

Adams County Legal Journal

Vol. 51

June 5, 2009

No. 3, pp. 14-20

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1661 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 19th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground situate on the Southwest side of the Hanover-Carlisle State Highway in Huntingdon Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at the State Highway aforesaid at lands now or formerly of Robert F. Fair, also known as Lot No. 5; Thence by Lot No. 5, South 51-1/2 degrees West, 180 feet to a point at an alley; thence by said alley, North 38-1/2 degrees West, 60 feet to a point at lands now or formerly of Harry H. Plank, also known as Lot No. 3; thence by Lot No. 3, North 51-1/2 degrees East,

180 feet to a point at the State Highway aforesaid; thence by said Highway, South 38-1/2 degrees East, 60 feet to a point, the place of BEGINNING.

It being known as Lot No. 4 on plan of lots laid out by Daniel Plank.

BEING the same premises which Rhonda Renee Hardman, an unmarried person, by her deed dated November 30, 1999, and recorded in the office of the Recorder of Deeds in and for Adams County in Record Book 1961, Page 0330, granted and conveyed to Stephen R. Zink and Jamie H. Zink, husband and wife, the Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN John J. Kauffman and Rebecca A. Kauffman, h/w, as tenants of an estate by the entireties, by Deed from Stephen R. Zink and Jamie H. Zink, h/w, dated 01/29/2007, recorded 02/05/2007 in Book 4732, Page 157.

Tax Parcel: (22) 104-0069

Premises Being: 8486 Carlisle Pike, York Springs, PA 17372-9516

SEIZED and taken into execution as the property of **John Joseph Kauffman & Rebecca A. Kauffman** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 10, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/29, 6/5 & 12

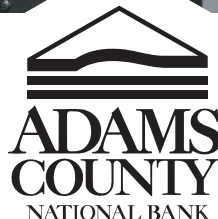
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-301 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 12th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Bendersville Borough, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point along the Northern side of Kime Avenue at the Southwest corner of the lot of ground designated as Lot No. 6 on the plan of lots referred to below; thence along the Northern side of Kime Avenue, South 81 degrees 45 minutes West 112.37 feet to a point; thence by land now or formerly of Robert L. Kime and wife North 8 degrees 15 minutes West, 133.66 feet to a point; thence by land now or formerly of Isabelle Hutton, North 81 degrees 30 minutes East, 112.37 feet to a point; thence by land now or formerly of Robert L. Kime and wife, South 8 degrees 15 minutes East, 134.15 feet to a point along the Northern side of Kime Avenue, place of BEGINNING.

The lot of ground hereby conveyed is designated as Lot No. 8 on a plan of lots of Paradise Heights prepared by Buchart-Horn, Consulting Engineers and Planners, said plan being revised July 14, 1972, and recorded on August 20, 1973, in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Plat Book 3 at page 19.

Being the same premises which Real Estate Diversified, Inc., a Pennsylvania Corporation, by its deed dated March 9, 2007 and intended to be recorded prior hereto in the Office of the Recorder of Deeds of Adams County, Pennsylvania, sold and conveyed unto Timothy E. McSparran and Buffy N. McSparran, husband and wife, the Mortgages herein.

SUBJECT, NEVERTHELESS, to the covenants, restrictions and reservations recorded in the Adams County Recorder of Deeds Office in Deed Book 315, Page 580.

115 Kime Ave., Bendersville, PA 17306

PARCEL# (3) 3-46

SEIZED and taken into execution as the property of **Timothy E. McSparran & Buffy N. McSparran** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/22, 29 & 6/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1694 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 12th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described piece, parcel or tract of land lying, being and situate in Reading Township, Adams County, Pennsylvania, bounded, limited and described as follows, to wit:

BEGINNING at a point in the center line of Township Road (T-574), also known as Rife Road at corner of lands now or formerly of Charles R. Nell; thence along said Township Road (T-574), also known as Rife Road, North forty-three (43) degrees six (06) minutes twenty (20) seconds West, one hundred ninety and fifteen hundredths (190.15) feet to a point at Lot No. 1 of the hereinafter mentioned Final Plan, thence North forty-nine (49) degrees thirty (30) minutes zero (0) seconds East five hundred forty-two and twenty hundredths (542.20) feet to an iron pin at lands now or formerly of James Welsh; thence

South thirty-nine (39) degrees twenty-six (26) minutes zero (0) seconds East two hundred thirty-eight (238.00) feet to an existing nail in a fence post at lands now or formerly of Charles R. Nell; thence South fifty-four (54) degrees forty-one (41) minutes zero (0) seconds West five hundred thirty-one and thirty hundredths (531.30) feet to the point and place of beginning. CONTAINING 2.630 acres.

Known as Lot No. 3 on a Final Plan prepared for Daniel J. and Judy A. Culbert, his wife, surveyed by George M. Wildasin, PLS, dated September 10, 1983 and revised May 13, 1985 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania in Plat Book 41, page 119.

SUBJECT, NEVERTHELESS, to certain conditions, restrictions, etc. as recorded on said plan.

Being known as 35 Rife Road, East Berlin, PA 17316

BEING THE SAME PREMISES which Phomma Phanthy and Tanis A. Phanthy, married, by Indenture dated August 11, 2006 and recorded October 5, 2006 in the Office of the Recorder of Deeds in and for Adams County in Deed Book 4595, Page 23, granted and conveyed unto Phomma Phanthy, adult individual.

PARCEL No. (36) L7-23G

SUBJECT TO MORTGAGE

SEIZED and taken into execution as the property of **Phomma Phanthy** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/22, 29 & 6/5

KINGSDALE FIRE CO. VS. GRAVER ET AL

1. There is Pennsylvania authority that, although technically incorrect, the merits of a motion to dismiss based upon lack of jurisdiction of the person should be considered by the court regardless of an error in form. Moreover, challenges to the lack of subject matter jurisdiction may be raised at any stage of the proceedings.

2. Our courts may exercise two types of personam jurisdiction over a non-resident defendant. One type of personal jurisdiction is general jurisdiction, which is founded upon a defendant's general activities within the forum as evidenced by continuous and systematic contacts with the state. The other is specific jurisdiction, which has a more defined scope and is focused upon the particular acts of the defendant that gave rise to the underlying cause of action.

3. As this litigation affects an interest in land located in Adams County, the Adams County Court is the only court that properly possesses subject matter jurisdiction as a court may only exercise in rem jurisdiction of a property when that property is within jurisdictional limits. Litigation concerning reformation of mortgage documentation which interest affects land in this jurisdiction falls within this category.

4. Our Supreme Court has clearly determined that private parties cannot change by contract the rules of jurisdiction or venue embodied in the various laws of the Commonwealth.

5. Jurisdiction over the party or the subject matter is not a thing to be determined by private bargaining. On the other hand, Pennsylvania courts have upheld the enforceability of forum selection clauses where those clauses are clear and unambiguous.

6. Even though a forum selection clause in a commercial contract between business entities is presumptively valid, it will be deemed unenforceable when: (1) the clause itself was induced by fraud or overreaching; (2) the forum selected in the clause is so unfair or inconvenient that a party, for all practical purposes, will be deprived of an opportunity to be heard; or (3) the clause is found to violate public policy.

In the Court of Common Pleas of Adams County, Pennsylvania, Civil, No. 08-S-583, KINGSDALE VOLUNTEER FIRE COMPANY, INC. VS. PAUL GRAVER D/B/A FIRST GOVERNMENT LEASE COMPANY.

Arthur J. Becker, Jr., Esq., for Plaintiff

Paul Graver, Defendant *pro se*

George, J., September 11, 2008

OPINION

This dispute arises from a Complaint filed by the Kingsdale Volunteer Fire Company, Inc. ("Kingsdale") versus Paul Graver d/b/a First Government Lease Company ("Graver") wherein Kingsdale seeks reformation of a mortgage encumbering Kingsdale's real property located at 1789 Frederick Pike, Germany Township, Adams County, Pennsylvania. In the Complaint, Kingsdale claims that the mortgage secures a loan in the amount of \$430,000 carrying interest

at a rate of 9.5 percent per annum. The amount of the loan and interest rate are specified in a mortgage note executed between the parties on February 12, 2007. Pursuant to the language of the mortgage note, Kingsdale has been paying Graver monthly payments since February 12, 2007 in the amount specified in the mortgage note of \$6,270. Very recently, Kingsdale discovered that when \$430,000 is amortized at 9.5 percent over the 156-month loan term specified in the note, the monthly payment should only be \$4,842.92. The current equity action is filed to seek correction of the monthly payment schedule and appropriately credit Kingsdale for overpayments made to date. In order to seek immediate relief from the monthly obligation, Kingsdale has requested temporary injunctive relief.

In response to the Complaint, Graver filed an Answer which essentially contains general denials. Additionally, he filed a document titled “Special & Limited Appearance To Solely Contest Jurisdiction” and a “Motion To Dismiss” claiming that the note and mortgage are documents resulting from a Lease Purchase Agreement entered between the parties. He contests this Court’s jurisdiction based upon language in the Lease Purchase Agreement which provides:

Lessee agrees to bring any judicial action arising directly or indirectly in connection with this agreement or any transaction covered hereby only in Courts located within Cook County, IL. Lessee also consents and submits to the jurisdiction of any State or Federal Court located within Cook County, IL. The choice of law shall be IL.

In addition to the Lease Purchase Agreement, Graver points to language in a Jurisdictional Rider, executed by Kingsdale, which includes essentially identical language. Based upon this language, he seeks the current action to be dismissed.

In their response, Kingsdale counters that Graver has waived his challenge to jurisdiction by entering an appearance and filing an Answer. Kingsdale suggests that challenges to jurisdiction are only properly raised by preliminary objection. Kingsdale further counters that the current action is not governed by the Lease Purchase Agreement.

A technical application of the Pennsylvania Rules of Civil Procedure would result in a finding of waiver of Graver’s challenge

as the rules do not provide for the filing of a motion to dismiss as a responsive pleading to a complaint. See Pa. R.C.P. 1017 (except as provided in asbestos-related litigation, pleadings are limited to a complaint and an answer or preliminary objection; a reply if the answer contains new matter; a counterclaim or cross-claim; and a counterclaim if the reply to a counterclaim or cross-claim contains new matter). Moreover, Pa. R.C.P. 1028 provides that challenges to subject matter or personal jurisdiction are to be raised by preliminary objection. On the other hand, there is Pennsylvania authority that, although technically incorrect, the merits of a motion to dismiss based upon lack of jurisdiction of the person should be considered by the court regardless of an error in form. See *Slezzynger v. Bischak*, 307 A.2d 405, 407 (Pa.Super. 1973). Moreover, challenges to the lack of subject matter jurisdiction may be raised at any stage of the proceedings. *Clay v. Advanced Computer Applications, Inc.*, 536 A.2d 1375, 1379 (Pa.Super. 1988). As the intent of the pleading is clear, I will interpret the Pennsylvania Rules of Civil Procedure liberally so as not to elevate form over substance, see Pa. R.C.P. 126, and will consider Graver's challenges to personal and subject matter jurisdiction.

The Superior Court recently summarized the two types of personal jurisdiction and application of the Pennsylvania Long Arm Statute as follows:

Pursuant to the Judiciary Act, 42 Pa. C.S.A. § 5301, et seq., our courts may exercise two types of in personam jurisdiction over a non-resident defendant. One type of personal jurisdiction is general jurisdiction, which is founded upon a defendant's general activities within the forum as evidenced by continuous and systematic contacts with the state. The other type is specific jurisdiction, which has a more defined scope and is focused upon the particular acts of the defendant that gave rise to the underlying cause of action.

Regardless of whether general or specific in personam jurisdiction is asserted, the propriety of such an exercise must be tested against the Pennsylvania Long Arm Statute, 42 Pa. C.S.A. § 5322, and the Due Process Clause of the Fourteenth Amendment. In order to meet

constitutional muster, a defendant's contacts with the forum state must be such that the defendant could reasonably anticipate being called to defend itself in the forum. Random, fortuitous and attenuated contacts cannot reasonably notify a party that it may be called to defend itself in a foreign forum and, thus, cannot support the exercise of personal jurisdiction. That is, the defendant must have purposefully directed its activities to the forum and conducted itself in a manner indicating that it has availed itself to the forum's privileges and benefits such that it should also be subjected to the forum state's laws and regulations.

The Pennsylvania Long Arm Statute permits jurisdiction to be exercised "to the fullest extent under the Constitution of the United States and may be based upon the most minimum contact with this Commonwealth allowed under the Constitution of the United States." 42 Pa. C.S.A. § 5322(b).

Taylor v. Fedra International, Ltd., 828 A.2d 378, 381 (Pa.Super. 2003).

Under this guidance, as well as the statutory provision in the Judiciary Act, there is no question this Court has in personam jurisdiction.

The issue before the Court is reformation of documentation affecting an interest in land within this Commonwealth. See 42 Pa. C.S.A. § 3322(a)(5) (a tribunal of this Commonwealth may exercise personal jurisdiction over a person having an interest in real property in this Commonwealth). Moreover, Graver engaged in providing financing in this Commonwealth, the result of which provided pecuniary benefits to him. Actual execution of the documents at issue occurred in Adams County, Pennsylvania. Thus, Graver clearly conducted business in this Commonwealth thereby submitting himself to the personal jurisdiction of this Court. 42 Pa. C.S.A. § 5322(a)(1) (Commonwealth may exercise personal jurisdiction over a person transacting business in this Commonwealth).

Graver's challenge to subject matter jurisdiction is similarly meritless. Article 5, Section 5 of the Pennsylvania Constitution provides that the Court of Common Pleas shall have "unlimited original jurisdiction

in all cases except as may otherwise be provided by law.” This constitutional provision was implemented by legislation in the Judicial Code which provides that the Court of Common Pleas shall have unlimited original jurisdiction of all actions and proceedings, including all actions and proceedings heretofore cognizable by law or usage in the Courts of Common Pleas.” 42 Pa. C.S.A. § 931. Appellate authority instructs that these provisions leave no doubt that the Court of Common Pleas has the authority to enforce contracts and fashion remedies related to their interpretation. *Martino v. Transport Workers Union of Philadelphia*, 447 A.2d 292, 299 (Pa.Super. 1982). Moreover, as this litigation affects an interest in land located in Adams County, the Adams County Court is the only court that properly possesses subject matter jurisdiction as a court may only exercise in rem jurisdiction of a property when that property is within its jurisdictional limits. See 42 Pa. C.S.A. § 5302 (the courts of this Commonwealth shall have jurisdiction over land situate within this Commonwealth); Pa. R.C.P. 1142 (an action in mortgage foreclosure may only be brought in the county in which the land is located); *Taddei v. Taddei*, 445 A.2d 773, 775 (Pa.Super. 1982) (a court cannot exercise in rem jurisdiction over property outside its jurisdictional limits). Undoubtedly, litigation concerning reformation of mortgage documentation which interest affects land in this jurisdiction falls within this category.

In the Motion To Dismiss, Graver references language in an agreement between the parties which discusses forum selection for resolution of any dispute between the parties. Nevertheless, his Motion is based upon a challenge to the personal and subject matter jurisdiction of this Court. The distinction is critical as our Supreme Court has clearly determined that private parties cannot change by contract the rules of jurisdiction or venue embodied in the various laws of the Commonwealth. Jurisdiction over the party or the subject matter is not a thing to be determined by private bargaining. *Central Contracting Co. v. C.E. Youngdahl & Co.*, 209 A.2d 810, 816 (Pa. 1965). On the other hand, Pennsylvania courts have upheld the enforceability of forum selection clauses where those clauses are clear and unambiguous. *Patriot Commercial Leasing Co., Inc. v. Kremer Restaurant Enters*, 915 A.2d 647, 650 (Pa.Super. 2006). Since Graver’s Motion is styled as a challenge to this Court’s jurisdiction, it is denied as this Court clearly has both in personam and subject matter jurisdiction.

Even were I to ignore the plain language employed by Graver's Motion To Dismiss and interpret the same as an effort to enforce a forum selection clause in an agreement between the parties, the relief requested by Graver is still not warranted. In asking this Court to decline to exercise its jurisdiction in support of the alleged agreement between the parties, Graver relies upon language in a February 1, 2007 Lease Purchase Agreement. As noted by Graver, the Lease Purchase Agreement contains language indicating the desire of the parties to resolve disputes in Illinois courts. However, the Lease Purchase Agreement does not relate to the purchase of any equipment but rather describes the subject of the lease as a first mortgage on Kingsdale realty. As such, a vast majority of the language in the Lease Purchase Agreement is inappropriate and internally inconsistent.¹

The mortgage and note which are the subject of Kingsdale's request for reformation were not executed until February 12, 2007 and, with exception to the alleged miscalculated payment, are clear and concise in their meaning. Among those terms is clear language that the mortgage shall be governed by the law of Pennsylvania which, incidentally, is in direct contradiction to language relied upon by Graver in the Lease Purchase Agreement. Under these circumstances, I decline to defer the jurisdiction of this Court to another forum where the language at issue is inconcisely stated in a confusing document which is peripheral to the heart of the transaction between the parties.

Moreover, even had the forum selection clause been clearly and concisely stated, the same is unreasonable and thus unenforceable. Even though a forum selection clause in a commercial contract between business entities is presumptively valid, it will be deemed unenforceable when: (1) the clause itself was induced by fraud or overreaching; (2) the forum selected in the clause is so unfair or inconvenient that a party, for all practical purposes, will be deprived of an opportunity to be heard; or (3) the clause is found to violate public policy. *Patriot Commercial Leasing Co., Inc. v. Kremer Restaurant Enters*, 915 A.2d 647, 651 (Pa.Super. 2006). As mentioned earlier, the

¹For instance, the Lease Purchase Agreement provides for the lease of equipment which may be purchased by the Lessee at any time. The Agreement references the maintenance of the equipment as well as allocating the risk of loss for damage to the equipment. Upon commencement of the lease, the Agreement directs that possession of the equipment shall pass to the Lessee.

Rules of Civil Procedure adopted by our Supreme Court directed actions related to mortgage foreclosure may only be brought in the county where the land is located. Pa. R.C.P. 1142. Graver's interpretation of the Lease Purchase Agreement, however, requires such an action to be brought in Illinois. I am simply unwilling to cede jurisdiction of matters involving Pennsylvania real property to the courts of Illinois. As such an action would contravene Pennsylvania authority, I find the clause to be violative of public policy.

Accordingly, for the reasons set forth herein above, the Motion To Dismiss is denied. As Graver has otherwise not appeared nor contested Kingsdale's request for temporary injunction, the request for injunctive relief is granted.

For the foregoing reasons, the attached Order is entered.

ORDER

AND NOW, this 11th day of September, 2008, the Motion To Dismiss filed by Paul Graver d/b/a First Government Lease Company is denied. Adams County shall remain the proper venue for the above-captioned litigation.

It is further Ordered that the request for temporary injunction of Kingsdale Volunteer Fire Company, Inc. is granted. Paul Graver d/b/a First Government Lease Company is temporarily enjoined from enforcing a mortgage on the property located at 1789 Frederick Pike, Germany Township, Adams County, Pennsylvania dated February 12, 2007, or the related mortgage note carrying that same date, to the extent that monthly payments made by Kingsdale Volunteer Fire Company, Inc. pursuant to those documents exceed \$4,842.92. Accordingly, until final Order is entered, the Defendant may not seek collection under the above-referenced documents in excess of \$4,842.92 per month. The Court declines to Order reimbursement or credit for past payments as the same is not authorized by law until final disposition on the merits is obtained. Nothing in this Order shall prohibit the Defendant from instituting collection procedures in the event the Plaintiff fails to make monthly payments in the amount of \$4,842.92 or otherwise defaults on terms of the mortgage unrelated to the amount of the payment.

The temporary injunction entered herein is conditioned upon the Plaintiff filing a bond with the Adams County Prothonotary's Office in an amount of \$1 within seven (7) business days of the date of this Order.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1706 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 12th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described real estate, together with improvements thereon erected, lying and being situate on the South side of the Lincoln Highway in Franklin Township, Adams County, Pennsylvania, bounded and limited as follows:

BEGINNING on the South side of the Lincoln Highway at a corner of land now or formerly of Edward C. Smith, known as Lot No. 17 on plan hereinafter referred to: thence with the said Lincoln Highway, South 81 degrees East 100 feet to the corner of another lot now or formerly of Edward C. Smith, known as Lot No. 20 on said plan; thence by said lot known as Lot No. 20, South 9 degrees West 300 feet to a corner of other land now or formerly of Edward C. Smith; thence by same North 81 degrees West 100 feet to the corner of land now or formerly of Edward C. Smith, known as Lot No. 17; thence by said Lot No. 17 North 9 degrees East 300 feet to the corner of the Lincoln Highway, the place of BEGINNING. Being lot Nos. 18 and 19 on a survey for Harry A. Marshall prepared by John E. McElroy, surveyor, dated April 26, 1922.

Map and Parcel ID: (12) A09-77

TITLE TO SAID PREMISES IS VESTED IN Gerald D. Thomas and Brenda S. Thomas, husband and wife, by deed from Gerald D. Thomas and Brenda S. Thomas, his wife dated April 14, 1989 and recorded April 18, 1989 in Deed Book 519, Page 920.

Being Known As: 6270 Chambersburg Road, Fayetteville, Pennsylvania 17222.

SEIZED and taken into execution as the property of **Gerald D. Thomas & Brenda S. Thomas** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/22, 29 & 6/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1297 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 19th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain piece, parcel or tract of ground, situate, lying and being in the Borough of Bonneauville, Adams County, Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point on the right-of-way line of the cul-de-sac of Judy Way at corner of Lot No. 16 on the hereinafter referred to subdivision plan; thence along said Lot No. 16, North eighty-five (85) degrees, thirty-one (31) minutes, thirty-two (32) seconds East, one hundred twenty-one and twelve hundredths (121.12) feet to a point on line of land designated as the 'well lot'; and at corner of Lot No. 20; thence along Lot No. 20, South twenty-five (25) degrees, five (05) minutes, forty-seven (47) seconds West, one hundred forty-one and thirty-four hundredths (141.34) feet to a point on Lot No. 20A; thence along Lot No. 20A, North sixty-four (64) degrees, fifty-seven (57) minutes, eleven (11) seconds West, one hundred eleven and twenty hundredths (111.20) feet to a point on line of Lot No. 14; thence along Lot No. 14, North twenty-eight (28) degrees, fifteen (15) minutes, twenty-two (22) seconds East, twenty-five and eighty hundredths (25.80) feet to a point on the right-of-way line of Judy Way; thence along the cul-de-sac of Judy Way by a curve to the left, the radius of which is fifty (50.00) feet, for an arc distance of 59.53 feet, the long chord of which is North twenty-nine (29) degrees, thirty-eight (38) minutes, five (05) seconds East, fifty-six and eight hundredths (56.08) feet to the point and place of BEGINNING.

The above description was taken from a final plan of Nobles Ridge by Worley Surveying dated December 18, 2000 and recorded in Adams County Plat Book 79, page 57, being Lot No. 15 thereon.

Together with all buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and any reversions,

remainders, rents, issues and profits thereof, and of every part and parcel thereof, including any interests specifically set forth, if any. And also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the Grantor of, in and to the same.

To Have And To Hold the same premises, and the appurtenances, hereby granted to Grantee and Grantee's heirs, successors and assigns, to and for the only proper use, benefit and behoove of the said Grantee and Grantee's heirs, successors and assigns forever, under and subject to the conditions set forth, if any.

And The Said Grantor hereby covenants and agrees that Grantor will warrant specially the property hereby conveyed.

Under And Subject, nevertheless to the same condition, restrictions, exceptions and reservations as exist by virtue of prior recorded instruments, deeds and conveyances.

It Being The Same Premises which John Ted and Frank Gebbart, CO-Partners t/d/b/a New Oxford Enterprises, by their deed dated November 14, 2002 and recorded in the Office of The Recorder of Deeds in and for Adams County, Pennsylvania in Record Book 2907, Page 295, granted and conveyed unto Smokehouse, LLLP, Grantor herein.

TITLE TO SAID PREMISES IS VESTED IN Thomas E. Bell, Sr. and Carmen H. Bell, by Deed from Smokehouse, LLLP, a limited liability partnership, dated 07/11/2003, recorded 08/29/2003 in Book 3274, Page 121.

Tax Parcel: (06) 005-0136

Premises Being: 15 Judy Way, Gettysburg, PA 17325-7983

SEIZED and taken into execution as the property of **Thomas E. Bell, Sr. & Carmen H. Bell** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 10, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/29, 6/5 & 12

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1520 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 19th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

All that tract of land situate, lying and being in Union Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pin off the Eastern edge of Township Road T-458 (Chestnut Hill Road), at corner of land now or formerly of William Hilker; thence along said eastern edge of Township Road T-458, North 18 degrees 01 minute 14 seconds West, 115.00 feet to an iron pin at corner of other land now or formerly of Paul J. Foltz, designated as Lot No. 3 on the hereinafter referred to draft of survey; thence by said Lot No. 3, North 71 degrees 58 minutes 46 seconds East, 250.00 feet to an iron pin on line of other land now or formerly of Paul J. Foltz; thence by said other land of Paul J. Foltz, South 18 degrees 01 minute 14 seconds East, 116.79 feet to an iron pin on line of land now or formerly of William Hilker aforesaid; thence by said land of William Hilker, and passing through an existing iron pin set back 15.11 feet from the next mentioned point, South 72 degrees 23 minutes 26 seconds West, 250.00 feet to a point off the eastern edge of Township Road T-458 (Chestnut Hill Road), the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Bernard McVicker, a married man, by Deed from June E. McVicker, dated 06/24/2002, recorded 07/09/2002 in Book 2724, Page 244.

Tax Parcel: (41) K17-0099

Premises Being: 430 Chestnut Hill Road, Hanover, PA 17331-9025

SEIZED and taken into execution as the property of **Bernard McVicker** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 10, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/29, 6/5 & 12

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1678 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 19th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Franklin Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the center of a 50-foot right of way at Lot No. 1; thence by lot, North 12 degrees 49 minutes 50 seconds East, 206.56 feet to Lot No. 2; thence by said lot, South 77 degrees 10 minutes 10 seconds East, 260 feet to Lot No. 4; thence by said lot, South 12 degrees 49 minutes 50 seconds West, 200 feet to a point at other lands now or formerly of Frank Robbins; thence by said lands, North 77 degrees 10 minutes 10 seconds West, 222.03 feet to a point in the center of said 50-foot right of way; thence in the center of said 50-foot right of way, North 86 degrees 58 minutes 35 seconds West, 38.53 feet to the place of BEGINNING.

Being Lot No. 3 on a draft of survey dated February 26, 1973, prepared by Donald E. Worley, Surveyor, and recorded in Adams County Plat Book No. 2 at Page 60.

TITLE TO SAID PREMISES IS VESTED IN Jason A. Kline, by Deed from J. Mark Cropp, joined by his wife, Donna R. Cropp and Marci L. Cropp, unmarried, dated 06/08/2007, recorded 06/08/2007 in Book 4867, Page 132.

Tax Parcel: (12) C09-0062

Premises Being: 4585 B Chambersburg Road, Biglerville, PA 17307-9531

SEIZED and taken into execution as the property of **Jason A. Kline** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 10, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/29, 6/5 & 12

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Act of Assembly of December 16, 1982, Act 295, as amended, that an Application for Registration of Fictitious Name has been filed in the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the conduct of business in Pennsylvania, under the assumed or fictitious name of: STARS AND STRIPES TOURS with its principal place of business at: 200 Old US 15, P.O. Box 235, York Springs, Pennsylvania 17372. The name and address of the entity owning or interested in said business is: Wolf's Bus Lines, Inc., 200 Old US 15, P.O. Box 235, York Springs, Pennsylvania 17372.

Jennifer Denchak Wetzell, Esq.
Persun & Heim, P.C.
1700 Bent Creek Boulevard
Suite 160
P.O. Box 659
Mechanicsburg, PA 17055-0659
(717) 620-2440

6/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1751 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 19th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground with the improvements thereon erected, situate in the Borough of Littlestown, County of Adams, and Commonwealth of Pennsylvania, being Lot No. 13 on Plan of Lake View Subdivision, Section 1, being known as No. 531 Lake View Circle, more particularly described in accordance with a survey made by Thomas & Associates, Hanover, Pennsylvania, dated 27 September 1978, File No. A-45, as follows, to wit:

BEGINNING at a bolt set on the Northeast side of Lake View Circle (fifty (50) feet wide), a corner of Lot No. 14 on above mentioned plan; thence extending from said beginning bolt and measured along line of Lot No. 14, North forty-five (45) degrees thirty-seven (37) minutes twenty-eight (28) seconds East, one hundred twenty-five and no one-hundredths (125.00) feet to an iron pipe in line of lands now or formerly of Paul Niesley; thence extending along same, South forty-four (44) degrees twenty-two (22) minutes thirty-two (32) seconds East, eighty and no one-hundredths (80.00) feet to an iron pipe, at corner of Lot No. 12 on above mentioned plan; thence extending along same, South forty-five (45) degrees thirty-seven (37) minutes twenty-eight (28) seconds West, one hundred twenty-five and no one-hundredths (125.00) feet to a bolt on the Northeast side of Lake View Circle, aforesaid; thence extending along same, North forty-four (44) degrees twenty-two (22) minutes thirty-two (32) seconds West, eighty and no one-hundredths (80.00) feet to a bolt, the first mentioned bolt and place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN James F. Waggoner and Ruth E. Waggoner, h/w, as tenants by the entireties, by Deed from Gary Del Cameron, II and Arlene E. Cameron, h/w, dated 03/15/2004, recorded 3/25/2004 in Book 3505, Page 82.

Tax Parcel: (27) 012-0033

Premises Being: 531 Lakeview Circle, Littlestown, PA 17340

SEIZED and taken into execution as the property of **James F. Waggoner & Ruth E. Waggoner** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 10, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/29, 6/5 & 12

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1763 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 19th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Carroll Valley Borough, County of Adams, Commonwealth of Pennsylvania, being Lot No. 343 in Section K, bounded and described as follows:

BEGINNING at a point in the center of Sunfish Trail as Lot No. 344; thence by said lot North 34 degrees 9 minutes 14 seconds East, 273.08 feet to lands of Wilbur F. Sites; thence by said lands and by Lot No. 337 South 59 degrees 4 minutes 35 seconds east, 100.16 feet to Lot No. 342; thence by said lot South 34 degrees 9 minutes 14 seconds West, 275.72 feet to a point in the center of said Sunfish Trail; thence in said Sunfish Trail North 55 degrees 50 minutes 46 seconds West 100.00 feet to the place of BEGINNING.

The above description was taken from a plan of lots labeled 'Section K, Charnita' dated March 3, 1969, prepared by Evans, Hagan & Holdefer, and recorded in Adams County Plat Book No. 1 at Page 42.

SUBJECT to all restrictions, conditions and reservations more fully described in Deed Book 272, page 376.

BEING THE SAME PREMISES WHICH Karen L. Gray, now by marriage Karen L. Smith, married woman, by Deed dated January 23, 2006, recorded January 25, 2006, at Instrument #200600001742, in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, granted and conveyed unto Karen L. Smith, married woman, Grantor herein.

TITLE TO SAID PREMISES IS VESTED IN Karen L. Smith and James E.

Smith, Jr., w/h, as tenants by the entireties, by Deed from Karen L. Smith, married woman, joined by James E. Smith, Jr., her husband, dated 10/31/2006, recorded 11/03/2006 in Book 4631, Page 26.

Tax Parcel: (43) 004-0006

Premises Being: 18 Sunfish Trail, Fairfield, PA 17320-8514

SEIZED and taken into execution as the property of **Karen L. Smith & James E. Smith** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 10, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/29, 6/5 & 12

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Commonwealth of Pennsylvania Department of State for the purpose of obtaining a Certificate of Incorporation of a business Corporation organized under the Business Corporate Law (BCL) of the Commonwealth of Pennsylvania, Act of December 21, 1988, P.L. 1444, No. 177.

The name of the corporation is PAREDES AUTOMOTIVE INC. The initial registered office of the corporation will be 325 Seven Stars Road, Gettysburg, PA 17325. The corporation shall have unlimited power to engage in and do any law act concerning any or all lawful business for which corporation may be organized under the Pennsylvania Business Corporation Law.

Paredes Automotive Inc.
325 Seven Stars Road
Gettysburg, PA 17325

6/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-204 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described tract of land situate, lying and being in Oxford Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a corner at a point in the centerline of Township Road No. T-493 (commonly referred to as the 700 Road) at Lot No. 7 on the hereinafter referred to Subdivision Plan; thence along the Southerly edge of Lot No. 7 South thirty-seven (37) degrees one (1) minutes twelve (12) seconds East two hundred twenty-five (225) feet to a point at other lands of Delbert Piper; thence along said last mentioned lands South fifty-two (52) degrees fifty-eight (58) minutes forty-eight (48) seconds West one hundred (100) feet to a point at other lands of Delbert Piper; thence along said last mentioned lands North thirty-seven (37) degrees one (1) minute twelve (12) seconds West two hundred twenty-five (225) feet to a point in the centerline of said Township Road No. T-493 North fifty-two (52) degrees fifty-eight (58) minutes forty-eight (48) seconds East one hundred (100) feet to a point in the centerline of said Township Road No. T-493; being the point and place of BEGINNING.

CONTAINING 22,500.00 Square Feet. The above description was taken from a Subdivision Plan prepared by J. H. Rife, Registered Engineer, dated May 01, 1979, bearing File No. D-504, and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plat Book 30, page 40, and designated thereon as Lot No. 8.

TAX PARCEL #: (35) 013-0002

PROPERTY ADDRESS: 83 700 Road, New Oxford, PA 17350

SEIZED and taken into execution as the property of **Christine A. Bailey & Corey L. Bailey** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

6/5, 12 & 19

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1814 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land lying and being in Cumberland Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a steel rod at the edge of Biglerville Road and lands now or formerly of G. S. & G. Builders, Inc.; thence by lands of G. S. & G. Builders, Inc., North 78 degrees 14 minutes 00 seconds East, 149.88 feet to a pipe at lands now or formerly of Kenneth Rhoads; thence by lands of Rhoads, South 11 degrees 58 minutes 55 seconds East 75 feet to a steel rod at lands now or formerly of Richard R. Crone; thence by lands of Crone, South 78 degrees 14 minutes 00 seconds West 58.14 feet to a point; thence continuing along same South 11 degrees 46 minutes 00 seconds East 3 feet to a point; thence continuing along same South 78 degrees 14 minutes 00 seconds West 92 feet to a Drill Hole in concrete at the edge of Biglerville Road; thence along the edge of Biglerville Road, North 11 degrees 46 minutes 45 seconds West 78 feet to Steel Rod at lands now or formerly of G. S. & G. Builders Inc., the place of BEGINNING.

The above description was taken from a Boundary survey dated April 15, 1992 by Adams County Surveyors and attached hereto as Exhibit A.

Being the same which George E. Thompson and Lillian Ella Thompson husband and wife, by deed dated November 26, 2001 and recorded in the office of the Recorder of Deeds of Adams County Pennsylvania Record Book 2476 at page 235, conveyed unto William E. Atkins and Frances L. Atkins, husband and wife, the grantors herein.

SUBJECT, HOWEVER, to the restrictions pertaining to Tract No. 2 as set forth in the Deed recorded in Deed Book 216 at page 162 and to the restrictions pertaining to Tract No. 3 as set forth in the Deed recorded in Deed Book 161 at page 225.

BEING KNOWN AS: 885 Biglerville Road, Gettysburg, PA 17325

PROPERTY ID NO.: (09) F12-0118

TITLE TO SAID PREMISES IS VESTED IN Dell Parker Baker by deed from William E. Atkins and Frances L. Atkins, husband and wife dated 10/18/2005 recorded 10/31/2005 in deed book 4186 page 304.

SEIZED and taken into execution as the property of **Dell Parker Baker** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

6/5, 12 & 19

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, in compliance with the requirements of Section 311, of Act 1982 - 295 (54 Pa. C.S. 311), the undersigned entity (ies) announce their intention to file in the Office of the Secretary of the Commonwealth of Pennsylvania, on approximately May 26, 2009, a certificate for the conduct of a business in Adams County, Pennsylvania, under the assumed or fictitious name, style or designation of BLUEBRICK GALLERY, with its principal place of business at 18 N. Washington St. The names and addresses of the person owning or interested in said business are Lisa Harman, residing at 280 Dale Road, Biglerville, PA 17307. The character or nature of the business is Retail Art Gallery.

6/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1561 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land, situate, lying and being in Cumberland Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a point at a railroad spike in the center of the right-of-way of Barlow Greenmount Road at lands now or formerly of Melvin R. Durboraw; thence along said lands now or formerly of Melvin R. Durboraw South 18 degrees 55 minutes 40 seconds West, 1,425.42 feet to a point; thence continuing along same North 68 degrees 58 minutes 15 seconds West, 344.09 feet to a point at lands now or formerly of Kevin Trostle; thence along said lands now or formerly of Kevin Trostle North 21 degrees 3 minutes 45 seconds East, 476.11 feet to a point at Lot No. 2; thence along said Lot No. 2 North 73 degrees 3 minutes 30 seconds West, 332.37 feet to a steel rod; thence continuing along same and along lands now or formerly of David Ickes North 21 degrees 3 minutes 45 seconds East, 736.18 feet to a point in the center of the right-of-way of Barlow-Greenmount Road; thence in and through the right-of-way of Barlow-Greenmount Road South 82 degrees 58 minutes 15 seconds East, 30.00 feet to a point, the place of BEGINNING, CONTAINING 5.3 acres and being identified as Lot No. 1 on the final subdivision plan of Paul L. Plank, which plan is recorded in the Adams County Recorder of Deeds Office in Plat Book 53, page 59.

IT BEING the same premises which Stella M. Plank, widow, by her deed dated November 21, 2007, and about to be recorded in the Office of the Recorder of Deeds in Adams County, Pennsylvania, granted and conveyed unto Michael D. Gilligan, Mortgagor herein.

TAX PARCEL # (09) F16-0063

BEING KNOWN AS: 102 Barlow Greenmount Road, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Michael D. Gilligan** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2009, and

distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

6/5, 12 & 19

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-37 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT THOSE two (2) tracts of land situate, lying and being in Hamiltonban Township, Adams County, Pennsylvania, bounded and described as follows:

TRACT NO. 1

BEGINNING at a poplar stump between lands formerly of Christian Frey and the heirs at Joseph Reed; thence North 36-3/4 degrees East, 7.3 perches to stones; thence South 63-1/4 degrees East, 45 perches to stones; thence South 36-3/4 degrees West, 7.3 perches to stones; thence South 53-1/4 degrees East, 37.8 perches to stones; thence North 88-3/4 degrees East 67.5 perches to stones; thence along other lands now or formerly of John Wolf, et ux, South 37 degrees West 57.6 perches to stones; thence North 53 degrees West, 138 perches to stones; thence North 48 degrees East, 16.7 perches to the place of BEGINNING.

CONTAINING 24 acres and 35 perches, more or less.

TRACT NO. 2

BEGINNING at stones at lands formerly of John Cochran; thence North 55 degrees West, 65 perches to stones at corner of Tract No. 1, thence by Tract No. 1 North 35 degrees East 57.6 perches to stones; thence North 86-3/4 degrees East, 78.7 perches to a White Oak and stones; thence South 33 degrees West, 106 perches to stones at the place of BEGINNING.

CONTAINING 32 acres and 108 perches.

LESS, HOWEVER, five (5) parcels of land which Odis K. Schmidt and William L. Baker have sold and conveyed pursuant to the following deeds;

(a) Deed from Odis K. Schmidt and William L. Baker to Robert F. Kidwell dated September 2, 1977 and recorded in Adams County Deed Book 333 at page 346 and containing 3,593 acres.

(b) Deed from Odis K. Schmidt and William L. Baker to William J. Zeigler and Thomas L. Zeigler dated December 15, 1980 and recorded in Deed Book 355 at page 155 and containing 12.525 acres.

(c) Deed from Odis K. Schmidt and William L. Baker to William J. Zeigler and Thomas L. Zeigler, dated May 25, 1983 and recorded in Deed Book 368, at page 339 and containing 10.004 acres.

(d) Deed from Odis K. Schmidt and William L. Baker to William J. Zeigler and Thomas L. Zeigler, dated September 20, 1984 and recorded in Record Book 366 at page 1091 and containing 10 acres.

(e) Deed from Odis K. Schmidt and William L. Baker to William J. Zeigler and Thomas L. Zeigler, dated June 15, 1989 and recorded in Record Book 525 at page 627 and containing 10 acres.

IMPROVEMENTS: Residential dwelling
Tax ID # (18) A17-0003A

SEIZED and taken into execution as the property of **Shawn D. Green & Glen D. Green** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

6/5, 12 & 19

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 SUZANNE H. HARBACH, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Executor: Adams County National Bank, P.O. Box 4566, Gettysburg, PA 17325

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore Street, Suite 1, Gettysburg, PA 17325-2311

ESTATE OF MARY C. HEMLER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Ann H. Nance, 98 Table Rock Road, Gettysburg, PA 17325; L. Bernadette Leese, 226 Diller Road, Hanover, PA 17331

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF HELEN B. KLINE, DEC'D

Late of Huntington Township, Adams County, Pennsylvania

Co-Executors: Joan E. Ludwig & James W. Kline, c/o Duncan & Hartman, P.C., One Irvine Row, Carlisle, PA 17013

Attorney: William A. Duncan, Esq., Duncan & Hartman, P.C., One Irvine Row, Carlisle, PA 17013

ESTATE OF HARRY A. NAYLOR, JR., DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executor: Chad Naylor, 2605 Coon Road, Aspers, PA 17304

Attorney: Clayton R. Wilcox, Esq., P.O. Box 176, Littlestown, PA 17340

ESTATE OF DORIS M. OYLER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Linda O. Ackerman, 177 Longstreet Drive, Gettysburg, PA 17325

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF GLADYS M. SHEELY, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Gail M. Rhodes, 406 Allegheny Ave., Hanover, PA 17331

Attorney: Stonesifer and Kelley, P.C., 209 Broadway, Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF MARY JUNE CHRONISTER, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Wilda Warner, 235 Knoxlyn Road, Gettysburg, PA 17325

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF CLYDE R. LAUGHMAN, DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Executor: Lanny M. Laughman, 20 Rosewood Lane, Bolton, CT 06043

Attorney: Donald W. Dorr, Esq., 846 Broadway, Hanover, PA 17331

ESTATE OF VELMA A. WARNER, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executrix: Joanne L. Warner, 900 Yellow Hill Rd., Biglerville, PA 17307

Attorney: John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF DALE J. LUX, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Yvonne J. Callaway, 13026 Roundup Avenue, San Diego, CA 92129

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore Street, Gettysburg, PA 17325

ESTATE OF TERRI LYNN MOORE a/k/a TERRI L. MOORE, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Administrator: Eustace Hagley, Jr., P.O. Box 343, Littlestown, PA 17340

Attorney: Victor A. Neubaum, Esq., 42 South Duke Street, York, PA 17401

ESTATE OF WILLIAM H. ORTMAN, JR., DEC'D

Late of Germany Township, Adams County, Pennsylvania

Administratrices: Linda Darlene Ortmann, 6320 Baltimore Pike, Littlestown, PA 17340; Falon E. Ortmann, 155 Crest View Drive, East Berlin, PA 17316

Attorney: John J. Mooney, III, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF NANCY JANE SENTZ, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Michael Sentz, 409 Littlestown Road, Littlestown, PA 17340

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1702 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 19th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate in Butler Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the Southeastern side of Pennsylvania Route #234 and a corner of land now or formerly of A. Richard and Shirley F. Butler, said point being located approximately 3,800 feet from the Biglerville Square, the intersection of Pennsylvania Route #234 and Pennsylvania Route #34; thence extending along the Southeastern side of Pennsylvania Route #234, North 61 degrees 45 minutes East 90.00 feet to a point at a corner of lands now or formerly of George F. Sturgeon; thence extending along same, and passing through an iron pin set back 8.48 feet from the beginning of said course, South 27 degrees 23 minutes East 187.08 feet to an iron pin at a corner of lands now or formerly of Lester and Estella Van Arsdale; thence extending along same, South 63 degrees 12 minutes West 90.00 feet to an iron pin at a corner of land now or formerly of A. Richard and Shirley F. Butler; thence extending along same, and passing through an iron pin set back 8.48 feet from the end of said course, North 27 degrees 23 minutes West 184.80 feet to the first mentioned point and place of BEGINNING, CONTAINING 16,742 square feet.

The above description was taken from a draft of survey prepared for Jerry D. McDaniel and Gloria J. McDaniel by Richard W. Boyer, R. S., dated August 26, 1976, and bearing Drawing No. 0876-152.

TITLE TO SAID PREMISES IS VESTED IN Steven W. Daron and Christine R. Daron, h/w, as tenants of an Estate by entireties, by Deed from Allen Hartzell and Angela K. Hartzell, formerly Angela K. Taylor, h/w, dated 07/24/1992, recorded 07/24/1992 in Book 635, Page 961.

Tax Parcel: (07) F08-0007

Premises Being: 385 East York Street, Biglerville, PA 17307-9587

SEIZED and taken into execution as the property of **Steven W. Daron & Christine R. Daron** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a

schedule of distribution will be filed by the Sheriff in his office on July 10, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

5/29, 6/5 & 12

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-498 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 26th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Mount Pleasant Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pipe on the edge of a 50 foot wide right of way known as Country Drive, at corner of Lot No. 71, as shown on the hereinafter identified survey; thence by Lot No. 71, South 70 degrees 35 minutes 46 seconds East, 200.00 feet to an iron pin along line of lands now or formerly of Thomas P. Gebhart; thence along said other lands now or formerly of Thomas P. Gebhart South 19 degrees 24 minutes 14 seconds West, 96.00 feet to an iron pipe at corner of Lot No. 73; thence by Lot No. 73, North 70 degrees 35 minutes 46 seconds West, 200.00 feet to an iron pipe on the edge of a 50 foot wide right of way known as Country Drive, at corner of Lot No. 73; thence continuing along the right of way of Country Drive, North 19 degrees 24 minutes 14 seconds East, 96.00 feet to an iron pipe on the edge of a 50 foot wide right of way known as Country Drive, at corner of Lot No. 71, the point and place of BEGINNING, CONTAINING 19,200 square feet.

THE above description for Lot No. 72 was taken from a subdivision plan entitled "Wheatland Acres", dated April 7, 1987 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 51 at page 15.

IMPROVEMENTS: Residential dwelling

TAX ID # (32) 004-0097

TITLE TO SAID PREMISES IS VESTED IN Gary I. Kemper and Robin D. Kemper, his wife by Deed from Thomas

P. Gebhart and Mary L. Gebhart, his wife, dated 5/13/1999 and recorded 5/18/1999 in Record Book 1833, Page 1.

SEIZED and taken into execution as the property of **Gary I. Kemper, Robin D. Kemper & United States of America** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 17, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

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.

6/5, 12 & 19