

Adams County **Legal Journal**

Vol. 53

October 7, 2011

No. 21, pp. 156-159

IN THIS ISSUE

REINER VS. INDIAN SPRINGS ASSOC.

**Our Trust department
makes a business of caring
for other people's property.**

*Karen Arthur
Trust Officer*



**Trust and investment services from
a bank with a long history of trust.**

For more information or a free
consultation, please call 717.339.5062.

Member FDIC



ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Subscribers should send subscriptions directly to the business office. Postmaster: Send address changes to Adams County Legal Journal, 117 BALTIMORE ST RM 305 GETTYSBURG PA 17325-2313.

Business Office – 117 BALTIMORE ST RM 305 GETTYSBURG PA 17325-2313. Telephone: (717) 334-1553

Periodicals postage paid at Gettysburg, PA 17325.

Copyright© 1959 by Wm. W. Gaunt & Sons, Inc., for Adams County Bar Association, Gettysburg, PA 17325.
All rights reserved.

NOTICE

NOTICE IS HEREBY GIVEN by the Adams County Tax Collection Committee, on behalf of the school districts within the Adams County Tax Collection District, of the intent of each such school district to adopt a Resolution levying and imposing a tax upon the earned income and net profits of resident taxpayers. This Notice is given pursuant to the Local Tax Enabling Act and the Pennsylvania Newspaper Advertising Act. Each school district intends to adopt a Resolution at a public meeting held on or before November 30, 2011. The time, date and place of meetings of each political subdivision are advertised in accordance of law.

Each school district intends to impose the tax for general revenue purposes on the earned income and net profits of resident taxpayers at the rates listed below.

The tax imposed by each Resolution will become effective on January 1, 2012, and continues the tax on earned income and net profits previously imposed at the same rate. The adoption of a new Ordinance/Resolution is required primarily to conform to the requirements of Act 32 of 2008, which is an amendment and restatement of the Local Tax Enabling Act, 53 P.S. §6924.101 et. seq. The nature of the tax will be substantially the same as the current tax on earned income and net profits currently in effect, subject to changes required by the aforementioned Act 32. The reason for the new tax levy is to conform to the requirements of Act 32. The estimated revenue from the proposed tax for each school district shall be as follows:

Political Subdivision:
Bermudian Springs School District
Rate: 1.2%
Estimated Revenue: \$2,302,100.00

Political Subdivision:
Conewago Valley School District
Rate: 1.0%
Estimated Revenue: \$4,987,000.00

Political Subdivision:
Fairfield Area School District
Rate: 1.0%
Estimated Revenue: \$1,632,300.00

Political Subdivision:
Gettysburg Area School District
Rate: 1.2%
Estimated Revenue: \$5,851,500.00
Political Subdivision:
Littletown Area School District
Rate: 0.5%
Estimated Revenue: \$1,453,400.00
Political Subdivision:
Upper Adams School District
Rate: 1.1%
Estimated Revenue: \$2,231,300.00
10/7, 14 & 21

INCORPORATION NOTICE

GETTYSBURG HERITAGE ENTERPRISES, INC. has been incorporated under the Business Corporation Law of 1988.

Gingrich, Smith, Klingensmith & Dolan
John M. Smith, Esq.

10/7

INCORPORATION NOTICE

MG FELTY, INC. has been incorporated under the Business Corporation Law of 1988.

Gingrich, Smith, Klingensmith & Dolan
John M. Smith, Esq.

10/7

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN that Applications have been filed under the Fictitious Names Act, 54 Pa. C.S.A. §301 et seq., as amended, with the Secretary of the Commonwealth, in Harrisburg, Pennsylvania, on September 22, 2011, for conducting business under the following assumed or fictitious names:

GRAPHCOM CREATIVE
SIGNS BY GRAPHCOM
CELEBRATE PUBLICATIONS
FIELD & FLOOR FX

The address of the principal office or place of business to be carried on, under or through each of said fictitious names is: 1219 Chambersburg Road, Gettysburg, Pennsylvania 17325. The name and address of the only entity which is a party to the registrations is: Graphcom, Inc., 1219 Chambersburg Road, Gettysburg, PA 17325.

Phillips & Phillips
Attorneys

10/7

REINER VS. INDIAN SPRINGS ASSOC.

1. Lis pendens may not be predicated upon an action seeking to recover a personal demand but rather requires that actual title to the real estate be involved in a pending litigation.

2. The doctrine of lis pendens recognizes the equitable jurisdiction, power, or control which courts acquire over property involved in a suit, pending the continuance of the action, and until final judgment is reached. Therefore, where the doctrine, if enforced, would operate harshly or unjustly, a court sitting in equity has the power to cancel a lis pendens.

3. A cause of action for a specific performance may be appropriate as from the moment of agreement of sale for real estate is executed and delivered it vests in the grantee with what is known as an equitable title to the real estate.

4. In equity, a hardship may be a valid defense to an action for specific performance and such a decree may be refused in the exercise of sound discretion if specific performance would be contrary to equity and justice.

In the Court of Common Pleas of Adams County, Pennsylvania,
Civil, No. 11-S-118, RL REINER, LLC, VS. INDIAN SPRINGS
ASSOCIATES, LLC.

Edward G. Puhl, Esq., for Plaintiff
Bruce J. Warshawsky, Esq., for Defendant
George, J., May 10, 2011

OPINION

Before the Court is the Defendant's, Indian Springs Associates, LLC ("Indian Springs"), Motion to Strike Lis Pendens. Before discussing the legal merits of the motion, the factual and procedural history will be briefly summarized.

On March 9, 2010, the Plaintiff, RL Reiner, LLC ("Reiner"), entered into an agreement of sale with Indian Springs for the purchase of the Indian Springs Mobile Home Park located in Southampton Township, Cumberland County, Pennsylvania. The contract called for a purchase price of \$650,000 with settlement to be held within approximately 21 days of execution of the contract.¹ At the time scheduled for settlement, Indian Springs could not deliver clear title as the property was encumbered by a mortgage held by PNC Bank in the amount of \$765,000. Apparently, on a belief that Indian Springs had breached the sales agreement, Reiner filed a Writ of Summons

¹ The agreement called for settlement within seven days following the expiration of a 14-day "study period." The study period could be increased in additional 14-day segments through an escalating down payment.

against Indian Springs in the Cumberland County Court of Common Pleas on May 10, 2010. Concurrent with the filing of the Writ of Summons, Reiner filed a Praecipe for Lis Pendens on the property which was the subject of the sales agreement.

On May 27, 2010, while the litigation was pending, the parties entered into an addendum to the sales agreement. The addendum provided for the date of settlement to be extended to June 18, 2010. It further provided that in the event that Indian Springs is unable to deliver free and clear title by the settlement date, Reiner “shall grant further extension(s) in order to give Seller time to remedy the problem, or Buyer shall cause the Lis Pendens, ... to be stricken at Buyer’s expense.”

The next action of record occurred on September 24, 2010, when Indian Springs filed a Rule to File Complaint on Reiner. On September 30, 2010, Indian Springs filed a Motion to Strike Lis Pendens. That motion was followed by Preliminary Objections to Reiner’s Complaint. The Preliminary Objections alleged that the civil action was premature as the sales agreement contained a term compelling disputes to be submitted to arbitration. Indian Springs also challenged venue in Cumberland County as the sales agreement contained a term identifying Adams County as the sole county of proper venue.

On January 4, 2011, the Honorable Cumberland County Judge J. Wesley Oler, Jr. entered an Order sustaining the preliminary objection as to venue and directing that the case be transferred to the Court of Common Pleas of Adams County. Additionally, Judge Oler deferred for disposition the preliminary objection as it related to an agreement for alternative dispute resolution. By Order dated February 4, 2011, Judge Oler transferred Defendant’s Motion to Strike Lis Pendens to Adams County in the interest of judicial consistency. That motion is currently before this Court for disposition.

The purpose of lis pendens is to place third parties on notice that particular real estate is subject to litigation and that any interest which a third party might acquire in real estate will be subject to the result of the action. *Dice v. Bender*, 117 A.2d 725, 726-727 (Pa. 1955). Lis pendens may not be predicated upon an action seeking to recover a personal demand, but rather requires that actual title to the real estate be involved in a pending litigation. See *Psaki v. Ferrari*,

546 A.2d 1127 (Pa. Super. 1988). As *lis pendens* is not based in statute but rather is a creature of common law and equity jurisprudence, the doctrine is subject to equitable principles. *Dorsch v. Jenkins*, 365 A.2d 861 (Pa. Super. 1976). The doctrine of *lis pendens* recognizes the equitable jurisdiction, power, or control which courts acquire over property involved in a suit, pending the continuance of the action, and until final judgment is reached. *U.S. National Bank in Johnstown v. Johnson*, 487 A.2d 809, 812 (Pa. 1985). Therefore, where the doctrine, if enforced, would operate harshly or unjustly, a court sitting in equity has the power to cancel a *lis pendens*. *McCahill v. Roberts*, 219 A.2d 306 (Pa. 1966).

Instantly, Reiner's Complaint is unclear as to the remedy which it is seeking. Although styled as a breach of contract action, the Complaint references a breach of an implied covenant of good faith and fair dealing. Notably, the Complaint does not include a claim for specific performance of the property transfer, but rather references as damages the sums expended in consulting with experts and studying the economic feasibility of the purchase. The demand clause of the Complaint seeks only that the matter be submitted to a panel of arbitrators and referred to the Court of Common Pleas of Adams County. In toto, the Complaint appears to be implying that Reiner, due to the sales agreement addendum, has the unfettered discretion to indefinitely cloud title to the property through the maintenance of the *lis pendens* while forever unilaterally extending the settlement date.

As previously mentioned, *lis pendens* is not an appropriate means by which to cloud title to a property based solely on a claim for a money judgment. Thus, I will presume for purposes of this discussion that Reiner is seeking specific performance of a written contract to sell the subject property. A cause of action for a specific performance may be appropriate as from the moment an agreement of sale for real estate is executed and delivered it vests in the grantee with what is known as an equitable title to the real estate. *Payne v. Clark*, 187 A.2d 769, 770 (Pa. 1963). If the terms of the agreement are violated by the seller, the buyer may go into a court of equity seeking to enforce the contract and to compel specific performance. *Id.* at 770-771. While the courts of equity have the power to grant specific performance, the exercise of the power is discretionary. In other words, such a decree is of grace and not a right. *Id.* A.2d at 771. In

equity, a hardship may be a valid defense to an action for specific performance and such a decree may be refused in the exercise of sound discretion if specific performance would be contrary to equity and justice. *Id.*

It is uncontested that this litigation involves the validity of a sales agreement for the purchase of real estate which is encumbered with a mortgage which exceeds the purchase price by approximately \$115,000. Clearly, this Court lacks both the ability and the willingness to defeat PNC's mortgage on the property under the current state of the record. Under these circumstances, equity cannot compel transfer of the property to Reiner for the stated purchase price.

Moreover, permitting the lis pendens to remain on the property serves no equitable purpose. If Reiner is seeking monetary damages for expenses incurred in reliance on the contract, as implied by the Complaint, that remedy remains intact. On the other hand, if Reiner desperately desires to obtain title to the property, specific performance of the contract may be obtained by paying the deficiency between the sales price and the mortgage to PNC and thereafter seeking recovery of the difference in a suit against Indian Springs. It is unconscionable, however, for this Court to permit Reiner to indefinitely maintain a lis pendens on the property until it is forced into foreclosure.

For the foregoing reasons, the attached Order is entered.

ORDER OF COURT

AND NOW, this 10th day of May 2011, the Prothonotary of Cumberland County is directed to strike the lis pendens filed in this matter on May 10, 2010 against the property located in Southampton Township, Cumberland County, Pennsylvania, more specifically described in the deed recorded in Cumberland County Record Book 265 at page 3355. Costs to strike the lis pendens shall be paid by the Plaintiff, RL Reiner, LLC.

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on FRIDAY, the 4th day of November 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Adams County Courthouse, 111 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

Writ of Execution No.:
2011-NO-0000002
Property Address: 139 Charles Street,
Littlestown, PA 17340
Municipality: Littlestown
Parcel No.: 08-0236A302
Improvements: Commercial
Defendants: Donald J. Travers, Donald
S. Rahmer
Attorneys for Plaintiff:
John R. White, Esq., 717-334-9278

Writ of Execution No.:
2009-NO-0000315
Property Address: 143 S. Main Street,
Bendersville, PA 17306
Municipality: Bendersville
Parcel No.: 003-0039, 004-0064
Improvements: Residential Dwelling
Defendants: Ronald Balutis and
Diane M. Balutis
Attorneys for Plaintiff: Robert E.
Campbell, Esq., 717-334-9278

Writ of Execution No.:
2009-NO-0000360
Property Address: 2 Union View Drive,
Gettysburg, PA 17325
Municipality: Cumberland
Parcel No.: 09-F12-0262-000
Improvements: Residential Dwelling
Defendants: Michael J. Stanko, Barbara
Stanko
Attorneys for Plaintiff: John R. White,
Esq., 717-334-9278

Writ of Execution No.:
2011-NO-0000250
Property Address: 339 South Queen
Street, Littlestown, PA 17340
Municipality: Littlestown
Parcel No.: 27011-0072---000
Improvements: Residential Dwelling
Defendants: James A. Lambert, Joanne
A. Lambert
Attorneys for Plaintiff: John R. White,
Esq., 717-334-9278

Writ of Execution No.:
2011-SU-0000085
Property Address: 203 Atlantic Avenue,
York Springs, PA 17372
Municipality: York Springs
Parcel No.: 42-002-0056B---000
Improvements: Residential Dwelling
Defendants: Harmon D. Cornman
Attorneys for Plaintiff: Sharon E. Myers,
Esq., 717-848-4900

Writ of Execution No.:
2011-SU-0000677
Property Address: 2372 Granite Station
Road, Gettysburg, PA 17325
Municipality: Straban
Parcel No.: 38-022-0092-000
Improvements: Residential Dwelling
Defendants: Eric Byron Huffer a/k/a
Eric B. Huffer, Patricia Ann Huffer
a/k/a Patricia A. Huffer
Attorneys for Plaintiff: Danielle Boyle-
Ebersole, Esq., 215-572-5095

Writ of Execution No.:
2011-SU-0000932
Property Address: 148 Branch Circle,
East Berlin, PA 17316
Municipality: East Berlin
Parcel No.: 10-009-0048
Improvements: Residential Dwelling
Defendants: Gina M. Boroughs
Attorneys for Plaintiff: Kristine M.
Anthou, Esq., 412-281-7650

Writ of Execution No.:
2011-SU-0000870
Property Address: 17 Northern Pike
Trail, Fairfield, PA 17320
Municipality: Carroll Valley
Parcel No.: 43-003-0033-000
Improvements: Residential Dwelling
Defendants: Scott J. Wanrow
Attorneys for Plaintiff: Kristine M.
Anthou, Esq., 412-281-7650

Writ of Execution No.:
2011-SU-0000717
Property Address: 1594 Center Mills
Road, Aspers, PA 17304
Municipality: Menallen
Parcel No.: 29-001-006
Improvements: Residential Dwelling
Defendants: James E. Tipton, Marya S.
Tipton
Attorneys for Plaintiff: Marc A. Hess,
Esq., 717-769-1296

Writ of Execution No.:
2010-SU-0001847
Property Address: 665 Hanover Street,
New Oxford, PA 17350-9532
Municipality: Oxford
Parcel No.: 35K12-0032
Improvements: Residential Dwelling
Defendants: Michael P. Hartman, Dayna
L. Hartman
Attorneys for Plaintiff: Scott A.
Dietterick, Esq., 717-533-3280

Writ of Execution No.:
2011-SU-0000335
Property Address: 6924 Chambersburg
Rd. a/k/a 7000 Chambersburg Rd.
a/k/a Lincoln Way East, Fayetteville,
PA 17222
Municipality: Franklin
Parcel No.: 12-A09-0047
Improvements: Colonel's Creek
Campground
Defendants: John A. Slee
Attorneys for Plaintiff: Scott A.
Dietterick, Esq., 717-533-3280

Writ of Execution No.:
2011-SU-0000478
Property Address: 317 Buford Avenue,
Gettysburg, PA 17325
Municipality: Gettysburg
Parcel No.: 16-006-0010
Improvements: Residential Dwelling
Defendants: Mary Jeanette Poole
Attorneys for Plaintiff: David Fein, Esq.,
215-627-1322

Writ of Execution No.:
2009-SU-0001126
Property Address: 65 Sycamore Lane,
Hanover, PA 17331-4942
Municipality: Conewago
Parcel No.: 08-009-0268-000
Improvements: Residential Dwelling
Defendants: James Buckley, Laura E.
Buckley
Attorneys for Plaintiff: David Fein, Esq.,
215-627-1322

Writ of Execution No.:
2011-SU-0001094
Property Address: 5135 Fairfield Road,
Fairfield, PA 17320
Municipality: Carroll Valley
Parcel No.: 43-003-0011
Improvements: Residential Dwelling
Defendants: Jesse W. Myers
Attorneys for Plaintiff: Donald L.
Kornfield, Esq., 717-762-8222

Writ of Execution No.:
2009-SU-0001076
Property Address: 359 E. York Street,
Biglerville, PA 17307
Municipality: Biglerville
Parcel No.: 05002-0013---000
Improvements: Residential Dwelling
Defendants: Brian Group, Lynda Group
Attorneys for Plaintiff: Gregory
Jarvardian, Esq., 215-942-9690

Notice directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than thirty (30) days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten (10) days thereafter. Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER, 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James Muller
Sheriff of Adams County

<http://www.sheriffofadamscounty.com/sheriffsales.html>

10/7, 14 & 21

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on FRIDAY, the 4th day of November 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Adams County Courthouse, 111 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

Writ of Execution No.:
2011-SU-0000872
Property Address: 71 Skylark Trail,
Fairfield, PA 17320
Municipality: Carroll Valley
Parcel No.: 43-029-0022-000
Improvements: Residential Dwelling
Defendants: Larry D. Roberts, Jr., Tonia
M. Roberts
Attorneys for Plaintiff: Andrew L.
Markowitz, Esq., 215-790-1010

Writ of Execution No.:
2011-SU-0000898
Property Address: 1096 Bollinger Road,
Littlestown, PA 17340-9147
Municipality: Union
Parcel No.: 41-K17-0036B-000
Improvements: Residential Dwelling
Defendants: Keith A. Crammer, Wendy
M. Crammer
Attorneys for Plaintiff: Christine L.
Graham, Esq., 215-790-1010

Writ of Execution No.:
2011-SU-0000028
Property Address: 8 Victor Drive,
Arendtsville, PA 17303
Municipality: Arendtsville
Parcel No.: 02006-0163
Improvements: Residential Dwelling
Defendants: Robert R. Lorenz, Jennifer
L. Lorenz
Attorneys for Plaintiff: Marc S.
Weisberg, Esq., 215-790-1010

Writ of Execution No.:
2010-SU-0000386
Property Address: 200 Orchard View
Road, Gardners, PA 17324
Municipality: Huntington
Parcel No.: 22-H2-0021-000
Improvements: Residential Dwelling
Defendants: Diana L. Keiser
Attorneys for Plaintiff: Marc S.
Weisberg, Esq., 215-790-1010

Writ of Execution No.:
2011-SU-0000828
Property Address: 130 Tracy Drive, York
Springs, PA 17372
Municipality: Huntington
Parcel No.: 22-104-0187-000
Improvements: Residential Dwelling
Defendants: Joseph E. Saghy, Lisa C.
Saghy
Attorneys for Plaintiff: Marc S.
Weisberg, Esq., 215-790-1010

Writ of Execution No.:
2011-SU-0000849
Property Address: Lot 38-G a/k/a 18
Crescent Lane, Littlestown, PA 17340
Municipality: Littlestown
Parcel No.: 27-009-0068
Improvements: Residential Dwelling
Defendants: David E. Bell a/k/a David
E. Bell III
Attorneys for Plaintiff: Marc S.
Weisberg, Esq., 215-790-1010

Writ of Execution No.:
2010-SU-0002638
Property Address: 80 Tracy Dr., York
Springs, PA 17372
Municipality: Huntington
Parcel No.: 22-104-0183A-000
Improvements: Residential Dwelling
Defendants: Daniel B. Murray, Brannon
N. Murray
Attorneys for Plaintiff: Edward D.
Conway, Esq., 215-790-1010

Writ of Execution No.:
2010-SU-0002456
Property Address: 246 Topper Road,
Fairfield, PA 17320
Municipality: Liberty
Parcel No.: 25-C18-0068-00-000
Improvements: Residential Dwelling
Defendants: Daniel C. Senseney,
Elizabeth A. Senseney
Attorneys for Plaintiff: Edward D.
Conway, Esq., 215-790-1010

Writ of Execution No.:
2011-SU-0000791
Property Address: 144 Derby Drive,
Hanover, PA 17331-8624
Municipality: Conewago
Parcel No.: 08-036-0024
Improvements: Residential Dwelling
Defendants: Rick A. Waite, Ann M.
Waite, Anne M. Waite
Attorneys for Plaintiff: Marc S.
Weisberg, Esq., 215-790-1010

Writ of Execution
No.: 2010-SU-0001848
Property Address: 990 Orphanage
Road, Littlestown, PA 17340
Municipality: Littlestown
Parcel No.: 30 H17-10
Improvements: Residential Dwelling
Defendants: Harold L. Spicer
Attorneys for Plaintiff: Marc S.
Weisberg, Esq., 215-790-1010

Writ of Execution No.:
2011-SU-0000711
Property Address: 2 Union View Drive,
Gettysburg, PA 17325
Municipality: Cumberland
Parcel No.: 09-F12-0262-000
Improvements: Residential Dwelling
Defendants: Michael J. Stanko, Barbara
Stanko
Attorneys for Plaintiff: Heidi R. Spivak,
Esq., 215-790-1010

Writ of Execution No.:
2007-SU-0001210
Property Address: 40 Clines Church
Road, Aspers, PA 17304
Municipality: Menallen
Parcel No.: 29F05-0009D--000
Improvements: Residential Dwelling
Defendants: Lillian M. Loubier, Lillian M.
Armon
Attorneys for Plaintiff: William E. Miller,
Esq., 215-563-7000

Writ of Execution No.:
2011-SU-0000742
Property Address: 2045 York Road,
Gettysburg, PA 17325-8208
Municipality: Straban
Parcel No.: 38H12-0046---000
Improvements: Residential Dwelling
Defendants: Brian M. Hull a/k/a Brian
Hull, Trisha Hull
Attorneys for Plaintiff: Lauren R. Tabas,
Esq., 215-563-7000

Writ of Execution No.:
2011-SU-0000502
Property Address: 1165 White Oak Tree
Road, York Springs, PA 17372-9585
Municipality: Huntington
Parcel No.: 22H03-0017---000
Improvements: Residential Dwelling
Defendants: Patrick L. O'Brien, Jr.,
Lisa T. O'Brien
Attorneys for Plaintiff: Allison Wells,
Esq., 215-563-7000

Writ of Execution No.:
2009-SU-0001190
Property Address: 106 Commanche
Trail, Hanover, PA 17331
Municipality: Conewago
Parcel No.: 08-011-0058---000
Improvements: Residential Dwelling
Defendants: Ryan M. Storm, Jennifer L.
Pohlman
Attorneys for Plaintiff: William E. Miller,
Esq., 215-563-7000

Notice directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than thirty (30) days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten (10) days thereafter. Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER, 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James Muller
Sheriff of Adams County

<http://www.sheriffadamscounty.com/sheriffsales.html>

10/7, 14 & 21

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on FRIDAY, the 4th day of November 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Adams County Courthouse, 111 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

Writ of Execution No.:
2011-SU-0000052
Property Address: 8 Paradise Court,
New Oxford, PA 17350-9435
Municipality: New Oxford
Parcel No.: 34007-0058---000
Improvements: Residential Dwelling
Defendants: Jeffrey W. Heare
Attorneys for Plaintiff: Lauren R. Tabas,
Esq., 215-563-7000

Writ of Execution No.:
2009-SU-0001714
Property Address: 11 Crescent Lane,
Littlestown, PA 17340
Municipality: Littlestown
Parcel No.: 27012-0081---000
Improvements: Residential Dwelling
Defendants: Christopher A. Hailey, Sr.,
Christopher Hailey, Sr.
Attorneys for Plaintiff: Courtenay R.
Dunn, Esq., 215-563-7000

Writ of Execution No.:
2010-SU-0001742
Property Address: 35 Lighting Trail,
Fairfield, PA 17320-9749
Municipality: Hamiltonban
Parcel No.: 18BB0-0031---000
Improvements: Residential Dwelling
Defendants: Melody S. Ridge
Attorneys for Plaintiff: William E. Miller,
Esq., 215-563-7000

Writ of Execution No.:
2010-SU-0000668
Property Address: 108 Billerbeck Street,
New Oxford, PA 17350-9390
Municipality: Oxford
Parcel No.: 35002-0051---000
Improvements: Residential Dwelling
Defendants: Kerry A. Bollinger, Lisa J.
Bollinger
Attorneys for Plaintiff: Joshua I.
Goldman, Esq., 215-563-7000

Writ of Execution No.:
2011-SU-0000701
Property Address: 8 Squire Circle a/k/a
8 Squire Circle Lot 18A,
McSherrytown, PA 17344-1314
Municipality: McSherrytown
Parcel No.: 28002-0209---000
Improvements: Residential Dwelling
Defendants: Michael D. Rudisill, Sherry
L. Rudisill
Attorneys for Plaintiff: Courtenay R.
Dunn, Esq., 215-563-7000

Writ of Execution No.:
2011-SU-0000739
Property Address: 880 Irishtown Road,
New Oxford, PA 17350-9300
Municipality: Oxford
Parcel No.: 35-J13-0026---000
Improvements: Residential Dwelling
Defendants: Corey Richard Smith,
Corey R. Smith, Stephanie E. Peters,
Stephanie E. Smith
Attorneys for Plaintiff: Jenine R. Davey,
Esq., 215-563-7000

Writ of Execution No.:
2010-SU-0001277
Property Address: 1385 Baltimore
Road, York Springs, PA 17372-9520
Municipality: Huntingdon
Parcel No.: 22-J05-16
Improvements: Residential Dwelling
Defendants: Chad Thompson, Kristina
M. Thompson
Attorneys for Plaintiff: Allison Wells,
Esq., 215-563-7000

Writ of Execution No.:
2010-SU-0000785
Property Address: 116 Stanley Drive,
New Oxford, PA 17350
Municipality: Berwick
Parcel No.: 04K11-0048E---000
Improvements: Residential Dwelling
Defendants: Clint F. Heintzelman
Attorneys for Plaintiff: Allison Wells,
Esq., 215-563-7000

Writ of Execution No.:
2011-SU-0000661
Property Address: 1756 Ridge Road,
York Springs, PA 17372-9307
Municipality: Latimore
Parcel No.: 23J03-0020B---000
Improvements: Residential Dwelling
Defendants: Timothy M. King
Attorneys for Plaintiff: Courtenay R.
Dunn, Esq., 215-563-7000

Writ of Execution No.:
2010-SU-0002123
Property Address: 20 Expedition Trail,
Gettysburg, PA 17325
Municipality: Straban
Parcel No.: 38-G12-108
Improvements: Professional Office
Building
Defendants: Lincoln Highway LLC
Attorneys for Plaintiff: Richard E.
Thrasher, Esq., 717-334-2159

Writ of Execution No.:
2011-SU-0000987
Property Address: 13 Peach Tree Trail,
Fairfield, PA 17320
Municipality: Carroll Valley
Parcel No.: 43-041-0011
Improvements: Residential Dwelling
Defendants: Shelley Ingram Carr
Attorneys for Plaintiff: Richard E.
Thrasher, Esq., 717-334-2159

Writ of Execution No.:
2011-SU-0000856
Property Address: 1315 Hanover Pike,
Littlestown, PA 17340
Municipality: Union
Parcel No.: 41-K17-0001G
Improvements: Residential Dwelling
Defendants: Timmothy M. Mummert,
Stacy H. Mummert
Attorneys for Plaintiff: Richard E.
Thrasher, Esq., 717-334-2159

Writ of Execution No.:
2011-SU-0000679
Property Address: 850 Pine Grove
Road, Hanover, PA 17331
Municipality: Union
Parcel No.: 41-K17-81
Improvements: Residential Dwelling
Defendants: Eric J. Sterner
Attorneys for Plaintiff: Richard E.
Thrasher, Esq., 717-334-2159

Writ of Execution No.:
2011-SU-0000475
Property Address: 71 Los Alamos
Circle, Hanover, PA 17331
Municipality: Conewago
Parcel No.: 08-031-0026
Improvements: Residential Dwelling
Defendants: Randall S. Faloon
Attorneys for Plaintiff: Richard E.
Thrasher, Esq., 717-334-2159

Writ of Execution No.:
2011-SU-0000953
Property Address: 3246 Old Route 30,
Ortanna, PA 17353
Municipality: Franklin
Parcel No.: 12-B09-0135
Improvements: Residential Dwelling
Defendants: Kandace J. Reed, Kandace
J. Kreigline, Travis R. Reed
Attorneys for Plaintiff: M. Troy
Freedman, Esq., 215-886-8790

Notice directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than thirty (30) days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten (10) days thereafter. Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER, 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James Muller
Sheriff of Adams County

<http://www.sheriffadamscounty.com/sheriffsales.html>

10/7, 14 & 21

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on FRIDAY, the 4th day of November 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Adams County Courthouse, 111 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

Writ of Execution No.:
2011-SU-0000529
Property Address: 1650 York Road,
Gettysburg, PA 17325
Municipality: Gettysburg
Parcel No.: 38-G12-52
Improvements: 5 Story, 40 Room Sleep
Inn Hotel
Defendants: Pankaj C. Patel and
Prabha P. Patel
Attorneys for Plaintiff: Peter M. Good,
Esq., 717-234-2401

Writ of Execution No.:
2009-SU-0000849
Property Address: 240 Oak Drive,
Ortanna, PA 17353
Municipality: Franklin
Parcel No.: 12-B09-191
Improvements: Residential Dwelling
Defendants: Bryan C. Clevenger,
Kimberly A. Clevenger
Attorneys for Plaintiff: Kevin P. Diskin,
Esq., 215-572-8111

Writ of Execution No.:
2009-SU-0001115
Property Address: 630 Bullfrog Road,
Gettysburg, PA 17325
Municipality: Freedom
Parcel No.: 13-E18-23A
Improvements: Residential Dwelling
Defendants: James A. Rexroth, Sr.,
Judy M. Rexroth
Attorneys for Plaintiff: Michael C.
Mazack, Esq., 412-566-1212

Notice directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than thirty (30) days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten (10) days thereafter. Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER, 20% OF THE PURCHASE PRICE

OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James Muller
Sheriff of Adams County
<http://www.sheriffadamscounty.com/sheriffsales.html>

10/7, 14 & 21

NOTICE OF SHERIFF'S SALE
IN THE COURT OF COMMON PLEAS
OF ADAMS COUNTY, PENNSYLVANIA
NO. 10-S-1782

WELLS FARGO BANK, N.A., s/b/m TO
WELLS FARGO HOME MORTGAGE,
INC.

vs.

BRUCE J. PARROTT & APRYLE LEE
PARROTT a/k/a APRYLE L. PARROTT
NOTICE TO: APRYLE LEE PARROTT
a/k/a APRYLE L. PARROTT
NOTICE OF SHERIFF'S SALE OF REAL
PROPERTY

Being Premises: 556 HOOKER DRIVE,
GETTYSBURG, PA 17325-8952
Being in MOUNT PLEASANT Township,
County of Adams, Commonwealth of
Pennsylvania

Tax Parcel: 32105-0084---000

Improvements consist of residential
property.

Sold as the property of BRUCE J.
PARROTT & APRYLE LEE PARROTT
a/k/a APRYLE L. PARROTT

Your house (real estate) at 556 HOOKER DRIVE, GETTYSBURG, PA 17325-8952 is scheduled to be sold at the Sheriff's Sale on JANUARY 20, 2012 at 10:00 A.M., at the Adams County Courthouse to enforce the Court Judgment of \$269,431.41 obtained by, WELLS FARGO BANK, N.A., s/b/m TO WELLS FARGO HOME MORTGAGE, INC. (the mortgagee) against the above premises.

Phelan Hallinan & Schmiegl, LLP
Attorney for Plaintiff

10/7

NOTICE OF SHERIFF'S SALE
IN THE COURT OF COMMON PLEAS
OF ADAMS COUNTY, PENNSYLVANIA
NO. 10-S-1277

AURORA LOAN SERVICES

vs.

CHAD THOMPSON & KRISTINA M.
THOMPSON

NOTICE TO: CHAD THOMPSON &
KRISTINA M. THOMPSON

NOTICE OF SHERIFF'S SALE OF REAL
PROPERTY

Being Premises: 1385 BALTIMORE
ROAD, YORK SPRINGS, PA 17372-
9520

Being in HUNTINGTON Township,
County of Adams, Commonwealth of
Pennsylvania

Parcel: # 22-J05-16

Improvements consist of residential
property.

Sold as the property of CHAD
THOMPSON & KRISTINA M.
THOMPSON

Your house (real estate) at 1385 BALTIMORE ROAD, YORK SPRINGS, PA 17372-9520 is scheduled to be sold at the Sheriff's Sale on NOVEMBER 4, 2011 at 10:00 A.M., at the ADAMS County Courthouse to enforce the Court Judgment of \$479,218.22 obtained by AURORA LOAN SERVICES (the mortgagee) against the above premises.

Phelan Hallinan & Schmiegl, LLP
Attorney for Plaintiff

10/7

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF MARGARET E. COOK, DEC'D**

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Administratrix: Michele L. Rife, c/o James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

Attorney: James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York St., Hanover, PA 17331

ESTATE OF VIRGINIA B. HOFE, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executrix: Linda Sheridan, c/o Matthew L. Guthrie, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York St., Hanover, PA 17331

Attorney: Matthew L. Guthrie, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York St., Hanover, PA 17331

ESTATE OF GEORGE A. KRESS, JR., DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Linda L. Riley, 75 Crouse Park, Littlestown, PA 17340

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

ESTATE OF DORIS M. LAWVER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Douglas A. Lawver, 458 Ridge Road, Gettysburg, PA 17325

ESTATE OF FRANCIS E. REDDING, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Personal Representatives: Mary Theresa Kale, 30 Windsor Court, Littlestown, PA 17340; John Robert Redding, 815 Mt. View Drive, Westminster, MD 21157

Attorney: G. Steven McKonly, Esq., 119 Baltimore Street, Hanover, PA 17331

ESTATE OF RAYMOND H. SMITH, SR. a/k/a RAYMOND E. SMITH, SR., DEC'D

Late of Mount Pleasant Township, Adams County, Pennsylvania

Executrix: Regina M. McMaster, 1186 Irishtown Rd., New Oxford, PA 17350

Attorney: Daniel M. Frey, Esq., Barley Snyder LLC, 14 Center Square, Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF BETTY S. BREAM, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Co-Executors: Bradley A. Freet, 7344 Surina Drive, Arlington, TN 38002; Carol Zumbrum, 411 Rocky Ridge Road, Spring Grove, PA 17362

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

ESTATE OF KATHRYN J. DUNCAN, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Executrix: Margaret D. Parker, 9373 Highlander Road, Walkersville, MD 21793

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

ESTATE OF RONALD L. DUPLER, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executrices: Dorothy P. Miller, 13096 Tierra Vergel Drive, El Paso, TX 79938; Brenda L. Horan, 1330 Hunterstown-Hampton Road, New Oxford, PA 17350; Rhonda L. Racine, 15 Slaybaughtown Road, Gardners, PA 17324

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle St., Hanover, PA 17331

ESTATE OF MEYER S. GREENBERG, DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania

Executor: Lisa Siedlecki, 490 Barlow Two Taverns Road, Gettysburg, PA 17325

Attorney: Teeter, Teeter & Teeter, 108 West Middle Street, Gettysburg, PA 17325

ESTATE OF JOHN McDONALD a/k/a JOHN J. McDONALD, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Alberta L. Palluzi, 7457 Jacobs Mill Road, East Berlin, PA 17316

Attorney: Ronald J. Hagarman, Esq., 110 Baltimore Street, Gettysburg, PA 17325

ESTATE OF ROBERT C. MOUL, DEC'D

Late of the Borough of Abbotstown, Adams County, Pennsylvania

Executor: Kathy L. Bowers, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

ESTATE OF HELEN CATHERINE SWOMLEY, DEC'D

Late of Freedom Township, Adams County, Pennsylvania

David R. Swomley, 1240 Red Rock Road, Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF MARY E. COLLIER a/k/a MARY ELIZABETH COLLIER, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Administrator: Judy S. Adams, 57 Sedgwick Dr., East Berlin, PA 17316

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

ESTATE OF RUBY E. FUNT a/k/a RUBY ELIZABETH FUNT, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Donna Riddle and Richard Funt, c/o Heather Roberts, Esq., Entwistle & Roberts, Esq., 66 West Middle St., Gettysburg, PA 17325

Attorney: Heather Roberts, Esq., Entwistle & Roberts, Esq., 66 West Middle St., Gettysburg, PA 17325

ESTATE OF RICHARD J. MACKEY, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executor: James N. Mackey, 592 Guernsey Road, Aspers, PA 17304

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

ESTATE OF CHARLES E. MARKLE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrices: Janette A. Foreman, 308 Baer Avenue, Hanover, PA 17331; Lori J. Unger, 7 Emerson Court, Hanover, PA 17331

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle St., Hanover, PA 17331

(continued on page 8)

THIRD PUBLICATION (CONTINUED)

ESTATE OF BLAKE SCOTT WALKER,
DEC'D

Late of Butler Township, Adams
County, Pennsylvania

Administrator: David S. Walker, 595
Goldenville Road, Gettysburg, PA
17325

Attorney: Teeter, Teeter & Teeter, 108
West Middle Street, Gettysburg, PA
17325

ESTATE OF CHARLES L. WILKINSON,
DEC'D

Late of Mt. Joy Township, Adams
County, Pennsylvania

Executrix: Joy A. Lawrence, 148
Citrus Avenue, Imperial Beach, CA
91932

Attorney: Bernard A. Yannetti, Jr., Esq.,
Hartman & Yannetti, 126 Baltimore
Street, Gettysburg, PA 17325

NOTICE OF SHERIFF'S SALE
IN THE COURT OF COMMON PLEAS
OF ADAMS COUNTY, PENNSYLVANIA
NO. 2011-S-52

DEUTSCHE BANK TRUST COMPANY
AMERICAS AS TRUSTEE FOR RALI
2007QS7

vs.

JEFFREY W. HEARE

NOTICE TO: JEFFREY W. HEARE

NOTICE OF SHERIFF'S SALE OF REAL
PROPERTY

Being Premises: 8 PARADISE COURT,
NEW OXFORD, PA 17350-9435

Being in NEW OXFORD Township,
County of Adams, Commonwealth of
Pennsylvania

Improvements consist of residential
property.

Sold as the property of JEFFREY W.
HEARE

Tax Parcel: 34007-0058---000

Your house (real estate) at 8 PARADISE
COURT, NEW OXFORD, PA 17350-9435
is scheduled to be sold at the Sheriff's
Sale on NOVEMBER 4, 2011 at 10:00
A.M., at the Adams County Courthouse
to enforce the Court Judgment of
\$133,984.85 obtained by DEUTSCHE
BANK TRUST COMPANY AMERICAS
AS TRUSTEE FOR RALI 2007QS7 (the
mortgagee) against the above premises.

Phelan Hallinan & Schmieg, LLP
Attorney for Plaintiff

10/7
