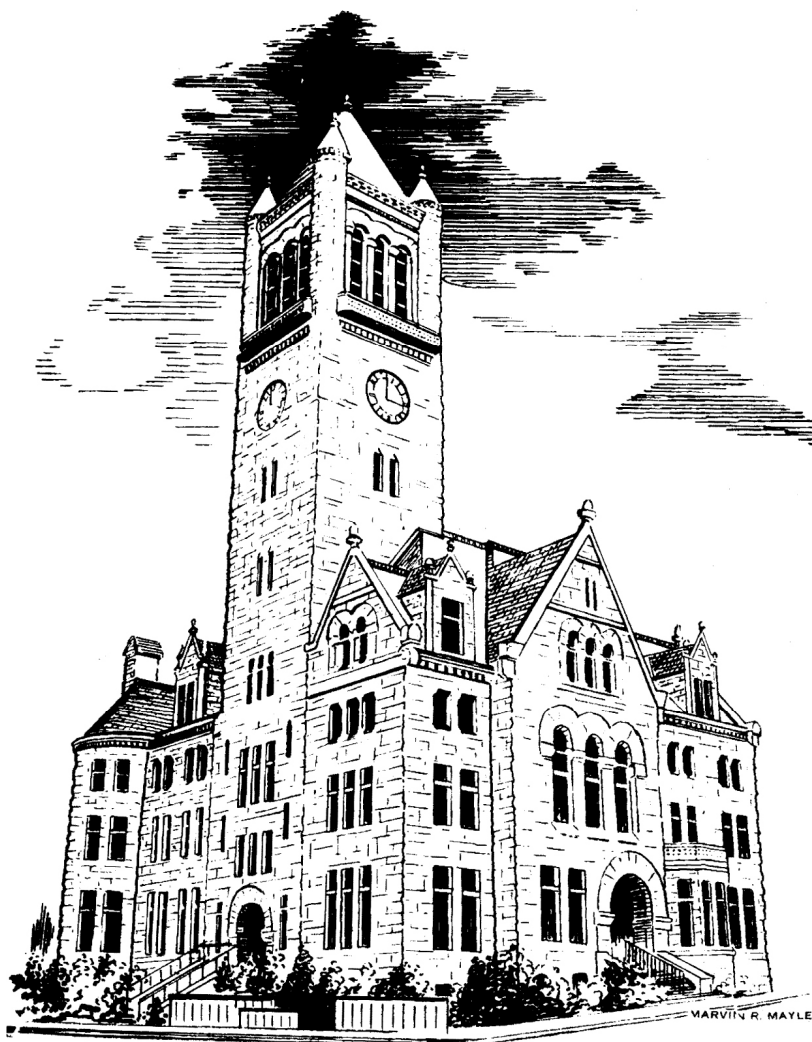


FAYETTE LEGAL JOURNAL

VOL. 89

JULY 18, 2026

NO. 29



FAYETTE LEGAL JOURNAL

The FAYETTE LEGAL JOURNAL is published weekly by the Fayette County Bar Association, 45 East Main Street, Suite 100, Uniontown, Pennsylvania 15401, 724-437-7994. Legal advertisements should be submitted online at www.fcbar.org no later than 12:00 noon on Friday for publication the following Saturday. No date of publication is promised, however. Legal notices are published exactly as submitted by the advertiser. Copyright 2001 Fayette County Bar Association. All rights reserved.

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ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

LOUIS T. CANTALAMESSA, a/k/a LOUIS TITO CANTALAMESSA, late of Uniontown, Fayette County, PA (3)

Executrix: Pamela J. Cantalamessa
c/o Davis & Davis Attorneys at Law
107 East Main Street
Uniontown, PA 15401
Attorney: Samuel J. Davis

GERALD GLENN DALE SR., late of Perryopolis Borough, Fayette County, PA (3)
Administrator: Gerald Glenn Dale, Jr.
101 Morgan Street
PO Box 277
Newell, PA 15466

HOWARD FRANCIS JOHNSTON, a/k/a HOWARD F. JOHNSTON, late of Jefferson Township, Fayette County, PA (3)
Executrix: Karen T. Johnston
c/o Bassi Vreeland & Associates, P.C.
PO Box 144
111 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Bradley M. Bassi

MARY E. SHURM, late of North Union Township, Fayette County, PA (3)
Administrator: Walter B. Shurm III
45 Adele Street
Uniontown, PA 15401

SARAH ETTA WORK, a/k/a SARA E. WORK, late of Springfield Township, Fayette County, PA (3)

Personal Representative: Randall E. Work
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Shane M. Gannon

DAVID ZEPPPO, late of Uniontown, Fayette County, PA (3)

Executrix: Tina W. Wargo
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401

Second Publication

MARKELL DESHAWN McKOY, late of Uniontown, Fayette County, PA (2)

Administratrix: ShawnTay Snyder
c/o DelVecchio & Miller, LLC
428 Boulevard of the Allies, Suite 300
Pittsburgh, PA 15219
Attorney: Christopher Miller

WAUNITA MILLER, a/k/a LOUISE MILLER, late of Redstone Township, Fayette County, PA (2)

Personal Representative:
Ryan Douglas Noakes
c/o Mitchell Law Office
P.O. Box 310
902 First Street
Hiller, PA 15444
Attorney: Herbert G. Mitchell, Jr.

JUANITA C. MORRISON, late of Bulls Skin Township, Fayette County, PA (2)

Personal Representative: Jean Stansak
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

JUSTINE MARIE STACOVIAK, a/k/a JUSTINE M. STACOVIAK, late of German Township, Fayette County, PA (2)

Executrix: Stacie L. Rude
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401

First Publication

AMANDA LYNN COLLINS, a/k/a
AMANDA L. COLLINS, late of South Union
Township, Fayette County, PA (1)
Personal Representative: Linda Gail Collins
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

SONDRA LEE GRIMM, late of Bullskin
Township, Fayette County, PA (1)
Personal Representative: Kevin D. Grimm
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

EARLA JANE KNOYER, a/k/a EARLA J.
KNOYER, a/k/a EARLA KNOYER, late of
South Union Township, Fayette County, PA (1)
Executor: Edward P. Knoyer
c/o Davis & Davis Attorneys at Law
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

PATRICK O'REILLY, a/k/a PATRICK
MICHAEL O'REILLY, late of Uniontown,
Fayette County, PA (1)
Administrator: Terrence O'Reilly
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

JACK EDWARD SNYDER, JR., a/k/a JACK
E. SNYDER, late of Bullskin Township,
Fayette County, PA (1)
Personal Representative: Joanne E. Snyder
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Shane M. Gannon

ANN MARIE WILSON, a/k/a ANNA M.
WILSON, late of Brownsville, Fayette County,
PA (1)
Executrix: Rose M. Livingston
c/o 401 Sixth Street at Washington Avenue
Post Office Box 1
Charleroi, PA 15022
Attorney: Alan Benyak

LEGAL NOTICES

Fictitious Name Registration

Notice is hereby given that a Registration
of Fictitious Name was filed in the Department
of State of the Commonwealth of Pennsylvania
on July 9, 2026, for Enzinos Pizzeria, LLC with
a principal place of business located at 20 S.
Morgantown Street, Suite A, Fairchance, PA
15436 in Fayette County. The individual
interested in this business is Alan Jarred
Cappellini, of 205 Sutton Hoad, Smithfield, Pa
15478. This is filed in compliance with 54
Pa.C.S. 311.(g).

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
No.1439 of 2026

IN RE: CHANGE OF NAME OF
HELENA LEE HARRIS to
LEON ORION HARRIS

PETITION FOR NAME CHANGE

NOTICE is hereby given that a hearing on
the above Petition for Change of Name will be
held on July 29, 2026, at 11:30 a .m. before the
Honorable Linda Cordaro, in Courtroom No.2 at
the Fayette County Courthouse, Uniontown,
Pennsylvania, for the following name change:
HELENA LEE HARRIS to LEON ORION
HARRIS.

ALL interested parties may appear and
show cause if any they have, why the prayer of
said Petition should not be granted.

KIM KOVACH-BORK, ESQUIRE
KOVACH BORK PLLC
9 COURT STREET
UNIONTOWN, PA 15401

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
NO. 24 ADOPT 2026 NOTICE

IN RE: ADOPTION OF
ADDISON BURNSWORTH

TO: Jonathan Core

A petition has been filed asking the Court to put an end to all rights you have to your child, Addison Burnsworth. The court has set a hearing to consider ending your rights to your child. That hearing will be held in Courtroom No. 2 of the Fayette County Courthouse, Uniontown, Fayette County, Pennsylvania, on Tuesday, July 28, 2026, at 1:30 P.M. 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 child may be ended by the court without your being there.

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. 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.

PENNSYLVANIA LAWYER
REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
PO BOX 186
HARRISBURG, PA 17108
(800) 692-7375

SHERIFF'S SALE

Date of Sale: September 17, 2026

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday September 17, 2026, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauuction on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Realauuction via wire transfer or ACH per Realauuction requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder.

(2 of 3)

James Custer
Sheriff of Fayette County

ROBERTSON, ANSCHUTZ, SCHNEID,
CRANE & PARTNERS, PLLC
A Florida professional limited liability company
133 GAITHER DRIVE, SUITE F
MT. LAUREL, NJ 08054
855-225-6906

No. 1922 of 2025 G.D.
No. 146 of 2026 E.D.

PNC BANK, NATIONAL ASSOCIATION,
Plaintiff
v.
VALERIE W. ANNIS,
Defendant

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE IN THE
DAWSON BOROUGH, FAYETTE COUNTY,
PENNSYLVANIA:
BEING KNOWN AS: 102 GRISCOM ST,
DAWSON, PA 15428
BEING PARCEL NUMBER: 07-03-0049
IMPROVEMENTS: RESIDENTIAL
PROPERTY

No. 201 of 2026 G.D.
No. 123 of 2026 E.D.

PNC Bank, National Association
PLAINTIFF
VS.
Steve Boiaroff, Jr. a/k/a Steven Boiaroff Jr.
DEFENDANT

ALL the following pieces or parcels of land
situate in Wharton Township, Fayette County,
Pennsylvania,
COMMONLY KNOWN AS: 903 Wharton
Furnace Road a/k/a 893 Wharton Furnace Road,
Farmington, PA 15437
TAX PARCEL NO. 42-20-0003

No. 2562 of 2024 DSB
No. 151 of 2026 E.D.

**BRANCH BANKING AND TRUST
COMPANY, by EDGEFIELD HOLDINGS,
LLC, Assignee,**
Plaintiff,
v.
SPENCER TODD CHRISTOPHER,
Defendant.

ALL that certain lot situate in the
Township of North Union, County of Fayette,
and Commonwealth of Pennsylvania,
BEING known and designated as Tax ID
No. 25-06-0171,
BEING the same premises conveyed to
Timothy A. Demott and Darla M. Demott, his
wife, by deed of Alfred E. Kraft and Mary E.
Kraft, his wife, dated August 21, 2009, recorded
in Fayette County Record Book 3102, Page
1660, and thereafter conveyed to Spencer T.
Christopher by deed of Alfred E. Kraft and Mary
E. Kraft, his wife, dated April 15, 2013.

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. of 2026 G.D.
No. of 2026 E.D.

LAKEVIEW LOAN SERVICING, LLC
4425 Ponce De Leon Blvd
Mail Stop Ms5/2SI
Coral Gables, FL 33146
Plaintiff
vs.
CLIFFORD FISHER AKA CLIFFORD E.
FISHER
TIFFANY FISHER AKA TIFFANY L.
FISHER
Mortgagor(s) and Record Owner(s)
212 214 North Jefferson Street
Connellsville, PA 15425
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN CITY OF CONNELLSVILLE,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.
BEING KNOWN AS: 212 214 NORTH
JEFFERSON STREET, CONNELLSVILLE,
PA 15425
TAX PARCEL #05-09-0097
IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
CLIFFORD FISHER AKA CLIFFORD E.
FISHER AND TIFFANY FISHER AKA
TIFFANY L. FISHER

1325 Franklin Avenue, Suite
160 Garden City, NY 11530
(212) 471-5100

No. 108 of 2026 G.D.
No. 2500 of 2024 E.D.

**U.S. Bank Trust, National Association as
Trustee for LB-Dwelling Series VI Trust**

v.

Thomas E. Fisher; Linda Fisher

By virtue of Writ of Execution No. 108 of
2026 ED, U.S. Bank Trust, National Association
as Trustee for LB-Dwelling Series VI Trust v.
Thomas E. Fisher; Linda Fisher

Docket Number: 2024-02500

Property to be sold is situated in the
Township of Stewart, County of Fayette and
Commonwealth of Pennsylvania.

Commonly known as: 1178 Kentuck Road,
Ohiopyle, PA 15470 Parcel Number: 37-10-
000202

Judgment Amount: \$94,587.41
Residential Dwelling

STERN & EISENBERG, PC-
STEVEN P. KELLY, ESQ.

No. 2877 of 2025 G.D.
No. 105 of 2026 E.D.

**Rocket Mortgage, LLC f/k/a Quicken Loans,
LLC f/k/a Quicken Loans Inc.**

Plaintiff

v.

**Cherie Fort, solely in her capacity as heir of
Harry C. Echard, deceased**
Defendant(s)

SITUATE IN CONNELLSVILLE,
FAYETTE COUNTY, PENNSYLVANIA,
TOWNSHIP OF BULLSKIN BEING KNOWN
AS 156 RICH HILL RD, CONNELLSVILLE,
PA 15425-6310

PARCEL NO. 04360079

IMPROVEMENTS - RESIDENTIAL
REAL ESTATE

SOLD AS THE PROPERTY OF-Audrey
R. Echard, Harry C. Echard

No. 1324 of 2026 G.D.
No. 115 of 2026 E.D.

**Frick Financial Federal Credit Union
Plaintiff,**

vs.

**Zachary E. Pringle
Defendant.**

ALL that certain parcel of land lying and
being situate in the Township of Georges,
County of Fayette, and Commonwealth of
Pennsylvania, known as 113 Shoaf Road,
Smithfield, PA 15478 having erected thereon a
dwelling house.

Being known and designated as Tax ID
No.: 14-12-0046

BEING the same premises which Antonio
Marco Pantalo and Tiffany Pantalo, husband and
wife, by Deed dated April 13, 2018 and recorded
in and for Fayette County, Pennsylvania in Deed
Book 3369, Page 53, granted and conveyed unto
Zachary E. Pringle, single.

1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 380 of 2026 G.D.
No. 112 of 2026 E.D.

**US Bank National Association as Legal Title
Trustee for Truman 2016 SC6 Title Trust**

v.

Clinton L. Riggen III

By virtue of Writ of Execution No. 112 of
2026, E.D., US Bank National Association as
Legal Title Trustee for Truman 2016 SC6 Title
Trust v. Clinton L. Riggen III

Docket Number: 380 of 2026 GD

Property to be sold is situated in the
Township of North Union, County of Fayette
and Commonwealth of Pennsylvania.

Commonly known as: 95 Chaffee Street,
Uniontown, PA 15401

Parcel Number: 25-47-0179

Improvements thereon of the residential
dwelling or lot (if applicable): Residential
Dwelling

Judgment Amount: \$145,417.29

No. 847 of 2026 DSB
No. 114 of 2026 E.D.

**UNITED BANK, a Virginia banking
corporation**

Petitioner,
v.

**ROADSIDE PROPERTIES, LLC, a
Pennsylvania limited liability company,**
Respondent.

2005 Dinner Bell / Five Forks Road,
Farmington, PA 15437-1058, Commercial Bar/
Lounge, Residential 1 Family, Wharton
Township, Fayette County, Pennsylvania

ALL that certain piece, parcel or tract of
land situate in the Wharton Township, Fayette
County, Pennsylvania, and containing an area of
0.755 of an acre, as per survey of Walter R.
Hager, dated February 20, 1975, which survey is
attached to deed recorded in the Recorder's
Office of Fayette County, Pennsylvania, in Deed
Book 1191, Page 903.

DEED DATE: July 29, 2008

RECORDED in Record Book 3068, at
Page 1044

TAX IDENTIFICATION: 42-22-0062

BEING 2005 Dinner Bell / Five Forks
Road Farmington, PA 15437

McCABE, WEISBERG & CONWAY, LLC
1420 Walnut Street, Suite 1105
Philadelphia, PA 19102
(215) 790-1010

No. 2947 of 2025 G.D.
No. 124 of 2026 E.D.

PennyMac Loan Services, LLC
Plaintiff

v.

Elaine M. Shelton a/k/a Elaine Shelton
Defendant

First:

All that certain Lot of ground situated in
the City of Connellsville, Fayette County,
Pennsylvania, known as Lot Number Sixty-
Seven (67) on a plan of lots laid out by George
May, September 5th, 1882, bounded and
described as follows, to-wit:

Bounded on the South by Washington
Avenue, on the East by Sycamore Street, on the
North by Wood Alley, and on the West by Lot
Number Sixty-Three (63), fronting forty-one and
two-thirds (41 2/3) feet on said Washington
Avenue, and running back One Hundred and
Twenty (120) feet to said Alley. Containing Five
Thousand (5,000) square feet of land.

Second:

A certain piece of ground situate in the
City of Connellsville, Fayette County,
Pennsylvania, being part of Lot No. 63 on a plan
of lots laid out by George May, September 5,
1882, bounded and described as follows, to wit:

Beginning at a point on the North side of
Washington Avenue, corner of Lot No.67 in said
plan of Lots; thence in a Northerly direction
along said Lot No.67 (hereinafter described as
item "first") One Hundred and Twenty (120) feet
to Wood Alley; thence in a Westerly direction
along said alley Fifteen (15) feet, more or less;
thence in a Southerly direction, through said Lot
No. 63, and along the fence erected thereon, and
to the West of an Apple Tree, One Hundred and
Twenty (120) feet to said Washington Avenue;
thence along said Washington Avenue in an
Easterly direction Fifteen (15) feet, more or less,
to the place of beginning.

All that certain piece or parcel or Tract of
land situate Fayette County, Pennsylvania, and
being known as 312-312 J/2 East Washington
Avenue, Connellsville, PA 15425.

Title vesting in Elaine M. Shelton a/k/a
Elaine Shelton by deed from John W. Rugg and
Connie Rugg dated August 6, 2015 and recorded
August 28, 2015 in Deed Book 3286, Page 1259.

Tax Parcel Number: 05120005

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 193 of 2019 G.D.
No. 144 of 2026 E.D.

NATIONSTAR MORTGAGE LLC D/B/A
MR. COOPER AS SUCCESSOR BY
MERGER TO PACIFIC UNION
FINANCIAL, LLC
800 State Highway 121 B4P
Lewisville, TX 75067

Plaintiff

vs.

JASON STARK
Mortgagor(s) and Record Owner(s)
596 Liberty Street
Perryopolis, PA 15473
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN BOROUGH OF PERRYOPOLIS,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 596 LIBERTY

STREET, PERRYOPOLIS, PA 15473
 TAX PARCEL #28-03-0016
 IMPROVEMENTS: A RESIDENTIAL
 DWELLING
 SOLD AS THE PROPERTY OF: JASON
 STARK

Padgett Law Group
 ALYK L. OFLAZIAN, ESQUIRE (312912)
 1055 E. Baltimore Pike, Suite 201
 Media, PA 19063
 (850) 422-2520

No. 125 of 2026 G.D.
 No. 2986 of 2025 E.D.

SELENE FINANCE, LP
v.
DAVID JAMES STULL

By virtue of Writ of Execution No. 2025-
 02986, SELENE FINANCE, LP v. DAVID
 JAMES STULL

Property Address: 16 1st Street, Star
 Junction, PA 15482 Township of Perry, County
 of Fayette, Commonwealth of Pennsylvania
 Tax Parcel Number: 27-15-0043
 Improvements thereon: Single family
 residential dwelling
 Judgment Amount: \$131,562.04

No. 1725 of 2026 G.D.
 No. 103 of 2026 E.D.

AMOS FINANCIAL LLC
Plaintiff,
vs.
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS,
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE, OR INTEREST FROM OR UNDER
THOMAS R. CARAFA SR., DECEASED
Defendant(s).

ALL THOSE THREE (3) CERTAIN
 LOTS OF LAND SITUATE IN THE
 BOROUGH OF MASONTOWN, FORMERLY
 GERMAN TOWNSHIP, FAYETTE COUNTY,
 PENNSYLVANIA KNOWN AND
 DESIGNATED AS LOTS NO. 7, 8, AND 9 IN
 BLOCK 37 IN THE REVISED PLAN OF
 LOTS OF THE MASONTOWN LAND
 IMPROVEMENT COMPANY, WHICH SAID
 PLAN IS RECORDED IN THE RECORDER'S
 OFFICE OF FAYETTE COUNTY,
 PENNSYLVANIA IN PLAN BOOK VOLUME
 9, PAGE 10.

IMPROVEMENT THEREON: A frame
 residential dwelling being known and numbered
 314 Cottage Avenue, Masontown, PA 15461
 TAX PARCEL NUMBER: 21-06-0040.

Property seized and taken in Execution as
 the property of UNKNOWN HEIRS,
 SUCCESSORS, ASSIGNS, AND ALL
 PERSONS, FIRMS, OR ASSOCIATIONS
 CLAIMING RIGHT, TITLE, OR INTEREST
 FROM OR UNDER THOMAS R. CARAFA
 SR., DECEASED.

No. 2430 of 2025 G.D.
 No. 122 of 2026 E.D.

PNC Bank, National Association
PLAINTIFF
VS.
Dustin VanDivner
DEFENDANT

All that certain lot or piece of ground
 situate in the Township of Perry, Fayette
 County, Pennsylvania, known as Lot No. 25 in
 the Weiss Plan of Lots, recorded in the Office of
 the Recorder of Fayette County in Plan Book
 Volume 8, Page 52.

COMMONLY KNOWN AS: 122 First
 Street, Perryopolis, PA 15473
 TAX PARCEL NO. 27-07-0009

No. 601 of 2026 G.D.
 No. 116 of 2026 E.D.

Equity Resources, Inc.
Plaintiff,
vs.
Michael R. Wolfe; Allison Wolfe
Defendants.

ALL that certain parcel of land lying and
 being situate in the Borough of Vanderbilt,
 County of Fayette, and Commonwealth of
 Pennsylvania, known as 507 2nd Street,
 Vanderbilt, PA 15486 having erected thereon a
 dwelling house.

Being known and designated as Tax ID
 No.: 40-01-0008

BEING the same premises which GJ & AJ
 Properties, LLC, by Deed dated July 23, 2021
 and recorded in and for Fayette County,
 Pennsylvania in Deed Book 3482, Page 73,
 granted and conveyed unto Michael R. Wolfe
 and Allison Wolfe, husband and wife.

McCalla Raymer Leibert Pierce, LLP
485F Route 1 South, Suite 300
Iselin, NJ 08830-3072

No. 119 of 2026 G.D.
No. 773 of 2026 E.D.

**THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK, AS
SUCCESSOR IN INTEREST TO
JPMORGAN CHASE BANK, AS TRUSTEE
FOR CENTEX HOME EQUITY LOAN
TRUST 2004-0**

V.

DAWN L. ZEKIR AND JAMES ZEKIR

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK, AS
SUCCESSOR IN INTEREST TO JPMORGAN
CHASE BANK, AS TRUSTEE FOR CENTEX
HOME EQUITY LOAN TRUST 2004-0 v.
DAWN L. ZEKIR AND JAMES ZEKIR

All that certain tract or parcel of land
situate in South Union Township, Fayette
County, Pennsylvania.

Parcel ID: 34-27-0349

Property Address: 277 Hopwood
Fairchance Road, Uniontown, PA 15401
Improvements thereon: Residential
Dwelling

Judgment Amount: \$58,063.73

*** END SHERIFF'S SALE ***

Registers' Notice

Notice by JEFFREY L. REDMAN, Register of Wills and
Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday, August 3, 2026, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Representative</u>
2625-0200	KATHRYN A. PLUTO	Shirley M. Krevinko

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Monday, August 17, 2026, at 9:30 A.M.

in Courtroom No. 1 of the **Honorable President Judge Steve P. Leskinen** or his chambers, Second Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN
Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (1 of 2)

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE

E&O INSURED

WILL TRAVEL

ACCEPTING NEW CLIENTS

JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA CIVIL DIVISION

BULLSKIN STONE & LIME, LLC	:	
Plaintiff,	:	
vs.	:	
HEIDELBERG MATERIALS	:	
NORTHEAST LLC,	:	No. 1376 of 2025, G.D.
Defendant.	:	Honorable Nancy D. Vernon

OPINION AND ORDER

VERNON, J.

April 28, 2026

Before the Court are Preliminary Objections filed by Defendant Heidelberg Materials Northeast LLC (“Heidelberg”) to the Complaint of Plaintiff Bullskin Stone & Lime LLC (“Bullskin”). In its Complaint, Bullskin asserts claims for declaratory relief based upon breach of contract (Count I) and abandonment (Count II) arising from a mineral lease executed in 1993 and subsequently amended.

Heidelberg demursers to the Complaint alleging the claims fail as a matter of law. A preliminary objection in the nature of a demurrer is properly granted where the contested pleading is legally insufficient. *Cardenas v. Schober*, 783 A.2d 317, 321 (Pa. Super. 2001) citing Pa.R.C.P. 1028(a)(4). A demurrer admits every well-pleaded material fact set forth in the pleadings to which it is addressed as well as all inferences reasonably deducible therefrom, but not conclusions of law. *Gekas v. Shapp*, 364 A.2d 691 (Pa. 1976). “Preliminary objections in the nature of a demurrer require the court to resolve the issues solely on the basis of the pleadings; no testimony or other evidence outside of the complaint may be considered to dispose of the legal issues presented by the demurrer.” *Cardenas* at 321–22. “[C]onclusions of law, unwarranted inferences from the facts, argumentative allegations or expressions of opinion” need not be accepted as true. *Myers v. Ridge*, 712 A.2d 791, 794 (Pa. Commw. 1998). “Preliminary objections, the end result of which would be dismissal of a cause of action, should be sustained only in cases that are clear and free from doubt.” *League of Women Voters of Pennsylvania v. Commonwealth*, 692 A.2d 263, 267 (Pa. Commw. 1997). In order to sustain the demurrer, it is essential that the plaintiff’s complaint indicate on its face that his claim cannot be sustained, and the law will not permit recovery. *Id.*

Count I – Breach of Contract

Heidelberg argues that Bullskin’s breach of contract claim fails as a matter of law because the lease expressly permits Heidelberg to determine whether to undertake mining activities within a forty-year term and Pennsylvania law does not recognize an implied covenant to develop where minimum royalties have been paid. In contradiction, Bullskin alleges that minimum royalty obligations were eliminated by amendment in 2002 and Heidelberg has provided no compensation to Bullskin or its predecessors for

over twenty years.

Pennsylvania law recognizes, “At the point where that compensation ceases due to the expiration of the term of the lease, or pursuant the terms of the lease itself, the lessee then has an affirmative obligation either to develop and produce the oil or gas or terminate the landowner’s contractual obligations.” *Seneca Res. Corp. v. S & T Bank*, 122 A.3d 374, 386 (Pa. Super. 2015) quoting *Jacobs v. CNG Transmission Corp.*, 772 A.2d 445, 455 (Pa. 2001).

Accepting these allegations as true, the Court cannot conclude, as a matter of law, that the lease structure forecloses the existence of an implied duty to develop. At the preliminary objection stage, the Court cannot resolve whether the lease, as amended, continues to provide adequate consideration such that no implied covenant may arise.

Heidelberg further relies on lease language granting it sole discretion regarding whether to undertake development activities and purporting to preclude liability for a decision not to do so. While this language may be dispositive, Bullsken alleges that Heidelberg has never taken development activity for over thirty years and has and has unilaterally and affirmatively determined not to develop the Property for anticompetitive reasons.

Construing the Complaint in the light most favorable to Plaintiff, the Court cannot conclude that the lease unambiguously permits such conduct without limitation. The scope and effect of the lease’s discretionary and exculpatory provisions require further development of the record.

Because it is not clear and free from doubt that Bullsken cannot establish a breach of contract under any set of facts consistent with the Complaint, Heidelberg’s Preliminary Objections to Count I are overruled.

Count II – Abandonment

Bullsken also asserts a claim for abandonment and seeks equitable relief to terminate the lease. Heidelberg argues that the claim for abandonment must be dismissed because the lease provides an adequate remedy at law in the form of a contractual termination provision.

Abandonment is an equitable doctrine requiring, among other things, the absence of a full, complete, and adequate remedy at law. Heidelberg contends that the lease’s termination provision satisfies this requirement as a matter of law. However, whether the contractual remedy is, in fact, “adequate and complete” under the circumstances alleged in the Complaint is a fact-sensitive inquiry.

In its Complaint, Bullsken alleged that Heidelberg has failed to undertake any development activity for decades, has no intention of doing so, and is holding the lease to maintain a competitive advantage. Bullsken further alleges that it and its predecessors have been deprived of any meaningful benefit of the bargain during this time.

While Heidelberg’s argument may ultimately have merit as the lease at issue con-

tains a detailed termination provision, the Court concludes that dismissal of Count II at this stage is premature. At the preliminary objection stage, the Court must accept the allegations of the Complaint as true and may not resolve factual disputes or weigh the adequacy of potential remedies. Whether the contractual termination provision provides a full and adequate remedy, or whether equitable relief may nonetheless be appropriate, must be developed with a record.

Additionally, Pennsylvania Rule of Civil Procedure 1020(c) permits parties to plead claims in the alternative. Bullsken may therefore pursue both breach of contract and abandonment theories at this stage, even if those theories may ultimately prove inconsistent.

Accordingly, Heidelberg's Preliminary Objections to Count II are overruled without prejudice to raise these issues at the summary judgment stage.

WHEREFORE, we will enter the following Order.

ORDER

AND NOW, this 28th day of April, 2026, upon consideration of the Preliminary Objections of Defendant Heidelberg Materials Northeast LLC to the Complaint of Plaintiff Bullsken Stone & Lime LLC, an in accordance with the foregoing Opinion, it is hereby ORDERED and DECREED that the Preliminary Objections are OVERRULED. Defendant shall file an Answer to the Complaint within twenty (20) days.

BY THE COURT:
NANCY D. VERNON, JUDGE

ATTEST:
Prothonotary

LUNCH & LEARN SERIES

The Fayette County Bar Association's next presentation in its Lunch & Learn Series will be:

- Date: **Wednesday, August 12th** from **12:00 p.m. to 1:30 p.m.**
- Location: **Fayette County Courthouse - Courtroom TBD**
- Discussion topic: **Civility and Mental Health**
- Presenter: **Brian S. Quinn, Esquire** - Lawyers Concerned for Lawyers

CLE Credit

1.5 hours of Ethics CLE credit for the program.

Attendance Fees

Members of the FCBA - \$15

Attorneys admitted after January 1, 2021 - \$5

Non-members of the FCBA - \$40

**** All fees to be paid at the door ****

Lunch will be provided.

RSVP

If interested in attending, please call Leslie at the Bar office at 724-437-7994 or email to admin@fcbar.org on or before Monday, August 10th.