

Bradford County Law Journal

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The Court: The Honorable Maureen T. Beirne, President Judge
 The Honorable Evan S. Williams, III, Judge

Editors: Albert C. Ondrey, Esquire, Chairman
 Daniel J. Barrett, Esquire
 Christopher Bradley, Esquire

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Bradford County Law Journal

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By requirement of Law and Order of Court the BRADFORD COUNTY LAW JOURNAL is made the medium for the publication of all Legal Advertisements required to be made in the County of Bradford, and contains all Notices of the Sheriff, Register, Clerk of the Courts, Prothonotary and all other Public Officers, Assignees, Administrators and Executors, Auditors, Examiners, Trustees, Insolvents, the formation and dissolution of Partnerships, Divorces &c., affording indispensable Prot. against loss resulting from want of notice. It also contains the Trial and Argument Lists of all the Courts in Bradford County, and selected Opinions and Decisions of the Courts of Bradford County.

All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. The Law Journal assumes no responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in context.

Legal notices must be received before 10:30 A.M. on the Monday preceding publication or in the event of a holiday on the preceding work day.

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ESTATE AND TRUST 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. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

DeWalt, Dorothy R. a/k/a Dorothy Ruth

DeWalt

Late of Columbia Township (died April 20, 2019)

Co-Executors: David A. DeWalt, 2616 Antietam Avenue, Reading, PA 19606 and Kurt B. DeWalt, 233 Pioneer Road, Millerton, PA 16936

Attorneys: Wm. Alan Shaw, Esquire, Landy & Rossettie, Attorneys at Law, 228 Desmond Street, P.O. Box 206, Sayre, PA 18840

Patton, Mary Louise

Late of West Burlington Township (died June 27, 2019)

Administrator: James C. Patton, 4942 Fairview Rd., Towanda, PA 18848

Attorneys: Duvall, Reuter & Pruyne, 14 Park Street, Towanda, PA 18848

Suydam, Madelyn A.

Late of Wyalusing Borough (died June 30, 2019)

Executor: Leroy C. Suydam, 871 NE 151st Terrace, Williston, FL 32696

Attorneys: Duvall, Reuter & Pruyne, 14 Park Street, Towanda, PA 18848

SECOND PUBLICATION

Arey, Miriam D. a/k/a Miriam A. Arey

Late of Herrick Township (died May 1, 2019)

Executrix: Donna A. Ace, 5054 E. Lake Road, Romulus, NY 14541

Attorney: Leslie Wizelman, Esquire, 243 Second St., P.O. Box 114, Wyalusing, PA 18853, (570) 746-3844

THIRD PUBLICATION

Allard, Carol L. a/k/a Carol L. Chamberlain Allard

Late of 346 West Lockhart Street, Sayre (died June 23, 2019)

Executrix: Laura L. Teeter, 2604 Anthony Drive, Pottstown, PA 19464

Attorney: Taunya Knolles Rosenbloom, Esquire, 332 South Main Street, P.O. Box 309, Athens, PA 18810

Buchta, Janet a/k/a Janet Grace Buchta

Late of Bradford County (died June 3, 2019)

Co-Executors: Andrew Buchta and Thomas Buchta c/o Niemiec, Smith & Pelling, Attorneys-at-law, 427 Main Street, Towanda, PA 18848

Attorneys: Niemiec, Smith & Pelling, Attorneys-at-law, 427 Main Street, Towanda, PA 18848

Bump, Fred W.

Late of Towanda Borough (died June 5, 2019)

Executrix: Annette L. Bender, 24714 Route 187, Wysox, PA 18854

Attorneys: Law Office of Robert W. Chappell, 926 Main Street, P.O. Box 156, Rome, PA 18837, (570) 247-2382

Gallup, Rudolph M.

Late of Ulster (died April 18, 2019)

Co-Executors: Kenneth C. Gallup and Donna L. Lynch, 10806 Tuttle Drive, Corning, NY 14830

Horton, Erma L.

Late of Bradford County

Executor: Dean Horton c/o Christopher D. Jones, Esquire, Griffin, Dawsey, DePaola & Jones, P.C., 101 Main Street, Towanda, PA 18848

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Attorneys: Christopher D. Jones, Esquire, Griffin, Dawsey, DePaola & Jones, P.C., 101 Main Street, Towanda, PA 18848

Kelly, John A. a/k/a John Anthony Kelly

Late of Athens Township (died April 2, 2019)

Executrix: Mary Ann Kelly, 323 Green Mountain Drive, Athens, PA 18810

Attorneys: R. Joseph Landy, Esquire, Landy & Rossettie, PLLC, 228 Desmond Street, P.O. Box 206, Sayre, PA 18840-0206

Lundy, Ella Mae

Late of North Towanda Township (died June 4, 2019)

Executor: Gerald Taylor, 79 Wyndecote Road, Wyalusing, PA 18853

Attorneys: David J. Brann, Esquire, Brann, Williams, Caldwell, Sheetz & Blaney, 1090 West Main Street, Troy, PA 16947

Wright, Lois A. a/k/a Lois Wright

Late of Athens Township (died April 5, 2019)

Executor: Thomas Wright, 414 Myers Road, Sayre, PA 18840

Attorneys: R. Joseph Landy, Esquire, Landy & Rossettie, PLLC, 228 Desmond Street, P.O. Box 206, Sayre, PA 18840-0206

MISCELLANEOUS LEGAL NOTICE

IN THE COURT OF COMMON PLEAS OF BRADFORD COUNTY, PENNSYLVANIA

42ND JUDICIAL DISTRICT

NO. 2019QT0003

ACTION TO QUIET TITLE

GERALD D. PETERSON

Plaintiff

vs.

THE KNOWN AND UNKNOWN HEIRS AND ASSIGNS OF D.L.F. CLARKE AND MARY ADELLE CLARKE, HIS WIFE, AND THE KNOWN AND UNKNOWN HEIRS AND ASSIGNS OF J.S. HOLBERT a/k/a J. SAYRE HOLBERT a/k/a J. SAYER HOLBERT AND THE KNOWN AND UNKNOWN HEIRS AND ASSIGNS OF WILLIAM E. GREENE a/k/a WILLIAM E. GREEN AND JENNIE H. GREENE a/k/a JENNIE H. GREEN, HIS WIFE, AND THE KNOWN AND UNKNOWN HEIRS AND ASSIGNS OF FRANK C. RIFENBURY

Defendants

NOTICE

TO: THE KNOWN AND UNKNOWN HEIRS AND ASSIGNS OF D.L.F. CLARKE AND MARY ADELLE CLARKE, HIS WIFE, AND THE KNOWN AND UNKNOWN HEIRS AND ASSIGNS OF J.S. HOLBERT a/k/a J. SAYRE HOLBERT a/k/a J. SAYER HOLBERT AND THE KNOWN AND UNKNOWN HEIRS AND ASSIGNS OF WILLIAM E. GREENE a/k/a WILLIAM E. GREEN AND JENNIE H. GREENE a/k/a JENNIE H. GREEN, HIS WIFE, AND THE KNOWN AND UNKNOWN HEIRS AND ASSIGNS OF FRANK C. RIFENBURY, THEIR HEIRS, ADMINISTRATORS, SUCCESSORS, DEVISEES AND ASSIGNS OR ANYONE CLAIMING BY, THROUGH OR UNDER THEM

YOU ARE HEREBY NOTIFIED that the Plaintiff has commenced an action against you which you are required to defend. You are required to plead to the complaint after the appearance of this notice.

If you fail to answer the complaint within 20 days, a preliminary judgment may

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be entered against you, with the said judgment becoming final 30 days thereafter.

This action concerns the land described as follows:

All that certain lot, piece or parcel of land situated, lying and being in the Borough of South Waverly, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows:

Being Lot Number 267 and Lot Number 268 as shown on Survey 476A of George K. Jones, dated 13 October 1956 and being located at the intersection of Pitney Street and East Third Street, Sayre, Pennsylvania.

ALSO described as BLOCK 20 Lots 267 and 268 on the Map of South Waverly Extension, Bradford County Pennsylvania, D.L.F. Clarke's Land, said map by Z.F. Walker and bearing date of February 10, 1873 and recorded February 13, 1911.

If you wish to defend, you must enter a written appearance personally or by an attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so this 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, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Court Administrator
Bradford County Courthouse
301 Main Street
Towanda, PA 18848
(570) 265-1705

JOHN E. THOMPSON, ESQUIRE
Attorney for Plaintiff

July 16

CHANGE OF NAME NOTICE

IN THE COURT OF
COMMON PLEAS OF BRADFORD
COUNTY, PENNSYLVANIA

DOCKET NO. 2019IR0033

IN THE MATTER OF PETITION
FOR CHANGE OF NAME
OF M.F., a minor child

You, ROBERT FENTON, are hereby notified that a Petition for Change of Name of Minor Child has been filed in the Bradford County Court of Common Pleas by Laurie Ann Newton, seeking to change the name of the child from Melissa Renee Fenton to Melissa Renee Newton. A hearing has been scheduled for August 28, 2019 at 10:30 A.M. in Courtroom #1 of the Bradford County Courthouse, Towanda, PA.

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

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

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

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PROTHONOTARY
Bradford County Courthouse
301 Main Street
Towanda, PA 18848
(570) 265-1705

July 16

**MISCELLANEOUS LEGAL
NOTICE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Township of Asylum shall hold a public meeting on July 30, 2019 at 7:00 P.M. for the purpose of conducting a public hearing and to consider adoption of an ordinance to vacate Chute Road a/k/a Shute Road a/k/a Dugg Road)(Township Road No. 448) and for any other such action as may come before the Board of Supervisors. Said meeting shall be held at the Asylum Township Building, 19981 Rt. 187, Towanda, PA. All persons with disabilities wishing to attend the public meeting and needing reasonable accommodations should contact the Township Secretary at (570) 265-4339 no later than 72 hours prior to the scheduled meeting. Asylum Township will make every reasonable effort to provide accommodation. A summary of the ordinance is set forth below. The full text of the ordinance is available for public inspection at the Township Office and at the offices of this newspaper during normal business hours.

SOLICITOR’S SUMMARY

AN ORDINANCE OF THE TOWNSHIP OF ASYLUM, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA TO VACATE CHUTE ROAD a/k/a SHUTE ROAD a/k/a DUGG ROAD (T-448); CONTAINING REPEALER PROVISIONS, AND A SAVINGS CLAUSE; AND SETTING THE EFFECTIVE DATE FOR SAID ORDINANCE.

Preamble
Section 1—vacates Township Road No. 448 in its entirety
Section 2 contains repealer provisions
Section 3 contains a savings clause
Section 4 provides the effective date of the ordinance
PATRICK J. BARRETT, III, ESQUIRE
Asylum Township Solicitor
P.O. Box 157
Canton, PA 17724
(570) 673-5180

July 16

**TERMINATION OF
PARENTAL RIGHTS**

TO: EMILY PAULINE BENJAMIN

Petitions have been filed asking the Court to put an end to all rights you have to your minor children, J.P.L. born on January 17, 2012 and K.K.-R.L. born on November 30, 2006. The Court has set a hearing to consider ending your parental rights to your children, J.P.L. and K.K.-R.L. on September 18, 2019 at 9:00 a.m. in Courtroom No. 2, Bradford County Courthouse, 301 Main Street, Towanda, Pennsylvania 18848.

You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your children may be ended by the Court without you being present. You have a right to be represented at the hearing by a lawyer.

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.

Prothonotary’s Office
Bradford County Courthouse
301 Main Street
Towanda, PA 18848
(570) 265-1705

July 9, 16, 23

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SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, July 31, 2019 at 10:00 o'clock in the forenoon the following described property to wit:

LEGAL DESCRIPTION

Parcel No. 42-055.00-050-001-000

ALL those certain lots or pieces of ground situate in Springfield Township, Bradford County, Pennsylvania, and bounded and described as follows:

PARCEL NO. 1: Beginning at a point in line of lands now or formerly of Eleanor E. Alloy at the southwesternmost corner thereof on the centerline of Legislative Route 08054, said lands of Eleanor E. Alloy being described in a deed found in Bradford County Record Book 647 at Page 547; thence in a westerly direction along the centerline of the aforesaid Legislative Route 08054 a distance of 167 feet to a point for a corner; thence in a northerly direction through the lands now or formerly of Ossie G. and Margaret E. Whittemore 186 feet to a point for a corner; thence in a southeasterly direction 160 feet to a point for a corner; thence in a southerly direction along lands now or formerly of Eleanor E. Alloy 111 feet to the place and point of beginning.

Excepting and reserving herefrom an easement for a leach field more particularly described in deed from Charles G. Rathbun to Eleanor E. Alloy found in Bradford County Record Book 647 at Page 547 with the following description: All that certain easement situate, lying and being in the Township of Springfield, County of Bradford, Commonwealth of Pennsylvania, bounded and described as follows: Being an easement and right of use in and to a parcel

of land approximately 15 feet by 15 feet square located immediately West of and adjacent to the lands herein contained, said easement to allow the grantees, their heirs, successors and assigns, to leach the septic system located on the herein conveyed lands and to allow the leach field to enter upon the above described lands and further, to allow the grantees, their heirs, successors and assigns to enter upon the land for the purpose of maintaining and repairing said leach field.

It is understood that the grantees herein, on behalf of themselves, their heirs, successors and assigns, shall maintain the leach bed in a good and proper fashion, keeping the ground in the area of the leach field dry and in such condition as it will not interfere with the farming operation of Ossie G. Whittemore, et ux, their heirs, successors and assigns.

Being the same easement conveyed by Ossie G. Whittemore and Margaret E. Whittemore, his wife, to Charles G. Rathbun by deed dated May 12, 1977 and recorded May 13, 1977 in Record Book 647 at Page 545.

PARCEL NO. 2: Beginning at a point of the intersection of the centerline of a macadam road leading from Columbia Cross Roads to Springfield with the south line of an abandoned road at a corner of lands now or formerly of Frank Murray and lands now or formerly of Ossie G. Whittemore, and running thence in a southwesterly direction along the center of the aforementioned macadam road 100 feet to a point; thence in a northwesterly direction along a new line now made through lands now or formerly of Ossie G. Whittemore 109 feet to a point where a wire fence intersects the aforesaid abandoned road; thence in an easterly direction along lands now or formerly of Frank Murray and said abandoned road; thence in an easterly direction along lands now or formerly of Frank Murray and said aban-

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doned road to the place and point of beginning. CONTAINING 0.126 acres, more or less, being a triangular lot that is bounded on the north by lands now or formerly of Frank Murray and an abandoned road, on the south by the macadam road leading from Columbia Cross Roads to Springfield, and on the west by lands now or formerly of Ossie G. Whittemore.

Also, granting and conveying, all that certain easements situate, lying and being in the Township of Springfield, County of Bradford, Commonwealth of Pennsylvania, bounded and described as follows: Being an easement and right of use in and to a parcel of land approximately 15 feet by 15 feet square located immediately West of and adjacent to the lands herein contained, said easement to allow the grantees, their heirs, successors and assigns, to leach the septic system located on the herein conveyed lands and to allow the leach field to enter upon the above described lands and further, to allow the grantees, their heirs, successors and assigns to enter upon the land for the purpose of maintaining and repairing said leach field.

It is understood that the grantees herein, on behalf of themselves, their heirs, successors and assigns, shall maintain the leach bed in a good and proper fashion, keeping the ground in the area of the leach field dry and in such condition as it will not interfere with the farming operation of Ossie G. Whittemore, et ux, their heirs, successors and assigns.

Being the same easement conveyed by Ossie G. Whittemore and Margaret E. Whittemore, his wife, to Charles G. Rathbun by deed dated May 12, 1977 and recorded May 13, 1977 in Record Book 647 at Page 545.

BEING the same lands conveyed by Steven A. Evans, Sheriff of Bradford County, to Beneficial Consumer Discount

Company d/b/a Beneficial Mortgage Company of Pennsylvania by deed dated May 6, 2005 and recorded May 6, 2005 to Bradford County Instrument Number 200504432. Also, being the same lands to be conveyed by Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania to Bradley T. Smith by deed to be recorded immediately prior hereto.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of C & N BANK vs. BRADLEY SMITH.

Clinton J. Walters, Sheriff
Bradford County Sheriff's Office
Towanda, PA
July 10, 2019

July 9, 16, 23

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, July 31, 2019 at 10:00 o'clock in the forenoon the following described property to wit:

LEGAL DESCRIPTION

ALL THAT CERTAIN lot or piece of ground situate in Towanda Borough, County of Bradford, Commonwealth of Pennsylvania.

BEGINNING on the east Second Street; on the south by lot lately owned by Mrs. Elizabeth Mackinson, now or formerly Frank A. Frank A. Bartlett; on the west by

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an alley; on the north by lands owned by the late Hon. Paul D. Morrow, now or formerly A. B. McCraney. Said lot being 60 feet from on Second Street and 60 feet in width in rear on alley, and running back in length one-half way from Second Street to Third Street.

TITLE TO SAID PREMISES IS VESTED IN Matthew Nemeth, single, by Deed from Jack Coates and Melinda Coates, h/w, Dated 12/09/2011, Recorded 12/20/2011, Instrument No. 201130241.

Tax Parcel: 47-86.06-027-000-000.

Premises Being: 514 SECOND STREET, a/k/a 514 2ND STREET, TOWANDA, PA 18848-1516.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of M & T BANK vs. MATTHEW NEMETH.

Clinton J. Walters, Sheriff
Bradford County Sheriff's Office
Towanda, PA
July 10, 2019

July 9, 16, 23

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, July 31, 2019 at 10:00 o'clock in the forenoon the following described property to wit:

All that certain lot, piece or parcel of land situate, lying and being in the Township of Standing Stone, County of Bradford and

Commonwealth of Pennsylvania, bounded and described as follows:

Bounded by the lands of L.V.R.R. Co. on the South 65° 30' East to the center of an open ditch; thence by same open ditch, 3.4 rods to center of public highway; thence along said highway North 60° West to a covered ditch across the highway; thence by said ditch to place of beginning.

Containing about 1 acre of land with house and outbuildings thereon.

Excepting therefrom a parcel of land conveyed by Benjamin O. West, et ux, to Donald J. West et ux, by deed dated April 7, 1965 and recorded April 22, 1965 in Bradford County Deed Book 572 at page 329.

Being the same premises conveyed to Jason S. Victory and Kristine L. Victory, husband and wife, by deed of Charles O. Dull and Gail L. Dull, husband and wife, dated April 4, 2002 and recorded April 5, 2002 as Bradford County Instrument Number 200204374.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of C & N BANK vs. TERRY CATON.

Clinton J. Walters, Sheriff
Bradford County Sheriff's Office
Towanda, PA
July 10, 2019

July 9, 16, 23

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, July 31, 2019 at 10:00 o'clock

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in the forenoon the following described property to wit:

LEGAL DESCRIPTION

ALL THAT CERTAIN lot or piece of ground situate in Rome Township, County of Bradford, Commonwealth of Pennsylvania.

BEGINNING in the center of public highway or road leading by lands formerly owned by John S. Frink, near the end of a stump fence; thence along said stump fence, North 86 1/2° East 56.6 perches to the east line of said lot; thence along the line of the same, South 5° West 98 perches to a corner of C. Dougherty, now or formerly; thence by the line of the same, North 85° West 27 perches to a stake and stones; thence North 5° East 25 perches to the center of Johnson Creek; thence down the center of same, 28 perches to the east line of the E.F. Barnes, now or formerly; thence along the east line of the same and the center of the public road, North 74 1/2° East 70 perches to the place of beginning.

EXCEPTING a conveyance from Edna M. Novinger to William C. Novinger et ux,

dated July 15, 1976 and recorded July 16, 1976, in Bradford County Deed Book 641 at Page 1053.

TITLE TO SAID PREMISES IS VESTED IN ZACHARY C. SCHULZ, by Deed from ZACHARY C. SCHULZ AND FOLLON M. SCHUZ, Dated 04/01/2016, Recorded 07/20/2016, Instrument No. 201610190.

Tax Parcel: 32-062.00-052-000.

Premises Being: 704 ROUTE 467, ROME, PA 18837-7944.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of MID ISLAND MORTGAGE CORPORATION vs. ZACHARY SCHULZ & FALLON SCHULZ.

Clinton J. Walters, Sheriff
Bradford County Sheriff's Office
Towanda, PA
July 10, 2019

July 9, 16, 23