

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: Rossi v. Piepoli, 2019 WL 284781 (Lacka. Co. 2019)

DATE OF DECISION: January 17, 2019

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Daniele M. Mulcahey, Esquire, Counsel for Plaintiffs
Daniel P. Stofko, Esquire, Counsel for Defendant

SUMMARY OF OPINION:

An accounting firm filed an action against a former client seeking payment for professional services allegedly provided, and the ex-client filed a preliminary objection challenging the legal sufficiency of the breach of contract claim. To state a cause of action for breach of contract, a plaintiff must allege the existence of a contract (including its essential terms), a breach of a duty imposed by the contract, and resultant damages. An oral contract is as enforceable as a written agreement so long as the verbal agreement possesses all of the elements of a valid contract. The accounting firm alleged the existence of an agreement to provide accounting services in connection with the client's attempted acquisition of a business, the client's agreement to pay the accountants' customary charges for those services, the accountants' furnishing of those services during an 8-month period, the client's breach of his duty to pay for those services, and the accountants' resulting damages in a specified amount. The former client's argument concerning the absence of "defined units of time spent for each entry" was deemed relevant to the weight of the evidence, but did not render the breach of contract claim insufficient as a matter of law.

JUDICIAL OPINION

CASE NAME AND NUMBER: Murphy v. Krajewski, 2019 WL 328132 (Lacka. Co. 2019)

DATE OF DECISION: January 25, 2019

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

Matthew T. Comerford, Esquire, Curt M. Parkins, Esquire, Counsel for Plaintiff
Jennifer L. Levan, Esquire, Counsel for Defendant

SUMMARY OF OPINION:

Four days prior to the expiration of the statute of limitations, plaintiff commenced a personal injury action against a defendant who had died more than 16 months earlier. Plaintiff never opened an estate for the deceased defendant, nor did he seek to have a personal representative appointed on behalf of the decedent's estate, before the limitations period expired. Defendant filed preliminary objections seeking to strike the complaint and dismiss the action on the grounds that a dead person cannot be a named party to a lawsuit, and that the statute of limitations ran 10 months earlier without a personal representative being substituted as the named defendant.

A civil action filed against a defendant after the defendant's death is deemed "null" and "void," and its filing does not operate to toll the running of the statute of limitations. Once the applicable limitations period has expired in a lawsuit filed against a deceased defendant, the complaint cannot be amended to substitute the personal representative of the decedent's estate as a new party. Plaintiff's own complaint established that he sued a deceased party, that the two-year statute of limitations expired more than 10 months earlier, and that plaintiff never raised an estate, sought the appointment of a personal representative, or substituted that personal representative as the named defendant prior to the expiration of the limitations period. As a result, the court lacked subject matter jurisdiction over the action which was deemed to be a "legal nullity," and the named defendant's preliminary objections were sustained since the plaintiff could not establish a right to relief against the deceased defendant.

ESTATES

First Notice

ESTATE OF CECILIA ALFANO, late of Borough of Clarks Summit, County of Lackawanna, Pennsylvania (died November 11, 2018) – Notice is hereby given that Letters Testamentary of the above estate have been granted to Diane Nish, Executrix of the Estate. All persons indebted to said estate are required to make payment, and those having claims or demands to present same without delay to the Executrix named herein, or her attorney, Jacob Nogi, Esquire, 345 Wyoming Avenue, Suite 200, Scranton, Pennsylvania 18503.

Notice is hereby given that Letters of Administration have been granted to Thomas R. Carey, Administrator of the **ESTATE OF RALPH P. CAREY**, late of Clarks Summit, who died on April 10, 2014. All persons indebted to Estate are required to make payment and those having claims or demands are to present the same without delay to the Administrator or to Raymond C. Rinaldi, II, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA, 18501.

ESTATE OF DANIEL J. CHESIK, SR., late of Lackawanna County, Pennsylvania, deceased. Letters Testamentary on the above estate having been granted to the undersigned, all persons indebted to the said estate are requested to make payment and those having claims to present same, without delay to Danielle M. Dean, 75 Jessica Drive, Penn Laird, VA 22846, or to her attorneys, FARLEY & BERNATHY, LLC, 2523 Route 6, Suite 1, Hawley, PA 18482.

ESTATE OF MARGARET CZARNECKI, late of Clarks Green, Pennsylvania (died January 20, 2019). Letters Testamentary have been issued to Brian Joseph Czarnecki and Dean Alan Price, Co-Executors of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to Patrick Walsh, Esquire, attorney for the Estate at 715 N. State Street, Clarks Summit, PA 18411.

ESTATE OF DORIS E. HACK, late of Scranton, PA (died May 26, 2018) Debra Hack & Nancy Fagnan, Executors, John R. O'Brien, Esquire, Oliver, Price & Rhodes, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

Estate notice is hereby given that Letters of Testamentary have been granted to William Hapersberger, Jr., in the **ESTATE OF PAULA LYNN HUDACHEK**, late of Springbrook Township, Lackawanna County, Pennsylvania, who died December 1, 2018. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to Justin J. Sulla, Esq., 1144 E Drinker Street, Dunmore, Pennsylvania 18512 or Executor, William Hapersberger, Jr., 825 Route 690, Springbrook Township, PA 18444.

Notice is hereby given that Letters Testamentary have been granted in the **ESTATE OF NICHOLAS KREHEL, A/K/A NICHOLAS P. KREHEL, JR., OR NICHOLAS P. KREHEL**, late of the Borough of Archbald, Lackawanna County, who died May 22, 2018. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay, to the Co-Executors, NICHOLAS M. KREHEL and ALEXANDRA KREHEL, and their Attorneys. SAPORITO, FALCONE & WATT, 490 North Main Street, Pittston, PA 18640.

RE: ESTATE OF NICHOLAS H. LASAVAGE, late of Moosic, Lackawanna County, Pennsylvania (died February 14, 2019). Notice is hereby given that Letters Testamentary for the Estate of Nicholas H. Lasavage have been issued to David Pietryka, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executor, or to John J. McGovern, Jr., Attorney for the Estate, 321 Spruce Street - Suite 201, Scranton, PA 18503.

ESTATE OF SHIRLEY A. MURPHY, Deceased, late of Olyphant, Lackawanna County, Pennsylvania (died July 13, 2018); Letters Testamentary having been granted to Robert E. Hudak, Executor and Linda M. Walsh, Executrix; all persons having claims or demands against the Estate of Decedent are requested to immediately present the same and those persons indebted to said Estate are to make payment without delay to C.J. Mustacchio, Esquire, Attorney for the Estate, 99 West Filbert Street, Archbald, PA 18403.

ESTATE OF DANIEL SCHAUFLE, late of Scranton, Pennsylvania (died January 21, 2019). Notice is hereby given that Letters of Administration on the above estate have been granted to Sheila E. Schaufler, of Scranton, Executrix. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executrix named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

ESTATE NOTICE ESTATE OF CATHERINE A. SCOBLOCK, deceased February 2, 2019, late of 1112 ARCHBALD MOUNTAIN ROAD, JEFFERSON TOWNSHIP, LACKAWANNA COUNTY, Pennsylvania. Notice is hereby given that Letters Testamentary on the above estate have been granted to CATHERINE A. GENCO, Executor. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executor or to Elizabeth A. Giannotti, Esquire, 619 Jenkins Lane, North Wales, Pennsylvania, 19454.

ESTATE OF HELEN YADLOSKY A/K/A HELEN M. YADLOSKY, late of Jermy, PA (died September 8, 2018) Letters Testamentary were granted to Kristale Dooley, Executrix. Elaine C. Geroulo, Esq., Attorney for the Estate, 411 Jefferson Avenue, Scranton, PA 18510.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF HELEN YURGALAVICH**, late of the City of Scranton, Lackawanna County, Pennsylvania, (died January 19, 2019), have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: MICHAEL CONDRAT A/K/A MICHAEL E. CONDRAT, EXECUTOR, C/O MATTHEW J. PARKER, ESQUIRE, MARSHALL, PARKER & WEBER, LLC, 49 E. Fourth Street, Ste. 105, Williamsport, PA 17701.

Second Notice

ESTATE OF ELIZABETH JOAN ALLEN AKA ELIZABETH ALLEN, ESTATE NUMBER 35-2019-136 DECEASED, LATE OF CLARKS SUMMIT, LACKAWANNA COUNTY, PA: DIED NOVEMBER 10 2012. NOTICE IS HEREBY GIVEN THAT LETTERS ADMINISTRATION HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO MICHAEL KEHOE, 116 WANOKA LANE EXETER TWP PA, 18615.

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RE: **ESTATE OF LYNDA ARDAN**, late of Scranton, Pennsylvania. Letters of Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Todd Ardan, 931 Richmond Street, Scranton, PA 18509, Executor, or to James W. Reid, Esquire, Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, P.O. Box 240, Clarks Summit, PA 18411.

ESTATE OF HELDER C AZEVEDO, ESTATE NUMBER 35-2019-236 DECEASED, LATE OF DUNMORE, LACKAWANNA COUNTY, PA; DIED JULY 31 2018. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO EDWARD D. AZEVEDO, 4200 JUNIPER DRIVE READING PA, 18605.

ESTATE OF DIAN BARBERICH, ESTATE NUMBER 35-2019-162 DECEASED, LATE OF JESSUP, LACKAWANNA COUNTY, PA; DIED DECEMBER 10 2018. NOTICE IS HEREBY GIVEN THAT LETTERS TESTAMENTARY HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME WITHOUT DELAY TO BRENDA BARBERICH AND SCOTT BARBERICH, 204 MCKINLEY DRIVE JESSUP PA, 18434.

IN RE: **ESTATE OF REGINA FLYNN**, late of Dickson City, Pennsylvania (Died December 11, 2018). Notice is hereby given that Letters Testamentary on the above Estate have been granted to Janice Suvock. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executrix named above or to Eugene Daniel Lucas, Esquire, 207 Lackawanna Avenue, Olyphant, PA 18447.

Notice is hereby given that Letters Testamentary have been granted to Theodosia Grunza, Executrix of the **ESTATE OF MICHAEL S. GRUNZA, JR.**, late of Olyphant, PA, who died on January 17, 2019. All persons indebted to the Estate are required to make payment and those having claims or demands are to present the same without delay to the Executrix or to Carl J. Poveromo, Esquire, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA, 18501.

ESTATE OF KAREN M. HOFFMAN, late of Jermyn, PA (Died: February 14, 2019). Michael W. Sowden, Executor or Barbara J. O'Hara, Attorney for the Estate, 1421 E. Drinker Street, Dunmore, Pennsylvania 18512.

ESTATE OF THOMAS J. POLCHA, A/K/A THOMAS J.A. POLCHA, A/K/A THOMAS A. POLCHA, late of Scranton, Pennsylvania (died 01/05/2019). Notice is hereby given that Letters of Testamentary on the above estate have been granted to Michael G. Polcha, of Jermyn, PA 18433, Executor. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executor named herein, or to Patrick N. Coleman, Esquire, Tellie & Coleman, P.C., 310 East Drinker Street, Dunmore, PA 18512.

ESTATE OF JOHN P. STEPHANICK, ESTATE NUMBER 35-2019-266 DECEASED, LATE OF TAYLOR, LACKAWANNA COUNTY, PA; DIED AUGUST 16 2018. NOTICE IS HEREBY GIVEN THAT LETTERS ADMINISTRATION HAVE BEEN GRANTED IN THE ABOVE ESTATE. ALL PERSONS INDEBTED TO SAID ESTATE ARE REQUIRED TO MAKE PAYMENTS AND THOSE HAVING CLAIMS OR DEMANDS ARE TO PRESENT THE SAME

WITHOUT DELAY TO BLAISE STEPHANICK 8 LINE STREET GLEN LYON PA, 18617.

RE: **ESTATE OF RONALD G. WARREN, JR.** late of Scott Township, Lackawanna County, Pennsylvania (died January 4, 2019). Notice is hereby given that Letters of Administration for the Estate of Ronald G. Warren, Jr. have been issued to Deanna Warren and Christina Sorak, Co-Administrators of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Co-Administrators at 317 Lake Road, Nicholson, PA 18446 or to Kris E. Fendrock, Esquire, Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

Third Notice

ESTATE OF ROSALIE BASSETTI, late of Thornhurst Township, Lackawanna County, PA (January 31, 2019). Notice is hereby given that Letters Testamentary on the above Estate have been granted to Amelia Tancredi. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executrix named above or to Timothy B. Fisher II, Esquire, Fisher & Fisher Law Offices LLC, Attorneys for the Estate, 525 Main Street, PO Box 396, Gouldsboro, PA 18424.

ESTATE OF PATRICIA L. BUCK, deceased January 23, 2019, late of South Abington Twp., Lackawanna County, Pennsylvania. Letters Testamentary in the above-named estate having been granted to the undersigned, all persons indebted to the estate are requested to make immediate payment and those having claims are directed to present the same without delay to the undersigned or their attorney within four (4) months from the date hereof and to file with the Clerk of the Court of Common Pleas of Lackawanna County, Orphans' Court Division, a particular statement of claim, duly Court Division, a particular statement of claim, duly verified by an affidavit setting forth an address within the county where notice may be given to claimant. BRIAN G. BYRNES AND CAROLYN D. DIRESE, Co-Executors, 3 Greenridge Avenue, Apt. B7, White Plains, NY 10605. John J. McGee, Esq., Ste 302, 400 Spruce Street, Scranton PA 18503.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF RICHARD M. CUNNINGHAM**, late of Carbondale, Lackawanna County, Pennsylvania (died January 16, 2018). All persons indebted to the Estate are requested to make payment, and those having claims or demands are to present same, without delay, to Executor, James A. Tolan, or John J. Lawler, Jr., Attorney for the Estate, 25 North Main Street, Suite 200, Carbondale, Pennsylvania 18407.

Notice is hereby given that Letters of Administration have been granted to Amy L. Freeman of 1503 Dundaff St., Dickson City, PA 18519, in the **ESTATE OF DAVID J. CUCURA**, late of Dickson City, Lackawanna County, PA, who passed away September 25, 2018. All persons indebted to said Estate are requested to make payment and those having claims or demands to present the same without delay to the Administrator named or to the attorney for said estate: Patrick A. Kane, Esq., 960 Scranton-Carbondale Hwy., Archbald, PA 18403.

ESTATE OF GLORIA DYSON DEY, DECEASED, late of Scranton, Lackawanna County, Pennsylvania, (died February 3, 2019). Notice is hereby given that Letters Testamentary having been granted in the above estate. All

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persons indebted to said Estate are required to make payments and those having claims or demands are to present the same without delay to Gayle Dyson Moran, c/o Stephen J. Evers, Esq., Attorney for the Estate, 213 R. North State Street, Clarks Summit, PA, 18411.

ESTATE OF JOAN M. GOWER, DECEASED, late of 2323 COMEGYS AVE., SCRANTON, PA 18509, (Died December 25, 2018) Sharon Marie Musser and Michael Robert Gower, Co-Executors; Dante A. Cancelli, Suite 401, 400 Spruce Street, Scranton, Pennsylvania 18503, Attorney

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted to Christopher J. Ratchford, Executor of the **ESTATE OF JANET A. GRANDE**, late of Peckville, Lackawanna County, Pennsylvania, who died on July 19, 2018. All persons indebted to said Estate are required to make payment and those having claims or demands to present the same without delay to the Executor, c/o Biagio V. Musto, II, Esquire, 171 William Street, Pittston, PA 18640.

RE: ESTATE OF DAVID L. HOLZMAN, Late of Dunmore, Pennsylvania (died December 25, 2018). Notice is hereby given that Letters of Administration for the ESTATE OF DAVID L. HOLZMAN, have been issued to JAMIE MICHELLE HOLZMAN, Administratrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administratrix, or to MICHAEL C. COWLEY, COWLEY LAW OFFICES, LLC, Attorney for the Estate, 114 North Abington Road, Clarks Green, PA 18411.

ESTATE OF ELEANORE LISOWSKI A/K/A ELEANOR LISOWSKI A/K/A ELEANORE L. LISOWSKI, late of Dickson City, PA (died 1/3/2019). Letters Testamentary in the above estate having been granted, all creditors shall make demand and all debtors shall make payment without delay to Ronald Lisowski, Executor, of John E.V. Pieski, Attorney for the Estate, 610 Maplewood Drive, Olyphant Post Office, Dickson City, PA 18447.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF JOAN L. LUBASH**, Deceased, late of 415 Delaware Street, Mayfield, Lackawanna County, Pennsylvania 18433, who died on January 21, 2019. All persons indebted to the Estate are requested to make payment and those having claims or demands are to present same, without delay, to the Co-Executors, Joseph Lubash or Theresa Lubash, or Michael N. Krisa, Attorney for the Estate, 3397 Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted to Martha Doran, Executrix of the **ESTATE OF ROBERT W. PERRINS**, late of Old Forge, Lackawanna County, Pennsylvania who died on December 25, 2018. All persons indebted to said Estate are required to make payment and those having claims or demands to present the same without delay to the Executrix in c/o Gregory S. Skibitsky, Jr., Esquire, Skibitsky & Molino, 457 North Main Street, Suite 101, Pittston, PA 18640.

ESTATE OF DANIEL J. SHEERIN, late of Scranton, Pennsylvania, (died December 3, 2018). Letters of Administration have been granted to Patricia A. Sheerin, Executrix of the Estate, who requests all persons having claims or demands against the Estate of the Decedent to make known the same, and all persons indebted to the Decedent to make payments without delay to the Executrix named herein or to James J. Conaboy, Esquire, attorney for the Estate, at 1006 Pittston Avenue, Scranton, PA 18505.

NOTICE IS HEREBY GIVEN that Letters of Administration in the **ESTATE OF CHARLES S. SZLACHETKA**, late of Elmhurst Township, Lackawanna County, Pennsylvania, (Date of Death: November 23, 2018) have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: Cynthia Schneider, Administrator, C/O MATTHEW J. PARKER, ESQUIRE, MARSHALL, PARKER & WEBER, LLC, 1065 Highway 315, Suite 402, Wilkes-Barre, PA 18702.

ESTATE OF LEONARD H. ZINN, DECEASED, late of South Abington Township, Lackawanna County, Pennsylvania, (died June 11, 2018). Notice is hereby given that Letters of Administration have been granted in the above estate. All persons indebted to said Estate are required to make payments and those having claims or demands are to present the same without delay to Loretta James and Dolores Cillo, c/o Stephen J. Evers, Esq., Attorney for the Estate, 213 R. North State Street, Clarks Summit, PA, 18411.

CHANGE OF NAME

NOTICE IS HEREBY GIVEN that the Petition of Megan Malinak, was filed in the Court of Common Pleas of Lackawanna County requesting a decree to change the minor child, Preston Adlai Malinak-Gould, name to Preston Douglas Malinak. The Court has fixed the 29th day of March, at 9:00 AM in Courtroom #3, in the Lackawanna County Courthouse as the time and place for hearing.

T1-3/15

CHANGE OF NAME

NOTICE IS HEREBY GIVEN that the Petition of Megan Malinak, was filed in the Court of Common Pleas of Lackawanna County requesting a decree to change the minor child, Caleb Robert Malinak-Gould, name to Caleb Robert Malinak. The Court has fixed the 29th day of March, at 9:00 AM in Courtroom #3, in the Lackawanna County Courthouse as the time and place for hearing.

T1-3/15

NOTICE

"NOTICE TO LEGATEES"

To all legatees, creditors and other persons interested. Notice is hereby given that the following Executors, Administrators, Trustees, and Guardians have filed their accounts with the Register of Wills and Clerk of Orphans' Court, Division of the Court of Common Pleas.

The following accounts have been filed and may be examined in the Office of the Register of Wills and Clerk of Orphans' Court. If you desire to object, the same may be accomplished by filing that objection in writing with the Clerk of Orphans' Court on or before Monday, the 1st of April, 2019.

The accounts will be filed by the clerk, with the Court for adjudication and conformation on Tuesday, the 2nd of April, 2019. Distribution may be ordered or authorized without further notice if no objections are filed prior to that date.

35-2016-753
Kahanick Family
Irrevocable Trust

First & Final Account
Randall Kotz, Successor Trustee
David L. Woloshin, Esq

T2-3/22

LACKAWANNA JURIST

NOTICE

IN THE COURT OF COMMON PLEAS
OF LACKAWANNA COUNTY
CIVIL ACTION—LAW
ACTION TO QUIET TITLE
DOCKET NO. 2019 CV 1508

FRANK MONTARO
Plaintiff

vs.

LACKAWANNA COUNTY COMMISSIONERS,
ESTATE OF TILLIE POPEWCHAK,

a/k/a/ TILLIE POPIWCHAK, their heirs, administrators, executors, successors and assigns,
Defendants

LEGAL NOTICE

TO: THE ESTATE OF TILLIE POPEWCHAK, her heirs, executors, personal administrators, successors and assigns, devisees, personal representatives, Grantees, and any and all persons, firms, associations or legal entities, claiming right, title or interest by through or under the Defendants or any of them and all other persons claiming through them generally. You are hereby notified that an Action to Quiet Title has been commenced with the Court of Common Pleas of Lackawanna County, Civil Division, No 19-CV-1508, an Order was entered on March 6, 2019 by the Court to serve you by publication, said premises being described particularly as follows:

ALL THAT CERTAIN lot, piece or parcel of land, situate, lying and being in the Borough of Blakely, in the County of Lackawanna and State of Pennsylvania, bounded and described as follows, to wit: - Beginning at a corner in the Carbondale and Providence Turnpike; thence along land of Oliver David North forty nine (49) degrees west one hundred and fifty (150) feet to a corner; thence along lands of Frank Simpson and Griffith Griffith north forty-one (41) degrees East fifty (50) feet to a corner; thence along lands of James Bolton south forty-one and one-half (41 ½) degrees East one hundred and fifty-one and one-half (150 ½) feet to a corner in the Carbondale and Providence Turnpike; thence along the said Turnpike Road south forty (40) degrees west thirty (30) feet to the place of beginning. Containing fifty-nine hundred and twenty-five (5925) square feet of land, be the same more or less.

Subject to the same exceptions, reservations, conditions, limitations and covenants as are contained in the hereinafter recited deed and in all prior instruments in the line of title.

Being the same premises in which the Grantor acquired an undivided one-half interest by deed from her father, Andrew Havrilak, dated August 27, 1943 recorded September 18, 1943, in Deed Book 424, page 334, and the same premises in which she acquired the other undivided one-half interest by deed from her brother, George Havrilak joined by his wife, Julia Havrilak, dated September 20, 1947, acknowledged September 27, 1947 and intended to be duly recorded Herewith.

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice is served, by entering a written appearance personally or by 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 claim or 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Northern PA Legal Services, Inc.,
33 N. Main Street
Pittston, PA 18640
Phone: (570) 299-4100

OR

Lawyer Referral Service
Lackawanna Bar Association
233 Penn Avenue
Scranton, PA 18503
Phone: (570)969-9600

NOTICE FILED BY: KURT T. LYNOTT, ESQUIRE
Attorney for the Plaintiff
T1-3/15