOK, Esquire, P.O. Box 397, Drexel Hill, PA 19026, atty.

GULMANTOVICZ, Nancy J., late of West Chester. Timothy J Bryan, 137 E Marshall St., West Chester, PA 19380, Administrator.

HENRY, Leon R., late of Penn Township. Beverly Henry, 110 Rose View Dr., West Grove, PA 19390, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law P.C., 65 S. Third St., Oxford, PA 19363, atty.

HILTEBEITEL, May Elizabeth, a/k/a May E. Hildebeitel, late of E. Caln Township. Mary Anne Feeley, care of KRISTEN R. MATTHEWS, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. KRISTEN R. MATTHEWS, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

KEELEY, Helen Jane, a/k/a Helen J. Keeley, late of London Britain Township. Lora A. Keeley, care of CATHERINE T. DUFFY, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executrix. CATHERINE T. DUFFY, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, PC, 300 W. State St., Ste. 300, Media, PA 19063, atty.

LEBER, Anastasia, late of Phoenixville Borough. Douglas L. Kaune, 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.

LEGG, Brenda Gayle, late of Highland Township. Roger E. Legg, 100 Five Points Rd., Coatesville, PA 19320, Administrator. ROGER E. LEGG, Esquire, 100 Five Points Road, Coatesville, PA 19320, atty.

LEVINE, Manfred, late of Tredyffrin Township. Richard Marc Levine, 411 Heartwood Rd., Cherry Hill, NJ 08003, Executor. KENNETH E. MARTIN, Esquire, Gadsden Schneider & Woodward, LLP, 1275 Drummers Ln., Ste. 210, Wayne, PA 19087, atty.

LYNCH, Catherine E., late of Tredyffrin Township. Mark Lynch, care of JOHN J. McANENEY, Esquire, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544, Administrator. JOHN J. McANENEY, Esquire, Timoney Knox LLP, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544, atty.

MIXON, Emily F., late of Downingtown. Donald L. Mixon, care of W. PETER BARNES, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. W. PETER BARNES, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

O'BRIEN, Suzanne A., late of Upper Providence Township. Charles Abell, care of STEPHEN D. POTTS, Esquire, Strafford Office Bldg. #2, Ste. 106, 200 Eagle Rd., Wayne, PA 19087-3115, Executor. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, Ste. 106, 200 Eagle Rd., Wayne, PA 19087-3115, atty.

PASSANTE, Doris E., late of Pennsbury Township. Lisa M. Passante, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

PENNINGTON, Martha Elizabeth, late of East Fallowfield Township. Kevin I. Pennington & Steven D. Pennington, 520 Buck Run Road, Coatesville, PA 19320, Administrators.

PIPER, Donna Jean, late of Tredyffrin Township. Edward E. Piper, care of SEAMUS M. LAVIN, Esquire, 122 S. Church St., West Chester, PA 19382, Executor. SEAMUS M. LAVIN, Esquire, Wetzel Gagliardi Fetter & Lavin LLC, 122 S. Church St., West Chester, PA 19382, atty.

PITT, JR., Joseph E., late of Upper Uwchlan Township. Nancy Snyder, care of JAMES B. GRIFFIN, CPA, Esquire, 623 N. Pottstown Pike, Exton, PA 19341, Executor. JAMES B. GRIFFIN, CPA, Esquire, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

SCOTT, Geoffrey C., a/k/a Geoffrey Colon Scott, late of Charlestown Township. Jane Merriitt, 1405 Golf Drive, Gilbertsville, PA 19525, Executor. ROBERT B. ROTH, Esquire, The Roth Law Firm, 123 North 5th Street, Allentown, PA 18102, atty.

SERRA, Joseph, late of Coatesville. Brian Lewis, 15 Mary Bell Road, Audubon, PA 19403, Executor.

SULLIVAN, Judith Marie, a/k/a Judith M Coleman, Judith M Nester, late of East Pikeland. Sean Sullivan, 14 Crestview Rd., Phoenixville, PA 19460, Administrator.

THOMPSON, Patricia Eunice Clark, late of West Chester Borough. Vida M. Whitfield, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Administratrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

TRAUTMAN, Thomas E., late of East Marlborough Township. Michael E. Trautman, 237 Deepdale Dr., Kennett Square, PA 19348, Administrator. ANITA M. D'AMICO, Esquire, D'Amico Law P.C., 65 S. Third St., Oxford, PA 19363, atty.

VERPLANCK, Eva Low, late of Kennett Township. Anne A. Verplanck, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

WOODWARD, SR., Larry Arnold, a/k/a Larry A. Woodward, Sr., Larry Woodward, late of East Bradford Township. Larry Arnold Woodward, III, care of WILLIAM R. HAGNER, Esquire, 211 West Lancaster Avenue, #100, Paoli, PA 19301, Administrator C.T.A. WILLIAM R. HAGNER, Esquire, 211 West Lancaster Avenue, #100, Paoli, PA 19301, atty.

2nd Publication

ANGENY, IV, John D., late of West Caln Township. John D. Angeny, V, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

BAGROSKY, Constance J., late of Lower Oxford Township. Michelle H. Mendenhall, care of VINCENT CAROSELLA, Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Executor. VINCENT CAROSELLA, Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

BEIDEMAN, David A., late of Upper Uwchlan Township. Vivian L. Beideman, care of DAVID M. FREES, III, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Administrator. DAVID M. FREES, III, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

BOATWRIGHT-VINCENT, Alice M., a/k/a Alice Boatwright, late of Penn Township. Jacquelyn S. Boatwright and Brooks O. Boatwright, Jr., care of TRISHA W. HALL, Esquire, 1201 N. Market St., 20th Fl., Wilmington, DE 19801, Executors. TRISHA W. HALL, Esquire, Connolly Gallagher LLP, 1201 N. Market St., 20th Fl., Wilmington, DE 19801, atty.

BUCKWALTER, John Henry, a/k/a John Buckwalter, John H. Buckwalter, late of East Pikeland Township. Willa Fern Buckwalter, 23 Galicia Drive, Phoenixville, PA 19460, Executor. ROBERT C. GERHARD, III, Esquire, Gerhard & Gerhard, P.C., 815 Greenwood Ave, Ste. 8, Jenkintown, PA 19046, atty.

DAVIES, Donald V., late of Pennsbury Township. Donald B. Lynn, Jr., care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

DUKEMAN, William M., late of West Chester. Rebecca A. Baillie, care of MARK S. PINNIE, Esquire, 218 West Front Street, Media, PA 19063, Executrix. MARK S. PINNIE, Esquire, Barnard, Mezzanotte, Pinnie and Seelasa, LLP, 218 West Front Street, Media, PA 19063, atty.

GEARY, Henry J., a/k/a Henry Joseph Geary, late of West Caln Township. John J. Geary, care of ASHLEY A. GLICK, Esquire, 131 W. Main Street, New Holland, PA 17557, West Caln Township. ASHLEY A. GLICK, Esquire, Kling & Deibler, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

GREEN, Nancy F., late of Sadsbury Township. Dennis H. Green, care of JANIS M. SMITH, Esquire, 4203 West Lincoln Highway, Parkesburg, PA 19365, Executor. JANIS M. SMITH, Esquire, Janis M. Smith, Attorney At Law, 4203 West Lincoln Highway, Parkesburg, PA 19365, atty.

HARVELL, Michael D., a/k/a Michael David Harvell, late of Charlestown Township. Lisa J. Tull, 146 Jeffords Ct., Phoenixville, PA 19460, Executrix. JOSEPH K. KOURY, Esquire, O'Donnell, Weiss & Mattei, PC, 41 E. High St., Pottstown, PA 19464, atty.

KEPLER, W. Ronald, a/k/a William Ronald Kepler, late of Lower Oxford Township. Hope H. Kepler, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, Executor. WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, atty.

LATINI, Joan, a/k/a Joan Margaret Latini, late of East Pikeland Township. Anthony J. Antonini, III, 2413 Stoneybrook Ln., Drexel Hill, PA 19026 and Jeffrey A. Antonini, 3711 Honey Locust Dr., Phoenixville, PA 19460, Executors. EDWARD N. FLAIL, JR., Esquire, 10 Harrow Circle, Wayne, PA 19087, atty.

LYNAM, Helen Murray, late of Penn Township. Gregg Murray Lynam and Marilyn K. Jewett, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Co-Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

MAURER, Stephen B., late of Kennett Township. Frances R. Stier, 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.

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PASCHALL, Edwin H., late of East Marlborough Township. Cheryl Eastburn Wyatt and Denise Bannon, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executors. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

PENNINGTON, Martha Elizabeth I, late of East Fallowfield Township. Steven D. Pennington & Kevin J. Pennington, 520 Buck Run Road, Coatesville, PA 19320, Administrators.

PIELA, Ella M., late of Westtown Township. Martin Piel, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Executor. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

RONEY, James Scott, late of Kennett Square Borough. Barbara C. Roney, 520 W. Linden St., Kennett Square, PA 19348, Executrix.

ROSS, Marvin A., late of Caln Township. Mitchell G. Crane, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, atty.

SINEATH, Blanche H., late of West Goshen Township. Cynthia Ray, care of MARILYN SEIDE MITCHELL, Esquire, 200 Eagle Rd., Ste. 106, Wayne, PA 19087, Executrix. MARILYN SEIDE MITCHELL, Esquire, Herr, Potts & Potts, 200 Eagle Rd., Ste. 106, Wayne, PA 19087, atty.

STATHIS, Panagiota N., late of West Goshen Township. Peter N. Stathis, care of NEIL W. HEAD, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. NEIL W. HEAD, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

TARR, III, Paul C., late of Penn Township. Paul C. Tarr, IV, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

WADDELL, Kenneth W., late of Spring City Borough. David L. Waddell, 218 S. Pleasantview Road, Pottstown, PA 19464, Executor. MARK RYAN, Esquire, 618 Swede Street, Norristown, PA 19401, atty.

WILLIAMS, Walter E., a/k/a Walter Edward Williams, late of Tredyffrin Township. Devon Williams, care of MAURICE D. LEE, III, Esquire, 1500 Market St., 38th Fl. West, Philadelphia, PA 19102, Executor. MAURICE D. LEE, III, Esquire, Saul Ewing Arnstein & Lehr LLP, 1500 Market St., 38th Fl. West, Philadelphia, PA 19102, atty.

ZULESKI, Sophie E., late of East Goshen Township. Renee Francisco, 305 Box Elder Dr., West Chester, PA 19380, Executrix. MARITA M. HUTCHINSON, Esquire, 1250 Fieldstone Dr., West Chester, PA 19382, atty.

3rd Publication

ANTINK, Michael Peter, late of East Marlborough Township. June Kaminski, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Administrator. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

BOUCHARD, Steven C., late of Malvern Borough. Kathleen A. Bouchard, care of GUY F. MATTHEWS, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executrix. GUY F. MATTHEWS, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

BROTHERTON, Howard Gray, late of Kimberton. Shirley Brotherton, P.O. Box 302, 623 W. Seven Stars Rd., Kimberton, PA 19442, Executrix.

BUEGLER, Helen A., late of Kennett Township. David Buegler, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

CAMPANESE, JR., Harry A., late of Tredyffrin Township. Harry A. Campanese, III, care of G. ELIAS GANIM, Esquire, P.O. Box 494, Paoli, PA 19301-0494, Administrator C.T.A. . G. ELIAS GANIM, Esquire, McLaughlin Ganim, Ltd., P.O. Box 494, Paoli, PA 19301-0494, atty.

EWING, Jane Irene, late of West Chester. Barbara Skreenock, 1400 Masters Court, West Chester, PA 19380, Executrix.

GRAHAM-WINKS, Hillary A., late of West Grove. Nelson J. Sack, 221 N. Olive Street, Media, PA 19063, Executor. NELSON J. SACK, Esquire, 221 N. Olive Street, Media, PA 19063, atty.

HARBAUGH, Richard, a/k/a Dick Harbaugh, late of Honey Brook. Grace Trill, 133 Holly Drive, Woolwich Township, NJ 08085, Executor.

HOKE, Barbara W., late of Pennsbury Township. Susan H. Courtney, 3231 Privateer Creek Road, Seabrook Island, SC 29455, Executrix. DAVID B. MYERS, Esquire, The Law Office of David B. Myers, LLC, 148 W State Street, Suite 102, Kennett Square, PA 19348, atty.

JERBASI, John Thomas, late of Glenmoore. Deanne Boucher, 84 Brittany Lane, Glenmoore, PA 19343, & Kristen Orlando, 23 Lincoln Drive, Downingtown, PA 19335, Executors. LAWYER, Esquire, Firm, Address, atty.

KAISER, Arthur, late of Kennett Square Borough. Margaret Conrad Lotz, care of MICHAEL L. GOLDEN, Esquire, One Commerce Square, 2005 Market Street, 16th Floor, Philadelphia, PA 19103-7042, Executrix. MICHAEL L. GOLDEN, Esquire, Gould Yaffe and Golden, One Commerce Square, 2005 Market Street, 16th Floor, Philadelphia, PA 19103-7042, atty.

KENT, Sara H., a/k/a Sally H. Kent, late of East Coventry Township. Charles J. Piermani, 2240 DeKalb Pike, Norristown, PA 19401, Executor. NEIL M. HILKERT, Esquire, 229 W. Wayne Avenue, Wayne, PA 19087, atty.

McCARDELL, Sumie F., late of Oxford Borough. Robert B. Judy and Patricia Ann Judy, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Co-Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384,

Kennett Square, PA 19348, atty.

PASTORIUS, Phyllis A., late of West Grove Borough. Robert Pastorius, 400 W. Baltimore Pike, West Grove, PA 19390, Executor. THOMAS E. MARTIN, JR., Esquire, 201 S. Broad Street, P.O. Box 392, Kennett Square, PA 19348, atty.

PLUMMER, Edna Colleen, a/k/a Edna Colleen Hurley, late of Honey Brook Borough. Donna Marie Plummer, 421 Cahill Circle, Honey Brook, PA 19344, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

SPENCER, Lois V., late of West Nantmeal Township. Brian A. Spencer, 37 Glennola Dr., Mohnton, PA 19540, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

STROUP, Wayne J., late of East Coventry Township. Michael J. Moore, care of MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, Executor. MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, atty.

THOMAS, Rose L., a/k/a Rosealine L. Thomas, late of Tredyffrin Township. Mark A. Bird, 255 Hurley Rd., Coatesville, PA 19320, Executor. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

THOMAS, JR., James A., late of East Goshen Township. Patricia H. Thomas, care of JOSEPH A. BELLINGHERI, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. JOSEPH A. BELLINGHERI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

FICTITIOUS NAME

NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of

Open Learning Systems, with its principal place of business at 210 Penn Avenue, Oxford, PA 19363. The application has been (or will be) filed on:

Wednesday, September 22, 2021. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: James D Cornelius. Notice is hereby given, pursuant to the provisions of Act of Assembly, No. 295, effective March 16, 1983, of the filing in the office of the Department of State, of the Commonwealth of Pennsylvania, at Harrisburg, PA, for an Application for the conduct of business in Chester County, Pennsylvania, under the assumed or fictitious name, style or designation of EVOLVE YOGA & BEYOND, with a principal place of business at 1776 E. Lancaster Ave., Unit A, Paoli, PA. 19301. The name and address of the entity interested in said business is Evolve Yoga 2020, LLC, 1776 E. Lancaster Ave., Unit A, Paoli, PA 19301. MacELREE HARVEY, LTD., Solicitors, 17 W. Miner St., West Chester, PA 19382

NOTICE

LOGS LEGAL GROUP LLP
BY: CHRISTOPHER A. DeNARDO, PA I.D. NO. 78447
KRISTEN D. LITTLE, PA I.D. NO. 79992
ELIZABETH L. WASSALL, PA I.D. NO. 77788
LESLIE J. RASE, PA I.D. NO. 58365
SAMANTHA GABLE, PA I.D. NO. 320695
3600 HORIZON DRIVE, SUITE 150
KING OF PRUSSIA, PA 19406
TELEPHONE: (610) 278-6800
E-MAIL: PAHELP@LOGS.COM
LLG FILE NO. 19-064448
Reverse Mortgage Funding LLC
PLAINTIFF

VS.

Judy Shoop, Known Heir of Aaron M. Shoop, deceased and Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under Aaron M. Shoop, deceased
DEFENDANTS

COURT OF COMMON PLEAS
CIVIL DIVISION
CHESTER COUNTY

NO: 2020-02535-RC

To the Defendants, Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations

Claiming Right, Title or Interest from or under Aaron M. Shoop, deceased: TAKE NOTICE THAT THE Plaintiff, Reverse Mortgage Funding LLC has filed an action Mortgage Foreclosure, as captioned above.

NOTICE

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE YOUR DEFENSE OR OBJECTIONS 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 Assn.
15 W. Gay Street, 2nd Floor
West Chester, PA 19380

2nd Publication of 3 ADVERTISEMENT OF EXISTENCE OF TRUST NOTICE

Trust Estate of PAUL C. TARR, III, deceased, late of Penn Township, Chester County, Pennsylvania. All persons having claims or demands against the Trust Estate of PAUL C. TARR, III are requested to make known the same and all persons indebted to the said decedent are requested to make payment without delay to:
Paul C. Tarr, IV and Stephanie L. Snyders, Trustees
c/o Larmore Scarlett LLP
P. O. Box 384
Kennett Square, PA 19348

L. Peter Temple, Esquire
Larmore Scarlett LLP
P. O. Box 384
Kennett Square, PA 19348

3rd Publication of 3

PERSONAL REPRESENTATIVE'S NOTICE

DANIEL W. GANOVSKY, DECEASED.
Late of the Township of East Vincent, Chester County, PA.

Any persons having claims or demands against the decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to DANIEL D. GANOVSKY, PERSONAL REPRESENTATIVE, 1508 Harvey Lane, Pottstown, PA 19465,

Or to his Attorney:
JOHN A. KOURY, JR.
O'DONNELL, WEISS & MATTEI, P.C.
41 East High Street
Pottstown, PA 19464

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PUBLIC NOTICE FOR REAPPOINTMENT OF
AN INCUMBENT MAGISTRATE JUDGE**

The current term of office of United States Magistrate Judge Marilyn Heffley at Philadelphia, Pennsylvania is due to expire on April 20, 2022. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of the Magistrate Judge to a new eight-year term.

The duties of a Magistrate Judge in this court include the following: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants.

Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court and should be directed to:

Kate Barkman, Clerk of Court
2609 United States Courthouse
601 Market Street
Philadelphia, PA 19106

***ATTN: Human Resources Department
Magistrate Judge Reappointment***

Comments must be received by October 29, 2021.

Juan R. Sánchez
Chief Judge

Dated: September 15, 2021

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**PUBLIC NOTICE FOR REAPPOINTMENT OF
AN INCUMBENT MAGISTRATE JUDGE**

The current term of office of United States Magistrate Judge Richard A. Lloret at Philadelphia, Pennsylvania is due to expire on May 4, 2022. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of the Magistrate Judge to a new eight-year term.

The duties of a Magistrate Judge in this court include the following: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants.

Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court and should be directed to:

Kate Barkman, Clerk of Court
2609 United States Courthouse
601 Market Street
Philadelphia, PA 19106

***ATTN: Human Resources Department
Magistrate Judge Reappointment***

Comments must be received by October 29, 2021.

Juan R. Sánchez
Chief Judge

Dated: September 15, 2021

Sheriff Sale of Real Estate

By virtue of the within mentioned writs directed to Sheriff Fredda L. Maddox, the herein-described real estate will be sold at public sale in the Chester County Justice Center at 201 W Market Street, 3rd Floor, Room 3300, West Chester, Pennsylvania, as announced on **Thursday, October 21st, 2021 at 11AM.**

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff's Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Monday, November 22nd, 2021.** Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff's Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time and place of sale. **Payment must be paid in cash, certified check or money order made payable to the purchaser or "Sheriff of Chester County". The balance must be made payable to "Sheriff of Chester County". within twenty-one (21) days from the date of sale by 4PM.**

FREDDA L. MADDOX, SHERIFF

2nd Publication

SALE NO. 21-10-107

Writ of Execution No. 2015-07822

DEBT \$45,196.73

ALL THAT CERTAIN lot or piece of ground, SITUATE in Franklin Township, Chester County, Pennsylvania, bounded and described according to a final subdivision plan for Thompson Estates, made by Brandywine Valley Engineers, Inc. dated 4/28/1995, last revised 1/17/1996 and recorded in the Recorder of Deeds Office

Chester County as Plan No. 13534 as follows, to wit:

BEGINNING at an iron pin to be set (Typical) on the southerly side of Thompson Circle, a common corner of Lots 16 and 17 on said Plan, thence extending along Thompson Circle the four following courses and distances (1) North 52 degrees 06 minutes 19 seconds East 50.76 feet to a point of curve (2) in the arc of a circle curving to the right having a radius of 175.000 feet the arc distance of 97.02 feet to a point of tangent (3) North 83 degrees 52 minutes 13 seconds East 6.79 feet to a point of curve and (4) on the arc of a circle curving to the right having a radius of 25.00 feet the arc distance of 39.27 feet to a point of tangent on the Westerly side of Forrest Gump Road, thence extending along same, South 06 degrees 07 minutes 47 seconds, East 334.55 feet to a point, thence extending South 82 degrees 51 minutes 02 seconds West 89.50 feet to a point a corner of Lot 16 thence extending along said Lot, North 20 degrees 14 minutes 30 seconds West 317.81 feet to the first mentioned point and place of beginning.

CONTAINING 45,704 square feet of 1.049 acres more or less.

BEING Lot 17 on said Plan.

BEING part of the same premises which Thomas C. Thompson and Edith D. Thompson, his wife by Deed dated 8/22/1996 and recorded in Chester County, in Record Book 4075 page 1615 conveyed unto Thompson Estate Homes, Inc., a Pennsylvania Corporation, its successors and/or assigns.

Tax Parcel 72-2-61.17

PLAINTIFF: Wright Restoration Services, Inc.

VS

DEFENDANT: **Al Cruciano & Mary Jane Cruciano**

SALE ADDRESS: 139 Thompson Circle, Landenberg, PA 19350

**PLAINTIFF ATTORNEY: LAMB
McERLANE PC 610-430-8000**

SALE NO. 21-10-108

Writ of Execution No. 2021-02896

DEBT \$467,293.60

All that certain lot or piece of ground situate in West Goshen Township, County of Chester, Commonwealth of Pennsylvania bounded and described according to a Plan of Manor. No. 2 survey for Howard Shoemaker, by Thomas G. Colesworthy, County Surveyor, in May 1953, as follows, to wit.

Beginning at a point in the southwest side of Howard Avenue (40 feet wide) at the distance of 120, south 01 degree 22 minutes east, from a point of intersection of the southwest corner of Howard Road and Howard Avenue, which said last mentioned point is 893.01 feet south 72 degrees 52 minutes 20 seconds west along southeast side of Howard Road from the southwest side of Greenhill Avenue; thence form the last mentioned point of beginning along the southwest side of Howard Avenue, south 01 22 minutes east 120 feet to a point a corner of Lot 11; thence leaving the said Howard Avenue along Lot 11 south 88 degrees 38 minutes west 100 feet to a point in land now or late of Walter J. Few; thence along the same north 01 degree 22 minutes west 120 feet to a point a corner of Lot 12; thence along Lot 12; the first mentioned point and place of beginning.

**BEING KNOWN AS LOT 10 ON
PLAN OF GREEN HILL MANOR 2**

BEING the same premises which ROBERT ALAN LANE, JR. & MELODY LANE, by Deed dated June 18, 1999, and recorded July 19, 1999, in Book 4601, Page 1154, granted and conveyed unto SCOTT ALLEN & PATRICIA ALLEN, HIS WIFE, in fee.

AND BEING the same premises which SCOTT ALLEN & PATRICIA ALLEN, by Deed dated February 15, 2011, and recorded February 25, 2011, as Document ID: 11082461 in Book 8130, Page 1452, granted and conveyed unto ZACHARY A. PICKARD in fee.

Subject to any restrictions, easements and/or adverses that pertain to this property.

BEING UPI # 52-3E-16

PLAINTIFF: Truist Bank

VS

DEFENDANT: Zachery A. Pickard

**SALE ADDRESS: 119 Howard Road,
West Chester, PA 19380**

**PLAINTIFF ATTORNEY: JOSHUA D.
BRADLEY 410-727-6600**

SALE NO. 21-10-109

Writ of Execution No. 2017-05053

DEBT \$5,472.22

All that certain lot or piece of ground situate in the Township of Willistown County of Chester and State of Pennsylvania.

Tax Parcel No.: 54-2-51

PLAINTIFF: Great Valley School District

VS

DEFENDANT: William S. Davison

**SALE ADDRESS: 804 Forest Lane,
Willistown Township, PA 19355**

**PLAINTIFF ATTORNEY: PORT-
NOFF LAW ASSOCIATES, LTD.
484-690-9300**

SALE NO. 21-10-110**Writ of Execution No. 2017-01639****DEBT \$1,770.20**

ALL THAT CERTAIN lot of land on which is located the west house of a block of two frame dwelling houses designated as No. 630 Belmont Street situate in the Fourth Ward of the City of Coatesville, Chester County, Pennsylvania.

Tax Parcel No.: 16-6-484

PLAINTIFF: City of Coatesville

VS

DEFENDANT: **Hugh L. Simmons**

SALE ADDRESS: 630 Belmont Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **PORTNOFF LAW ASSOCIATES, LTD.**
484-690-9300**SALE NO. 21-10-112****Writ of Execution No. 2017-01637****DEBT \$1,795.51**

ALL THAT CERTAIN LOT OR PIECE OF LAND WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED SITUATE IN THE CITY OF COATESVILLE, COUNTY OF CHESTER AND STATE OF PENNSYLVANIA.

TAX PARCEL NO.: 16-6-590

PLAINTIFF: City of Coatesville

VS

DEFENDANT: **Hugh Simmins**

SALE ADDRESS: 764 E. Lincoln Highway, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **PORTNOFF LAW ASSOCIATES, LTD.**
484-690-9300**SALE NO. 21-10-111****Writ of Execution No. 2018-09752****DEBT \$1,504.90**

ALL THAT CERTAIN tract of land known as 246 Fleetwood Street, situate in the City of Coatesville County of Chester and State of Pennsylvania.

Tax Parcel No.: 16-5-51.4

PLAINTIFF: City of Coatesville

VS

DEFENDANT: **Douglas R. Ricketts**

SALE ADDRESS: 246 Fleetwood Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **PORTNOFF LAW ASSOCIATES, LTD.**
484-690-9300**SALE NO. 21-10-113****Writ of Execution No. 2017-00334****DEBT \$3,695.36**

ALL THAT CERTAIN lot or tract of land SITUATE in the First Ward of the City of Coatesville, County of Chester, State of Pennsylvania.

EXPECTING AND RESERVED THEREOUT AND THEREFROM:

ALL THAT CERTAIN tract of land, together with the improvements thereon erected SITUATE in the City of Coatesville, County of Chester and State of Pennsylvania.

TAX PARCEL NO.: 16-9-322.2 & 16-9-322.3

PLAINTIFF: City of Coatesville

VS

DEFENDANT: **Jerry F. Mullin & Mary K. Mullin**

SALE ADDRESS: 338 & 340 Lemon Street, Coatesville, PA 19320

**PLAINTIFF ATTORNEY: PORT-
NOFF LAW ASSOCIATES, LTD.
484-690-9300**

**PLAINTIFF ATTORNEY: PORT-
NOFF LAW ASSOCIATES, LTD.
484-690-9300**

SALE NO. 21-10-115

**Writ of Execution No. 2012-06098
DEBT \$30,156.75**

ALL THAT CERTAIN tract or parcel of ground with the buildings and improvements, thereon erected, hereditaments and appurtenances, Situate in Tredyffrin Township, Chester County, Pennsylvania.

Tax Parcel No.: 43-9L-1

PLAINTIFF: Tredyffrin/Easttown
School District

VS

**DEFENDANT: Lita M. Alston, Ad-
ministratrix of the Estate of Lottie
Alston**

SALE ADDRESS: 38 Summit Avenue,
Tredyffrin Township, PA 19301

**PLAINTIFF ATTORNEY: PORT-
NOFF LAW ASSOCIATES, LTD.
484-690-9300**

SALE NO. 21-10-116

**Writ of Execution No. 2019-05987
DEBT \$3,378.54**

ALL THAT CERTAIN lot or piece of ground, hereditaments and appurtenances, Situate in the Township of East Whiteland, County of Chester and State of Pennsylvania.

Tax Parcel No.: 42-3M-82

PLAINTIFF: Great Valley School Dis-
trict

VS

DEFENDANT: Mary Pat Wright

SALE ADDRESS: 80 Rickmar Lane, E.
Whiteland Township, PA 19355

SALE NO. 21-10-119

**Writ of Execution No. 2021-00359
DEBT \$366,816.46**

ALL THAT CERTAIN lot or piece of ground situate in the Township of Upper Uwchlan, Chester County, Commonwealth of Pennsylvania, as shown on a plan of "the reserve at eagle", made by Eastern States Engineering, Inc., dated November 19, 1999, last revised September 21, 2001 and recorded in Plan # 15948, bounded and described as follows, to wit:

BEGINNING at a point on the northwesterly side of Prescott Drive (50 feet wide) a corner lot 32 on said plan: thence extending along the northwesterly side of Prescott Drive south 24 degrees 40 minutes 00 seconds west 4.98 feet to a point of curve; thence still along the same on the arc of a circle curving to the right having a radius of 175.00 feet the arc distance of 135.41 feet to a point of tangent; thence still along the same south 69 degrees 00 minutes west 7.77 feet to a point; thence extending along lot 30 on said plan north 21 degrees (00 minutes west 125.00 feet to a point thence extending along open space on said plan north 48 degrees 03 minutes 09 seconds east 49.55 feet to a point; thence extending along lot 32 aforementioned south 65 degrees 20 minutes 00 seconds east 125.00 feet to a point and place of beginning.

UPI NO.: 32-3-456

IMPROVEMENTS thereon: consist of
a single family residence

PLAINTIFF: ESSA Bank & Trust

VS

DEFENDANT: Timothy P. Schwarz

& Theresa R. Schwarz & the United States of America

SALE ADDRESS: 217 Prescott Drive,
Chester Springs, PA 19425

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

SALE NO. 21-10-120**Writ of Execution No. 2020-01729
DEBT \$251,375.60**

ALL THAT CERTAIN tract of land, situate in the Township of West Caln, County of Chester and Commonwealth of Pennsylvania, bounded and described according to a survey made October 10, 1959, by C. Timothy Slack, P.E., as follows:

BEGINNING at a railroad spike in the centerline of Kings Highway said point being a corner of remaining land of the Grantors and a corner of land belonging to Cletus Miller; thence along the center line of said Kings Highway and along remaining land of the Grantors, South 64° 15' East, one hundred ten feet to a railroad spike and a corner of remaining land of the Grantors; thence continuing along said Kings Highway and said remaining land of the Grantors; South 61° 8' 30" East, one hundred twenty-five feet to a railroad spike and a corner of remaining land of the Grantors; thence leaving said Kings Highway and along remaining land of the Grantors the two following courses and distances, to-wit: (1) South 18° 51' 30" West, 200 feet to an iron pipe; thence (2) North 57° 45' 30" West, one hundred eighty-three and one-tenth feet to an iron pipe; and a corner of remaining land of the Grantors and in line of land belonging to Cletus Miller, thence along the Miller land, North 3° 8' 30" East, 200 feet to the place of beginning,

HAVING ERECTED THEREON a Residential Dwelling.

BEING THE SAME PREMISES AS Geoffrey E. Freeman and Corie Sue Freeman, be Deed dated August 22, 2007, and recorded on August 31, 2007, by the Chester County Recorder of Deeds in Book 7254, at Page 459, granted and conveyed unto Geoffrey E. Freeman, an Individual.

UPI NO. 28-5-140.1

PLAINTIFF: U.S. Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage

Pass-Through Certificates, Series 2007-BC4

VS

DEFENDANT: **Geoffrey E. Freeman**

SALE ADDRESS: 1046 West Kings Highway, Coatesville, PA 19320

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

SALE NO. 21-10-121**Writ of Execution No. 2020-06936
DEBT \$67,059.88**

PROPERTY SITUATE IN TOWNSHIP OF WEST BRADFORD

TAX ID NO.: 50-02P-0046

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: The Bank of New York Mellon Trust Company, N.A., FKA the Bank of New York Trust Company, N.A., as Trustee for GMACM Home Equity Loan Trust 2006-HE5

VS

DEFENDANT: **Nicole M. Gray & Sean P. Gray**

SALE ADDRESS: 1322 Broadview West, Downingtown, PA 19335

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

SALE NO. 21-10-122**Writ of Execution No. 2018-00284****DEBT \$94,043.43**

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF SPRING CITY, COUNTY OF CHESTER AND COMMONWEALTH OF PENNSYLVANIA.

Tax Parcel No.: 14-1-7

PLAINTIFF: Deutsche Bank National Trust Company, as Indenture Trustee, for New Century Home Equity Loan Trust 2005-1

VS

DEFENDANT: **Kari Newman**

SALE ADDRESS: 411 Ridge Avenue, Spring City, PA 19475

PLAINTIFF ATTORNEY: **RICHARD M. SQUIRE & ASSOCIATES, LLC**
215-886-8790

SALE NO. 21-10-123**Writ of Execution No. 2020-08924****DEBT \$735,092.56**

ALL THAT CERTAIN tract of lot or piece of land, with the buildings and improvements thereon erected, situate in the Township of West Vincent, County of Chester and Commonwealth of Pennsylvania, bounded and described in accordance with the Hoffman Estate Subdivision Plan be E.R. Felty, Inc., S.L.P., Wernersville, PA, dated December 29, 1993, and recorded as Plan No. 12471, as follows, to-wit;

BEGINNING at a point on the Northwesterly ultimate right-of-way line of Chester Springs Road (T-463) which point marks a common corner of this premises and Lot No. 2; thence extending from said beginning point along the said Northwesterly ultimate right-of-way line of Chester Springs Road (T-463) South 37 degrees 15 minutes 24

seconds West, crossing over a fifteen inch CMP easement and crossing over the bed of a proposed driveway, 279.00 feet to a point, a corner of this premises and land now or late of Anne Ashton Ewing; thence extending partly along the same the next two following courses and distances, viz: (1) North 30 degrees 40 minutes 13 seconds West 629.93 feet to a point, a corner and (2) North 20 degrees 45 minutes 43 seconds East 20.00 feet to a point, a corner of this premises and Lot No. 3; thence extending partly along the same North 67 degrees 12 minutes 21 seconds East 216.40 feet to a point, a corner of this premises and Lot No. 2 aforesaid; thence extending along the same the next four following courses and distances, viz: (1) South 30 degrees 40 minutes 13 seconds East, crossing and re-crossing over silt (filter) fence barriers, 199.42 feet to a point, an angle, (2) South 14 degrees 41 minutes 40 seconds East 101.87 feet to a point, an angle, (3) South 37 degrees 16 minutes 12 seconds East 100.00 feet to a point, an angle and (4) South 52 degrees 44 minutes 36 seconds East 120.00 feet to the first mentioned point and place of beginning.

CONTAINING in area 3.144 acres of land, be the same, more or less.

BEING LOT NO.1 on the above mentioned Plan.

HAVING ERECTED THEREON a Residential Dwelling.

BEING THE SAME PREMISES AS Daniel K. Stoudt Builders, Inc., by Deed dated April 30, 1999, and recorded on May 14, 1999, by the Chester County Recorder of Deeds in Book 4563, at Page 1264, granted and conveyed unto Ronald A. Brostrom and Ann M. Brostrom, as Tenants by the Entireties.

Tax Parcel No.: 25-10-3.1

PLAINTIFF: CSMC 2018-SP2 Trust

VS

DEFENDANT: Ann M. Brostrom & Ronald A. Brostrom

SALE ADDRESS: 2655 South Chester Springs Road, Chester Springs, PA 19425

PLAINTIFF ATTORNEY: STERN & EISENBERG 215-572-8111

SALE NO. 21-10-125

Writ of Execution No. 2020-07387

DEBT \$164,386.83

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE TOWNSHIP OF EAST NOTTINGHAM, CHESTER COUNTY, PENNSYLVANIA.

Being Parcel Number: 690601700400

IMPROVEMENTS thereon: a residential property

PLAINTIFF: Deutsche Bank National Trust Company, as Trustee, for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-R11

VS

DEFENDANT: James Lafferty Jr.

SALE ADDRESS: 114 Graves Road, Oxford, PA 19363

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

SALE NO. 21-10-126

Writ of Execution No. 2021-02056

DEBT \$287,658.04

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE TOWNSHIP OF NEW GARDEN, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS

FOLLOWS, TO WIT:

All that certain lot or piece of ground, situate in the Township of New Garden, County of Chester and Commonwealth of Pennsylvania, bounded and described according to a Final Subdivision Plan of Auburn Hills, prepared by Hillcrest Associates, Inc., dated 4-25-2002, last revised 11-26-2002 and recorded in Chester County as Plan No. 16614, as follows, to wit:

Beginning at a point on the Southerly side of Cezanne Court Cul de sac, a corner of Lot No. 28 as shown on plan; thence from said point of beginning along the said side of Cezanne Court on the arc of a circle curving to the left having a radius of 60.00 feet the arc distance of 47.79 feet to a corner of Lot No. 33; thence along Lot No. 33 and also Lot No. 32 the 2 following courses and distances: (1) South 09 degrees 26 minutes 31 seconds West, through the bed of Sage Way (50 feet wide private right of way), 221.43 feet to a point of curve; (2) on the arc of a circle curving to the right having a radius of 150.00 feet the arc distance of 47.82 feet to a corner of Lot No. 30; thence along Lot No. 30 the following 3 courses and distances: (1) North 53 degrees 35 minutes 09 seconds West, crossing a drainage easement, 151.56 feet; (2) North 85 degrees 09 minutes 51 seconds West, 126.83 feet; (3) North 32 degrees 07 minutes 53 seconds West, 41.02 feet to a point in line of Lot No. 28; thence along Lot No. 28 the 2 following courses and distances: (1) North 52 degrees 07 minutes 30 seconds East, 264.07 feet; (2) South 82 degrees 58 minutes 05 seconds East, 74.43 feet to the first mentioned point and place of beginning.

Being Lot No. 29 as shown on said plan.

Together with and subject to the use of Sage Way (a common 50 feet wide private right of way) as shown on said plan. The 50 feet wide private right of

way to be used and maintained by Lots No. 29, 30, 31 and 32 and to be used for public pedestrian access. New Garden Township shall have to right to access for maintenance vehicles and equipment.

BEING THE SAME PROPERTY CONVEYED TO APRIL D. CUSTER WHO ACQUIRED TITLE BY VIRTUE OF A DEED FROM KATHRYN D. PEOPLES, DATED MARCH 5, 2014, RECORDED MARCH 6, 2014, AT DOCUMENT ID 11334490, AND RECORDED IN BOOK 8894, PAGE 58, OFFICE OF THE RECORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

PARCEL NO.: 60-5-15.22

PLAINTIFF: PNC Bank, National Association

VS

DEFENDANT: **April Custer, AKA April D. Custer**

SALE ADDRESS: 101 Sage Way, Landenberg, PA 19350

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

SALE NO. 21-10-127

Writ of Execution No. 2019-09720

DEBT \$598,277.16

ALL THAT CERTAIN tract or piece of land with the two story stone dwelling barn, stone dwelling sheds and other improvements erected thereon, situate on the South side of St. Peters Road, LR 15130, and being Lot No. 3 of the Littlebrook Subdivision Phase II, situate in the Township of North Coventry, County of Chester and Commonwealth of Pennsylvania, being more fully bounded and described in accordance with a Survey by Andrew F. Kent, Professional

Land Surveyor, designated 77-07-81, as follows, to-wit;

BEGINNING at a point in St. Peters Road, LR 1513, a corner of Lot No. 4; thence leaving said road and along Lot No. 4 the two following courses and distances: (1) South 12 degrees 30 minutes 02 seconds West 720.98 feet to an iron pin; (2) South 53 degrees 35 minutes 02 seconds West 580.00 feet more or less to a point in the center line of Pigeon Creek; thence in said center line the two following courses and distances: (1) South 70 degrees 40 minutes 50 seconds East, 155.75 feet to a point; (2) South 39 degrees 50 minutes 24 seconds East 71.41 feet to a point in the center line of said creek in line of lands of Daniel F. DeCaro and Shirley J. DeCaro, his wife, (it is the intention of the conveyance to convey to the center line of Pigeon Creek); thence along lands of Daniel F. DeCaro the three following courses and distances: (1) South 53 degrees 35 minutes 02 seconds West, 450.67 feet more or less to an iron pin; (2) North 24 degrees 51 minutes West, 251.62 feet to an iron pin; (3) North 68 degrees 32 minutes West 239.25 feet to an iron pin, a corner of lands of Roger H. Davidheiser and Maryanne B. Davidheiser, his wife; thence along lands of the same, North 23 degrees 25 minutes East, crossing Pigeon Creek, 732.26 feet to an iron pin, a corner of Lot No. 1; thence alone Lot No. 1, North 77 degrees 14 minutes 04 seconds East, 136.68 feet to an iron pin, a corner of Lot No. 2 the two following courses and distances: (1) South 82 degrees 35 minutes East 200.32 feet to an iron pin; (2) North 4 degrees East, 468.00 feet to a spike in St. Peters Road; thence in St. Peters Road the two following courses and distances: (1) South 82 degrees 35 minutes East 212.12 feet to a spike; (2) North 73 degrees 34 minutes 02 seconds East 145.00 feet to a spike, the place of beginning.

CONTAINING 14.9 acres.

BEING THE SAME PREMISES AS Stephen B. Wilchek and Diane G. Wilchek, by Deed dated March 26, 1993, and recorded on April 6, 1993, by the Chester County Recorder of Deeds in Book 3535, at Page 268, as Instrument No. 023891, granted and conveyed unto Allan S. Rink and Susan V. Rink, as Tenants by the Entireties.

Tax Parcel No.: 17-06-0057

PLAINTIFF: CIM REO 2021-NR1
LLC VS

DEFENDANT: **Allan S. Rink & Susan
V. Rink**

SALE ADDRESS: 1320 Saint Peters
Road, Pottstown, PA 19465

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

MEETING SPACE?

Looking for just the right meeting space? The Chester County Bar Association facilities are utilized on a regular basis for depositions, client meetings and seminars. We have rooms available for rental by the half-day or full day – a conference room, a board room and seminar rooms. We are located just one block from the Courthouse and convenient parking is available. For more information, visit us at www.chescobar.org. To reserve your room, please call 610-692-1889.

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