



# Chester County Law Reporter

(USPS 102-900)

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# Chester County Law Reporter

(USPS 102-900)

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**Batchelor v. Schwartz**

Private nuisance – Crowing rooster

1. A Willistown Township Ordinance provides that it shall be unlawful within the Township for any person or persons to own, possess, harbor or control any animal or bird which makes noise continuously and/or incessantly to the disturbance of any person for a period of 15 minutes or more between the hours of 8:00 a.m. through 10:00 p.m. or for a period of 10 minutes or more between the hours of 10:00 p.m. through 8:00 a.m. or makes such noise intermittently for 1/2 hour or more any time of the day or night, regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance, provided that at the time the animal or bird is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated.
2. A public nuisance is an unreasonable interference with a right common to the general public. Injury to the public is the essence of a public nuisance. For private parties to state a claim for public nuisance, they must allege that they suffered a special or a specific injury different than that which was suffered by the public. The injury must be over and above the injury suffered by the public generally.
3. A private nuisance is conduct that is a legal cause of an invasion of another's interest in the private use and enjoyment of land.
4. The main difference between the public and private nuisance causes of action is that the public nuisance is common to all members of the public alike, whereas a private nuisance affects a member of the public.
5. Restatement (Second) of Torts § 822 provides as follows: the actor is liable in an action for damages for a nontrespassory invasion of another's interest in the private use and enjoyment of land if (a) the other has property rights and privileges in respect to the use or enjoyment interfered with; and (b) the invasion is substantial; and (c) the actor's conduct is a legal cause of the invasion; and (d) the invasion is either (i) intentional and unreasonable; or (ii) unintentional and otherwise actionable under the rules governing liability for negligent, reckless or ultrahazardous conduct.
6. The Restatement (Second) of Torts §821F defines the extent of the invasion necessary to incur liability there is liability for a nuisance only to those to whom it causes significant harm, of a kind that would be suffered by a normal person in the community or by property in normal condition and used for a normal purpose.
7. The Comment to Section 821F indicates "significant harm" means harm of importance, involving more than slight inconvenience or petty annoyance. If normal persons living in the community would regard the invasion in question as definitely offensive, seriously annoying or intolerable, then the invasion is significant.

8. Although the Superior Court is not bound by decisions of the Common wealth Court, its decisions may provide persuasive authority.
9. As a rule, it is no justification for maintaining a nuisance that the party complaining of it came voluntarily within its reach. The fact that a person voluntarily comes to a nuisance by moving into the spheres of injurious effects does not deprive him of the right to enjoin its maintenance especially where, by reason of changes in the structure or business complained of, the annoyance has been since increased.
10. Plaintiffs brought an action seeking to abate a private nuisance regarding the crowing of a neighbor's rooster that occurred daily and often well over 100 times per day, drastically effecting plaintiffs' sleep and enjoyment of their property. The court granted plaintiffs' request to abate the invasion of their interests and ordered Defendant to place the bird overnight in the barn.

R.E.M.

C.C.P. Chester County Civil Action # 2018-08910; Peter Batchelor and Christine Batchelor v. Margaret Schwartz

Gerald S. Berkowitz for Plaintiffs

Margaret Schwartz, Pro Se

Tunnell, J., June 15, 2020:-

[68 Ches. Co. Rep. **Batchelor v. Schwartz**

PETER BATCHELOR and	:	IN THE COURT OF COMMON PLEAS
CHRISTINE BATCHELOR, h/w,	:	CHESTER COUNTY, PENNSYLVANIA
Plaintiffs,	:	
	:	NO. 2018-08910-IR
v.	:	
	:	CIVIL ACTION
MARGARET SCHWARTZ,	:	
Defendant.	:	

*Gerald S. Berkowitz, Esquire, Attorney for Plaintiffs*  
*Margaret Schwartz, Pro Se*

**DECISION**

Plaintiffs brought an action for a private nuisance regarding the crowing of a neighbor’s rooster. They are seeking to abate it. The court determined, after a trial held without a jury on June 8, 2020, that it would grant plaintiff’s request to abate a real and appreciable invasion of their interests based on the following:

**FINDINGS OF FACT**

1. Peter Batchelor and Christine Batchelor, his wife (collectively the “Plaintiffs” or “Batchelors”) and Margaret Schwartz (“Schwartz” or “Defendant”) are neighbors who live in close proximity to each other in a residential neighborhood called Laurel Circle in Willistown Township. They used to be friends.
2. Plaintiffs have resided at 32 Laurel Circle, Malvern, Willistown Township, Chester County, Pennsylvania since 2008.
3. Defendant has resided at 17 Laurel Circle, Malvern, Pennsylvania (“Schwartz”) since October 1998.
4. Schwartz has maintained a “backyard farm” with chickens and a rooster on and off since the issuance of permit for a barn in October, 2000.
5. In 2015, Schwartz added to her goats already present on the property, two (2) donkeys and a rooster.
6. She is entitled by right under local zoning ordinances to maintain roosters and chickens.
7. Chapter 93-1 of the Willistown Twp. Ordinances provides that:

It shall be unlawful within the Township of Willistown for any person or persons to own, possess, harbor or control any animal or bird which makes noise continuously and/or incessantly to the disturbance of any person for a period of 15 minutes or more between the hours of 8:00 a.m. through 10:00 p.m. or for

a period of 10 minutes or more between the hours of 10:00 p.m. through 8:00 a.m. or makes such noise intermittently for 1/2 hour or more any time of the day or night, regardless of whether the animal or bird is physically situated in or upon private property, said noise being a nuisance, provided that at the time the animal or bird is making such noise, no person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated.

(Plaintiffs' Ex. 6).

8. Since the advent of the rooster in 2015, the Batchelors have complained numerous times to Schwartz and Willistown Township officials about the loud repetitive noises it makes throughout the day and night.

9. The noise occurs every day.

10. Willistown Township has chosen not to enforce the noise ordinance.

11. The parties have attempted numerous times to mediate their dispute but were unsuccessful.

12. Despite the Batchelors' complaints about the noise caused by Schwartz's roosters, Schwartz has replaced the rooster twice in the past three (3) years.

13. The court observed the Batchelors to be persons of ordinary sensibilities.

14. The plaintiffs prefer to sleep with their bedroom window open.

15. The rooster's crowing has made it nearly impossible for plaintiffs to sleep and to enjoy the benefits and private use of their plaintiffs' property.

16. The Batchelors' children and houseguests likewise are unable to sleep well and are awakened several times at night by the rooster crowing when the windows in the Batchelors' home are open.

17. The evidence presented at trial identified the following examples of crowing by the rooster:

7/26/19	99 times	started crowing at 5:10 a.m.
7/27/19	141 times	started crowing at 4:54 a.m.
7/28/19	112 times	started crowing at 4:22 a.m.
7/29/19	119 times	started crowing at 4:18 a.m.
7/30/19	142 times	started crowing at 4:35 a.m.
7/31/19	103 times	started crowing at 4:52 a.m.
8/1/19	138 times	started crowing at 4:21 a.m.
8/2/19	126 times	started crowing at 4:30 a.m.

8/3/19	163 times	started crowing at 4:29 a.m.
8/4/19	111 times	started crowing at 4:26 a.m.

18. Peter Batchelor sought medical diagnosis and treatment from a doctor for sleep disorders, and for the physical harm caused by the interruption of his sleep due to “frequent nocturnal awakening.” (Plaintiffs’ Ex. 22).

19. Dr. Goldberg determined that Mr. Batchelor suffered from “severe sleep disturbance resulting in insufficient sleep.” *Id.*

20. Dr. Goldberg determined that for treatment “You need to protect the sleep hours. The bedroom must be cool, dark and quiet for optimal sleep. Your description of the rooster exposure, especially with the unpredictable noises makes it unlikely to develop a filter for this. This is distinct from other more rhythmic household and neighboring noises.” *Id.*

21. On February 20, 2020, Plaintiffs removed a number of trees and bushes on the right side of their home, the area closest between Plaintiffs and Defendant, which worked as a natural noise buffer.

### **DISCUSSION AND FURTHER FINDINGS OF FACT**

Plaintiffs’ complaint asserts a single count for “Nuisance.” Thus, the court must begin its analysis by distinguishing a private from a public nuisance. “A public nuisance is an unreasonable interference with a right common to the general public.” *Machipongo Land and Coal Co., Inc. v. Commonwealth of Pennsylvania, Dept. of Environmental Protection*, 569 Pa. 3, 40, 799 A.2d 751, 773 (2002) (quoting Restatement (Second) of Torts § 821B). Injury to the public is the essence of a public nuisance. *Pa. Society for Prevention of Cruelty to Animals v. Bravo Enters., Inc.*, 428 Pa. 350, 360, 237 A.2d 342, 348 (1968). For private parties to state a claim for public nuisance, they must allege that they suffered a special or a specific injury different than that which was suffered by the public. *Id.* The injury must be “over and above the injury suffered by the public generally.” *Id.* As will be discussed further, a private nuisance is conduct that is a legal cause of an invasion of another’s interest in the private use and enjoyment of land. *Cavanagh v. Electrolux Home Prod.*, 904 F. Supp. 2d 426, 433 (E.D. Pa. 2012).

The main difference between the public and private nuisance causes of action is that the public nuisance is common to all members of the public alike, whereas a private nuisance affects a member of the public. *Phillips v. Donaldson*, 269 Pa. 244, 122 A. 236, 238 (1920). It is clear that the crowing of this rooster does not annoy the whole neighborhood in this case. It does, however, seriously affect a particular person and that is what an action to abate a private nuisance is designed to address.

In respect to private nuisances, our Supreme Court adopted Section 822 of the Restatement (First) of Torts in *Waschak v. Moffat*, 379 Pa. 441,

109 A.2d 310 (1954). The Superior Court in *Youst v. Keck's Food Service, Inc.*, 94 A.3d 1057, 1072, fn. 11 (2014) reasoned that “[i]n all substantive respects, Section 822 of the first Restatement was reenacted in the Restatement (Second) of Torts. . . . Moreover, Section 822 of the second Restatement is subsumed within Section 822 of the first Restatement. Therefore, as this Court has previously held, if given the opportunity, our Supreme Court would conclude that Restatement (Second) of Torts § 822 correctly restates the common law of Pennsylvania.

This section provides as follows:

Section 822. General Rule.

The actor is liable in an action for damages for a nontrespassory invasion of another's interest in the private use and enjoyment of land if,

- (a) the other has property rights and privileges in respect to the use or enjoyment interfered with; and
- (b) the invasion is substantial; and
- (c) the actor's conduct is a legal cause of the invasion; and
- (d) the invasion is either
  - (i) intentional and unreasonable; or
  - (ii) unintentional and otherwise actionable under the rules governing liability for negligent, reckless or ultrahazardous conduct.

The Restatement (Second) of Torts defines the extent of the invasion necessary to incur liability as follows:

§821F. Significant Harm

There is liability for a nuisance only to those to whom it causes significant harm, of a kind that would be suffered by a normal person in the community or by property in normal condition and used for a normal purpose.

The Comment to this section further explains the meaning of “significant harm:”

c. Significant harm. By significant harm is meant harm of importance, involving more than slight inconvenience or petty annoyance. The law does not concern itself with trifles, and therefore there must be a real and appreciable invasion of the plaintiff’s interests before he can have an action for either a public or a private nuisance . . . [I]n the case of a private nuisance, there must be a real and appreciable interference with the plaintiff’s use or enjoyment of his land before he can have a cause of action.

d. Hypersensitive persons or property. When [the invasion] involves only personal discomfort or annoyance, it is sometimes difficult to determine whether the invasion is significant. The standard for the determination of significant character is the standard of normal persons or property in the particular locality. If normal persons living in the community would regard the invasion in question as definitely offensive, seriously annoying or intolerable, then the invasion is significant.

Thus, the standard to be applied instantly is whether or not the defendant’s activity would cause “significant harm” to a person of “normal” or reasonable sensitivities. *Kembel v. Schlagel*, 329 Pa. Super. 159, 167, 478 A.2d 11, 15 (1984). As pointed out in *Kembel*, the issue is not whether the activities of the defendant create noise, but whether the noise created rises to an injurious level. *Id.*

It is clear that the Defendant’s actions need not be injurious to health in order to be classified as a nuisance; a nuisance may be found where there is simply “unreasonable, unwarrantable or unlawful use by person of his own property which causes injury, damage, hurt, *inconvenience, annoyance or discomfort* to one in the legitimate enjoyment of his reasonable rights of person or property. *Kembel*, 329 Pa. Super. at 167, 478 A.2d at 15 (citing *Smith v. Alderson*, 262 Pa. Super. 387, 389, 396 A.2d 808, 810 (1979) (emphasis in original). Yet, in this case, Peter Schwartz presented medical evidence, which the court accepts, that showed he is suffering health problems from being constantly awoken at night. The court finds that this prolonged situation is significantly harmful and it constitutes an unlawful invasion of the Batchelors’ right to enjoy their property. The court also determines that this invasion is unreasonable.

Furthermore, although the Township did not choose to enforce Chapter 93-1, the “Noise Ordinance,” in this case for reasons which are not altogether clear, it’s adoption is itself the product of municipal investigation, discussion and ultimately an expression of what is “fair” in Willistown Township between competing interests. Indeed, the court was advised during the hearing that this ordinance was the

result of a problem with a rooster at some earlier time. The court infers, but does not determine, that the Defendant violates this ordinance on a daily basis.

The court has carefully weighed the equities.

On the one hand, the rooster is a pet, and is useful to the Defendant as a security guard for her flock of chickens. On the other side of the balance scale, however, is the health of a human being and his family. The court concludes that this trumps the Defendant's lawful possession of the rooster.

During the hearing, the court was presented with audio evidence by both parties. The court was most persuaded by the recordings of the crowing rooster made by Christine Batchelor at her bedroom window. Even though the bird was some distance away, in excess of five hundred (500) feet, the court heard that bird. The court was struck by how loud the bird was at that distance during the wee hours of the morning. The court concludes that the loudness and repetition of the rooster would be quite capable of offending one of ordinary sensibilities.

The evidence is that if Defendant puts the bird in the barn overnight, it will be silent. The Plaintiffs will sleep; the chickens will be at greater risk unless their enclosure is further fortified to something the foxes cannot penetrate. Of the many options and alternatives discussed by the parties during the hearing, the court, having given it some considerable thought, believes that the easiest and least expensive alternative is just that, to have the rooster be put into the barn at night.

Defendant counters that the Batchelors "came to the nuisance" by voluntarily moving in next door. Defendant was, ironically perhaps, their real estate agent and testified that she queried the Plaintiffs about whether they really wanted to live in this area where there were "backyard farms". Defendant urges that this disentitles the Plaintiffs to relief. But that is not always the case, as pointed out in the case of *Chase v. Eldred Boro.*, 902 A.2d 992 (Commw. Ct. 2006)<sup>1</sup>. In *Chase*, residents moved into an area adjacent to a baseball field and later brought an action in equity to enjoin the playing of baseball at night. They claimed that the floodlights, noise, crowds and numerous foul and home run balls rendered the field a private nuisance. Approving of an observation by the Supreme Court of South Carolina in a similar case, the Commonwealth Court stated that, "as a rule, it is no justification for maintaining a nuisance that the party complaining of it came voluntarily within its reach . . . the fact that a person voluntarily comes to a nuisance by moving into the spheres of injurious effects . . . does not . . . deprive him of the right to enjoin its maintenance especially where, by reason of changes in the structure or business complained of, the annoyance has been since increased." *Chase*, 902 A.2d at 1000 (citing *Carter v. Lake City Baseball Club*, 218 S.C. 255, 62 S.E. 2d 470 (1950)). In both *Chase* and *Carter*, the plaintiffs were obviously aware that the property adjoined a ball field, but they did not know that baseballs would be hit or thrown into their yard in such numbers. Thus, it could not be said that they "came to an obvious nuisance and chose to ignore it at their peril."

<sup>1</sup> Although the Superior Court is not bound by decisions of the Commonwealth Court, its decisions may provide persuasive authority. *Petow v. Warehime*, 996 A.2d 1083, 1088 n.1 (Pa. Super. 2010).

Although the Defendant presented evidence that she maintained chickens and roosters since she arrived some years prior to the Plaintiffs' purchase, the court does not believe that a rooster was re-introduced until 2015, when the Plaintiffs first complained of it. In fact, the court believes that if the Plaintiffs had *any inkling* of what was going to befall them, they would never have moved anywhere close to Laurel Circle. Thus, in the same sense, they did not "come to the nuisance." They are not to be deprived of their remedy.

*Chase* is also instructive on another of Defendant's criticisms, namely that Plaintiffs took down a number of trees on their property, thus removing a buffer to noise. The trial court in *Chase* disagreed with a similar argument and the Commonwealth Court on appeal found no fault. In that case, the trees were over forty (40) years old and were dead or dying. In the case at bar, a photo was introduced that showed a large tree which fell on Plaintiffs' house in a storm just a week before trial. Similarly, Plaintiffs' action does not relieve Defendant from her obligation to abate the private nuisance.

### CONCLUSIONS OF LAW

1. By maintaining and replacing the roosters on her property in the face of knowledge of Plaintiffs' suffering, Defendant's actions are intentional, unreasonable and reckless.
2. Over five (5) years, there was an appreciable interference with the Plaintiffs' use and enjoyment of their land.
3. The incessant racket certainly was capable of being seriously annoying to a normal person.
4. The court observed the Batchelors to be persons of ordinary sensibilities.
5. The activity of the Defendant constitutes a substantial invasion of the property rights of Plaintiffs, her neighbors.
6. The invasion of property was not a situation of a slight inconvenience, a petty annoyance or trifle.
7. Defendant's activities concerning the rooster, if compared against the Willistown Township Noise Ordinance, would be violative many times a day.
8. The Batchelors did not come to the nuisance.
9. The Batchelors have made out a case for the abatement of a private nuisance.
10. To abate the nuisance, the court has found the most modest alternative in requiring Defendant to place the bird overnight in the barn.

BY THE COURT:

Dated: June 15, 2020

/s/ Mark L. Tunnell, J.

PETER BATCHELOR and : IN THE COURT OF COMMON PLEAS  
 CHRISTINE BATCHELOR, h/w, : CHESTER COUNTY, PENNSYLVANIA  
                                   : Plaintiffs, :  
                                   : :  
                                   : NO. 2018-08910-IR  
                                   : :  
                                   : v. :  
                                   : :  
                                   : CIVIL ACTION  
 MARGARET SCHWARTZ, :  
                                   : Defendant. :

*Gerald S. Berkowitz, Esquire, Attorney for Plaintiffs*  
*Margaret Schwartz, Pro Se*

**ORDER**

AND NOW, this 15th day of June, 2020, after a trial by the court sitting without a jury, and by reason of the Findings of Fact and Conclusions of Law set forth in the accompanying Decision of this same date, the court:

1. grants judgment in favor of the plaintiffs, Peter Batchelor and Christine Batchelor, and against Defendant, Margaret Schwartz, and
2. abates the private nuisance by requiring Defendant, as of the date of this Order, to take the rooster(s) into the barn nightly.

BY THE COURT:

/s/ Mark L. Tunnell, J.

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CLERK OF THE ORPHANS' COURT  
DIVISION OF THE COURT OF COMMON PLEAS  
CHESTER COUNTY, PENNSYLVANIA

**NOTICE OF FILING ACCOUNTS**  
**ACCOUNTS LISTED FOR AUDIT ON**  
**WEDNESDAY, NOVEMBER 4, 2020**  
**Courtroom 5 at 9:00 A.M. PREVAILING TIME**

**THE HONORABLE JOHN L. HALL**

Notice is hereby given to all parties interested, that accounts in the following matters have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Chester County, Pennsylvania for AUDIT, CONFIRMATION AND DISTRIBUTION at the above date, time and place. At that time and place interested parties, claimants and objectors to the same will be heard.

<b>ESTATE OF PAUL RICHARD KRAUSE, DECEASED</b>	<b>1518-1032</b>
FIRST AND FINAL ACCOUNT	
OF: DREW KRAUSE, ADMINISTRATOR	
ATTORNEY(S):	
DAMA A. LEWIS, ESQUIRE	

---

<b>ESTATE OF RANDALL F. BISHOP, DECEASED</b>	<b>1519-0687</b>
FIRST AND FINAL ACCOUNT	
OF: JAMES SLAUGH, EXECUTOR	
GAVIN DUCKWORTH, EXECUTOR	
ATTORNEY(S):	
L. PETER TEMPLE, ESQUIRE	

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**CHANGE OF NAME NOTICE**  
**IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA**  
**CIVIL ACTION**  
**LAW NO. 2020-05443-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Leah Crystal Fyock was filed in the above-named court and will be heard on Monday, November 16, 2020 at 9:30 AM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Tuesday, October 20, 2020

Name to be changed from: Leah Crystal Fyock to: Leah Little Crystal Thompson

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

## ESTATE NOTICES

*Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.*

## 1st Publication

**BAXTER**, Richard A., late of Pennsbury Township. L. Peter Temple, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**BECHLER, JR.**, Francis J., late of West Chester Township. Robert McCoy, III, care of TERESA A. MILLER, Esquire, 8 West Front Street, Media, PA 19063, Executor. TERESA A. MILLER, Esquire, 8 West Front Street, Media, PA 19063, atty.

**CAMPBELL**, Melissa D., late of West Bradford Township. Allyn F. DeLong, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

**COOPER**, Twila, late of Exton. Kevin Cooper, 1414 W. Woodbank Way, West Chester, PA 19380, Executor.

**FREDERICK**, Anna Virginia Haraczka, a/k/a Anna Frederick, late of East Vincent Township. Joseph B. Frederick, care of JILL M. SCHEIDT, Esquire, 1100 Berkshire Blvd., Suite 201 Wyomissing, PA 19610, Executor. JILL M. SCHEIDT, Esquire, Masano Bradley, 1100 Berkshire Blvd., Suite 201 Wyomissing, PA 19610, atty.

**GUTZENDANNER**, Charles, late of Caln Township. Catherine McClatchy, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

**KIRK, JR.**, Thomas Joseph, late of East Goshen Township. Thomas Joseph Kirk, III, care of STEPHEN D. POTTS, Esquire, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, Executor. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, atty.

**MILLER**, Mary Cynthia M., late of Kailua-Kona, Hawaii. Daniel C. Miller, 45 Ridgefield Road, Warwick, NY 10990, Administrator.

**MOFFETT-GUICE**, Sarah Frances, late of West Bradford Township. Sondra R. Moore, care of JESSICA R. GRATER, Esquire, 400 Creekside Drive, Suite 409, Pottstown, PA 19464, Executrix. JESSICA R. GRATER, Esquire, Monastra & Grater, LLC, 400 Creekside Drive, Suite 409, Pottstown, PA 19464, atty.

**PERILLO**, Dexter A., late of West Chester. Owen V. Perillo, 26 Green Meadow Loop, Santa Fe, NM 87506, Administrator.

**RITTENHOUSE**, Sally, a/k/a Sarah Rittenhouse, late of Tredyffrin Township. Michael J. Rittenhouse, care of MICHAEL C. McBRATNIE, Esquire, P.O. Box 673, Exton, PA 19341, Executor. MICHAEL C. McBRATNIE, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

**SPARANO**, Thomas G., late of East Pikeland Township. Ruth Weeks, care of MARK A. GIAMPIETRO, Esquire, P.O. Box 267, Phoenixville, PA 19460-0267, Executrix. MARK A. GIAMPIETRO, Esquire, P.O. Box 267, Phoenixville, PA 19460-0267, atty.

**SPOTT**, Herbert A., late of East Goshen Township. Patricia A. Hodges, 8810 Walther Blvd., #1102, Parkville, MD 21234, Executrix. ROBERT M. FIRKSER, Esquire, Del Sordo and Firkser, 333 W. Baltimore Ave., Media, PA 19063, atty.

**ST. GEORGES**, Joseph F., a/k/a Joseph F. de St. Georges, late of East Nantmeal Township. Patricia McIlvain St. Georges, 164 Finney Rd., Glenmoore, PA 19343, & Aimee St. Georges, P.O. Box 487, Lagunitas, CA 94938, Executrices. LOUIS N. TETI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, atty.

**STRUCKMEYER**, Lee A., a/k/a Lee Struckmeyer, late of West Goshen Township. Matthew H. Struckmeyer, care of CARRIE A. S. KENNEDY, Esquire, 171 W. Lancaster Ave., Paoli, PA 19301-1775, Executor. CARRIE A. S. KENNEDY, Esquire, Connor, Weber & Oberlies, 171 W. Lancaster Ave., Paoli, PA 19301-1775, atty.

**STRUNK**, Rance M., late of East Conventry. Darlene M. Strunk, care of KENT E. CONWAY, Esquire, 3245 Ridge Pike, Eagleville, PA 19403, Executrix. KENT E. CONWAY, Esquire, Conway Schadler, 3245 Ridge Pike, Eagleville, PA 19403, atty.

**TOTH**, Marian D., late of East Marlborough Township. Dolores Troiani, Esquire and Gabriel-

la Toth, care of H. MICHAEL COHEN, Esquire, 144 West Market Street, West Chester, PA 19382, Executrices. H. MICHAEL COHEN, Esquire, Lachall, Cohen & Sagnor, 144 West Market Street, West Chester, PA 19382, atty

## 2nd Publication

**ALLEN**, Donna M., late of Kennett Township. Mary Jo Tucker, care of NANCY W. PINE, Esquire, 104 S. Church St., West Chester, PA 19382, Administratrix. NANCY W. PINE, Esquire, Pine & Pine, LLP, 104 S. Church St., West Chester, PA 19382, atty.

**ALSTON**, Willie Lenzie, a/k/a Willie L. Alston, late of Valley Township. Jalynn S. Richards, care of JOHN F. McKENNA, Esquire, 17 W. Miner St., West Chester, PA 19382, Administratrix. JOHN F. McKENNA, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**AUER**, Charles William, late of West Chester. Claudia Silverang, 1650 Buckingham Drive, Malvern, PA 19355, Executrix. GEORGE F. NAGLE, Esquire, Nagle Law, LLC, 150 N. Radnor-Chester Road, Suite F200, Radnor, PA 19087, atty.

**BERTSCH**, Hortense Rita, late of Tredyffrin Township. David J Bertsch, 8 Sycamore Dr, Malvern, PA 19355 & William J Bertsch, 1025 Howard St, Port Townsend, WA 98368, Executors.

**BIEHL**, Florence R., late of East Coventry Township. Brooke Biehl, care of TOM MOHR, Esquire, 301 W. Market Street West Chester, PA 19382, Executor. TOM MOHR, Esquire, Tom Mohr Law Office, PC, 301 W. Market Street West Chester, PA 19382, atty.

**EBERT**, Anne M., a/k/a Anne Maureen Ebert, late of Phoenixville Borough. Kristen A. DuFault and Keith T. Traynor, care of RUSSELL J. RESSLER, Esquire, 30 Valley Stream Parkway, Malvern, PA 19355, Executors. RUSSELL J. RESSLER, Esquire, Stradley Ronon Stevens & Young, LLP, 30 Valley Stream Parkway, Malvern, PA 19355, atty.

**GUNNETT**, Cheryl L., late of Spring City Borough. Carol A. Gunnnett, care of CAROLYN MARCHESANI, Esquire, PO Box 444, Pottstown, PA 19464, Executor. CAROLYN MARCHESANI, Esquire, Wolf, Baldwin & Associates, P.C., PO Box 444, Pottstown, PA 19464, atty.

**HENRY**, Paul Ray, a/k/a Paul R. Henry, late of East Coventry Township. Thomas P. Henry, care of CARLA TRONGONE, Esquire, 333 N. Broad St., Lansdale, PA 19446, Executor. CARLA TRONGONE, Esquire, The Law Offices of Carla Trongone, 333 N. Broad St., Lansdale, PA 19446, atty.

**KELLY**, Dorothy Jane, late of West Goshen Township. Elizabeth Margaret Kelly, care of JENNIFER FELD, Esquire, 790 E. Market St., Ste. 250, West Chester, PA 19382, Executrix. JENNIFER FELD, Esquire, Colliton Elder Law Associates, 790 E. Market St., Ste. 250, West Chester, PA 19382, atty.

**KILPATRICK JR.**, Charles E., late of Avondale. everly Bove, 119 E. Sherry Lane, Avondale, PA 19311, Executrix. WILLIAM E. HOWELL III, Esquire, Law Office of WEH, 110 E. State St., Suite 1, Kennett Square, PA 19348, atty.

**LOONEY, JR**, Franklin S., late of Pocopson Township. Michael F. Looney, 110 Gibson Ave, Wilmington, DE 19803, Executor.

**MAYER**, Elizabeth M., late of Phoenixville Borough. Karen L. Merriman, 2661 Charlestown Road, Phoenixville, PA 19460, Executrix.

**McINTYRE**, Daniel R. Lee, a/k/a Daniel R. McIntyre, late of Uwchlan Township. Elizabeth L. McIntyre, care of JENNIFER FELD, Esquire, 790 E. Market St., Ste. 250, West Chester, PA 19382, Executrix. JENNIFER FELD, Esquire, Colliton Elder Law Associates, 790 E. Market St., Ste. 250, West Chester, PA 19382, atty.

**NEHER**, Mary Rose, late of Phoenixville Borough. Kathryn A. Shilleen, 1803 Mr. Peck's Place, Phoenixville, PA 19460, Executrix. ELIZABETH D. LUBKER, Esquire, Joseph A. Ryan & Associates, LLC, 390 Waterloo Blvd, Ste. 210, Exton, PA 19341, atty.

**NUSSBAUMER**, Joachim H., late of East Goshen Township. Jeanne Scribner, 51 South Diamond Shore Lane, Sequim, WA 98382, Administrator. COURTNEY A. WIGGINS, Esquire, Clarion Law, LLC, PO Box 3169, West Chester, PA 19381, atty.

**POWERS**, Mary P., late of West Caln Township. Amy Powers, Executor.

**RITCHIE**, Marguerite T., late of Phoenixville. Mary Beth Rudesyle, 359 Manor Circle, Harleysville, PA 19438, Executor. DONALD J. GIMPEL, Esquire, 27 Nutt Road, Phoenixville, PA 19460, atty.

**RYBERG**, Theresa Veronica, a/k/a Theresa V. Ryberg, late of Pottstown. Karen L. Ryberg, care of WILLIAM ADAIR BONNER, Esquire, 40 Blossom Hill Road, Glen Mills, PA 19342, Administrator. WILLIAM ADAIR BONNER, Esquire, William Adair Bonner Law Office, 40 Blossom Hill Road, Glen Mills, PA 19342, atty.

**SCHWARTZ**, Jeannine, late of Exton. Paul Veirs, care of ALBERT M. SARDELLA, Esquire, 1240 East Lincoln Highway, Coatesville, PA 19320-3544,

Executor. ALBERT M. SARDELLA, Esquire, Law Offices Albert M. Sardella, 1240 East Lincoln Highway, Coatesville, PA 19320-3544, atty.

**SENSENICH**, John F., late of Tredyffrin Township. Shawn Lawn, care of JILL S. GARABEDIAN, Esquire, 61 Cassatt Ave., Berwyn, PA 19312, Executrix. JILL S. GARABEDIAN, Esquire, Wade, Goldstein, Landau & Abruzzo, P.C., 61 Cassatt Ave., Berwyn, PA 19312, atty.

**TIGUE**, Joseph A., late of East Bradford Township. Beatrice Tigue Duffy, 903 Tigue Rd., West Chester, PA 19380, Executrix. MAUREEN A. OSTIEN, Esquire, Joseph A. Ryan & Associates, LLC, 390 Waterloo Blvd., Ste. 210, Exton, PA 19341, atty.

**VEGSO**, Emma M., late of Malvern Borough. David S. Vegso and Richard M. Vegso, care of RICHARD C. PARKER, Esquire, 175 Strafford Ave., Ste. 230, Wayne, PA 19087, Executors. RICHARD C. PARKER, Esquire, Miles & Parker, LLP, 175 Strafford Ave., Ste. 230, Wayne, PA 19087, atty.

**WATKINS**, Kathryn W., late of Oxford. Joseph L. Watkins, care of EDWARD M. FOLEY, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executor. EDWARD M. FOLEY, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

### 3rd Publication

**BURKE**, Robert E., late of East Goshen Township. Melissa L. Burke, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Administratrix. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**COMBS**, Florence M., a/k/a Florence May Neff Combs, late of London Grove Township. Brian Combs, care of NANCY W. PINE, Esquire, 104 S. Church St., West Chester, PA 19382, Executor. NANCY W. PINE, Esquire, Pine & Pine, LLP, 104 S. Church St., West Chester, PA 19382, atty.

**CONDON**, Mary M., late of Devon. Joseph P. Aquilante, 237 Valley Stream Lane, Chesterbrook, PA 19087, Executor.

**CORNISH**, Jane C., late of Tredyffrin Township. J. Earl Epstein, 1515 Market St., Ste. 1505, Philadelphia, PA 19102, Executor. J. EARL EPSTEIN, Esquire, Epstein, Shapiro & Epstein, P.C., 1515 Market St., Ste. 1505, Philadelphia, PA 19102, atty.

**LENGEL**, JR., Joseph F., late of Tredyffrin. Thomas Lengel, 1017 Rue Lane, West Chester, PA 19380 & Michael Lengel, 424 Devon Drive, Exton,

PA 19341, Administrators. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

**LONG**, Jacob B., late of Honey Brook Township. Abigail Long, care of CHRISTOPHER M. BROWN, Esquire, 300 West State Street, Suite 300, Media, PA 19063, Administratrix. CHRISTOPHER M. BROWN, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 West State Street, Suite 300, Media, PA 19063, atty.

**LUDWIG**, Thomas R., late of West Chester. Dawn I Jenkins, 1095 Birnam Place, West Chester, PA 19380 & Kurt M Ludwig, 220 W Seven Stars Road, Phoenixville, PA 19460, Executrix.

**LYNCH**, Sonja, late of East Coventry Township. Kenneth L. Lynch, 202 S. Main St., Spring City, PA 19475, Personal Representative.

**McGINLEY**, Anthony J., late of West Grove. Cheryl B. Brown, care of JEFFREY P. BRYMAN, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executrix. JEFFREY P. BRYMAN, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

**McGINNIS**, William W., late of West Brandywine Township. Susan E. Pedrick, 108 Cedar Knoll Road, Coatesville, PA 19320, Executor. ALAN J. JARVIS, Esquire, 101 Birch Drive, Downingtown, PA 19335, atty.

**MICHENER**, Bruce, late of Tredyffrin Township. Christopher Michener, care of ROBERT M. SLUTSKY, Esquire, 600 W. Germantown Pike #400, Plymouth Meeting, PA 19462, Administrator. ROBERT M. SLUTSKY, Esquire, Slutsky Elder Law, 600 W. Germantown Pike #400, Plymouth Meeting, PA 19462, atty.

**MILES**, James F., late of East Nantmeal Township. Chris Little Simcox, 680 Middletown Blvd., Langhorne, PA 19047 & William T. Keen, 3460 Lincoln Highway, Thorndale, PA 19372, Administrators. Chris Little Simcox, Esq., 680 Middletown Blvd., #300, Langhorne, PA 19047 & William T. Keen, Esq., Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**MOFFETT**, John Aubrey, late of East Goshen Township. Nina B. Moffett, 1300 Erin Drive, West Chester, PA 19380 & Jennifer E. Moffett, 302 Albans Court, Malvern, PA 19355, Executrix.

**O'DONNELL**, Lawrence M., late of West Pike-land Township. Susan F. O'Donnell, care of PATRICK C. O'DONNELL, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-

0562, Executor. PATRICK C. O'DONNELL, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

**O'SULLIVAN**, Kathleen, late of East Goshen Township. Patrick O'Sullivan, care of MARITA MALLOY HUTCHINSON, Esquire, 1250 Fieldstone Dr., West Chester PA 19382, Executor. MARI-TA MALLOY HUTCHINSON, Esquire, Law Office of Marita Malloy Hutchinson, 1250 Fieldstone Dr., West Chester PA 19382, atty.

**OSINSKI**, Julian Leopold, late of Valleyforge. Sonia Schott, care of GARY P. LEWIS, Esquire, 372 N. Lewis Rd, POB 575, Royersford, PA 19468, Executrix. GARY P. LEWIS, Esquire, Lewis McIntosh +Teare, LLC, 372 N. Lewis Rd, POB 575, Royersford, PA 19468, atty.

**POLLOCK**, Julia Jane, late of East Caln Township. Stuart Pollock, 106 Somers Drive, Downingtown, PA 19335, Executor.

**REGN**, Brandon Scott, late of East Whiteland Township. Christine L. Regn, care of ALBERT P. MASSEY, JR., Esquire, 460 E. King Rd., Malvern, PA 19355, Administratrix. ALBERT P. MASSEY, JR., Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Rd., Malvern, PA 19355, atty.

**SAVILLE**, Eleanor T., late of Phoenixville Borough. Theresa Ivanowicz and Bruce Saville, care of DAVID M. FREES, III, Esquire, 120 Gay Street, P. O. Box 289, Phoenixville, PA 19460, Co-Executors. DAVID M. FREES, III, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P. O. Box 289, Phoenixville, PA 19460, atty.

**SITA**, Joseph F., a/k/a Joseph Frank Sita, late of West Brandywine Township. Joseph J. Sita, care of MICHAEL S. DINNEY, Esquire, 919 Conestoga Road, Ste 3-114, Bryn Mawr, PA 19010, Executor. MICHAEL S. DINNEY, Esquire, Shea Law Offices, 919 Conestoga Road, Ste 3-114, Bryn Mawr, PA 19010, atty.

**SPANGLER, JR.**, Robert L., late of Westtown Township. Leslie A. Barr, care of NANCY W. PINE, Esquire, 104 S. Church St., West Chester, PA 19382, Executrix. NANCY W. PINE, Esquire, Pine & Pine, LLP, 104 S. Church St., West Chester, PA 19382, atty.

**TAYLOR**, Lewis B., late of East Goshen Township. William L. Taylor, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executor. STACEY WILLITS McCONNELL, Esquire, Lamb McEr-lane, PC, 24 E. Market St., P.O. Box 565, West Ches-

ter, PA 19381-0565, atty.

**THIR**, Jonathan D., late of Wallace Township. Maureen Thir, 20 Kelden Court, Glenmoore, PA 19343, Executrix. MICHAEL G. DEEGAN, Esquire, Michael G. Deegan, P.C., 134 West King Street, atty.

**WATSKY**, Evan S., late of West Bradford Township. Steven C. Watsky, 17264 Northway Circle, Boca Raton, FL 33496, Administrator. JUSTIN B. ANDERSON, Esquire, Burns White LLC, 100 Four Falls, Suite 515, 1001 Conshohocken State Road, West Conshohocken, PA 19428, atty.

**YEDNOCK**, Theresa M., late of Phoenixville Borough. Jeanmarie Garman, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P. O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P. O. Box 289, Phoenixville, PA 19460, atty.

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### FICTITIOUS NAME

*NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of*

**Plan For Technology**, with its principal place of business at 270 W. Lancaster Ave, Suite B-2, Malvern, PA 19355. The application has been (or will be) filed on: Monday, October 19, 2020. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Joshua R. Schricker, 270 W. Lancaster Ave, Suite B-2, Malvern, PA 19355.

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**NONPROFIT CORPORATION NOTICE**

*NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a charter of a Nonprofit Corporation which was organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.*

The name of the corporation is **Encounter Freedom, Inc.**

Articles of Incorporation were filed on Monday, August 24, 2020

The purpose or purposes for which it was organized are: This nonprofit corporation is organized and operated exclusively for religious, charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue code, or the corresponding section of any future federal tax code.

Wesley R. Carter, Esq., Solicitor  
Winters & King  
2448 E. 81st Street  
Suite 5900  
Tulsa, OK 74137

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The name of the corporation is **Lending Library with Love.**

Articles of Incorporation were filed on Wednesday, September 2, 2020

The purpose or purposes for which it was organized are: charitable, educational and literary purposes under Section 501(c)(3) of the Internal Revenue Code, and to conduct all lawful business and exercise all lawful powers, rights and privileges which a non-profit corporation may now or hereafter have

Theodore F. Claypoole, Esq., Solicitor  
Unruh Turner Burke & Frees  
17 West Gay Street  
Suite 200  
West Chester, PA 19381-0515

**1st Publication of 3**

**TRUST NOTICE**

THE AMY F. ARRIGO REVOCABLE TRUST U/A DATED 2/4/1997, AS AMENDED

AMY F. ARRIGO, Deceased

Late of Pocopson Township, Chester County, PA  
This Trust is in existence and all persons having claims or demands against said Trust or decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to STEPHEN A. ARRIGO, TRUSTEE, c/o Guy F. Matthews, Esq., 300 W. State St., Ste. 300, Media, PA 19063,

Or to his Attorney:

GUY F. MATTHEWS  
ECKELL, SPARKS, LEVY, AUERBACH, MONTE,  
SLOANE, MATTHEWS, AUSLANDER, P.C.  
300 W. State St., Ste. 300  
Media, PA 19063

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**Sheriff Sale of Real Estate**

By virtue of the within mentioned writs directed to Sheriff Fredda L. Maddox, the herein-described real estate will be sold at public sale in the Chester County Justice Center at 201 W Market Street, 3rd Floor, Room 3300, West Chester, Pennsylvania, as announced on **Thursday, November 19th, 2020 at 11AM.**

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff's Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Monday, December 21st, 2020.** Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff's Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time and place of sale. **Payment must be paid in cash, certified check or money order made payable to the purchaser or "Sheriff of Chester County". The balance must be made payable to "Sheriff of Chester County". within twenty-one (21) days from the date of sale by 4PM.**

**FREDDA L. MADDOX, SHERIFF**

**1st Publication**

**SALE NO. 20-11-345**

**Writ of Execution No. 2017-08433**

**DEBT \$17,904.50**

ALL THAT CERTAIN lot or piece of ground, with the hereditaments and appurtenances thereon, SITUATE in the Township of West Caln, County of Chester and State of Pennsylvania, bounded and described according to a

Subdivision of land for Harry A. Siter, made by DeArmit & Hayes, Engineers and Surveyors, Coatesville, PA., dated April 29, 1963, as follows, to wit:

BEGINNING at a point of the North-easterly side of T-427, which point is measured the 2 following courses and distances from a point of curve on the Southeasterly side of T-364: (1) on an arc of a circle curving to the left, having a radius of 24.29 feet, the arc distance of 54.81 feet to a point of reverse curve; and (2) on the line curving to the right, having a radius of 194.51 feet, the arc distance of 112.82 feet to the point and place of beginning; thence extending from said beginning point, North 16 degrees 49 minutes East, 197.11 feet to a point; thence extending South 68 degrees 24 minutes 25 seconds East; 139.14 feet to a point; thence extending South 21 degrees 35 minutes 35 seconds West, 201.33 feet to a point in the North-easterly side of T-427, aforesaid; thence extending along the same and 2 following courses and distances; (1) North 65 degrees 15 minutes West, 95.97 feet to a point of curve and (2) on a line curving to the left, having a radius of 194.51 feet the arc distance of 26.93 feet to the first mentioned point and place of beginning.

BEING Lot #5 as shown on said Plan  
BEING UPI NO. 28-5-55

BEING the same premises which Robert A. Erling, Sheriff of the County of Chester by Deed dated December 6, 1996 and recorded December 6, 1996 at West Chester, Pennsylvania in the Office of the Recorder of Deeds as Chester County Record Book 4115 page 1420, granted and conveyed unto Thomas C. Reynolds, in fee.

PLAINTIFF: West Caln Township

VS

DEFENDANT: **Thomas C. Reynolds**

SALE ADDRESS: 283 Coffroath Road (311 Coffroath Road) Coatesville, PA 19320  
PLANTIFF ATTORNEY: **JONATHAN R. LONG 610-436-4400**

**SALE NO. 20-11-346**

**Writ of Execution No. 2018-12911**

**DEBT \$6,543.51**

ALL THAT CERTAIN messuage and lot or piece of ground, hereditaments and appurtenances, Situate in the Village of Pomeroy, Township of Sadsbury, County of Chester and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point where the East line of a public alley intersects the Northern line of Middle Street; thence along the Eastern line of said alley, North 1 degree East 150 feet to a corner of the Church property; thence along the Southern line of the Church property, North 89 degrees East 24.6 feet to a corner, thence along land now or late of Albert M. Suckle, South 1 degree West 150 feet to the North line of Middle Street; thence along the North line of Middle Street, South 89 degrees West 24.6 feet to the place of beginning. The East line of the above conveyed property passes through the middle of the partition between the house herein conveyed and that adjoining to the East.

BEING the same premises which Charles D. Wert and Saretta R. Wert, husband and wife, by Indenture bearing date the 28th day of April 1989,

and recorded in the Office for the Recording of Deeds, in and for the County of Chester, aforesaid, in Deed Book 1525, page 360, granted and conveyed unto Bruce D. Potter and Cheryl M. Potter, husband and wife, in fee.

UNDER AND SUBJECT, however, to the right of the owners of the two lots adjoining on the East to the use of the pump and its water located in this property.

Tax Parcel: 37-4L-23

PLAINTIFF: Sadsbury Township

VS

DEFENDANT: **Bruce Potter & Cheryl M. Potter**

SALE ADDRESS: 7 Middle Street, Parkesburg, PA 19365

PLANTIFF ATTORNEY: **LAMB McERLANE 610-701-3260**

**SALE NO. 20-11-347**

**Writ of Execution No. 2017-09612**

**DEBT \$140,835.99**

PROPERTY SITUATE IN THE BOROUGH OF MALVERN

TAX PARCEL #02-02-0081

SOLD AS THE PROPERTY OF: ELIGIO BONELLI

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: U.S. Bank Trust National Association, as Trustee of the Chalet Series IV Trust

VS

DEFENDANT: **Eligio Bonelli**

SALE ADDRESS: 13 Landmark Drive, Malvern, PA19355

PLANTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 20-11-348****Writ of Execution No. 2020-01854****DEBT \$40,143.95**

ALL THAT CERTAIN tract of land of improved ground with buildings erected thereon situate on the north side of Shadyside Road (T-309) northeast of its intersection with Forge Road in East Nottingham Township, County of Chester, Commonwealth of Pennsylvania according to a survey by Concord Land Planners and Surveyors, Oxford, PA being Plan Number 8861 dated August 21, 1988 and described as follows:

BEGINNING at a point in the centerline of Shadyside Road (T-309) marking the southwest corner of this and the southeast corner of land of Alvin R. Johnson; thence leaving said centerline of Shadyside Road and along said land of Alvin R. Johnson (1)North 15 degrees 43 minutes 45 seconds West crossing over a 1 inch diameter iron pin found 8.34 feet from center line of Shadyside Road, a total distance of 281.55 feet to a ¾ inch diameter by 12 inch tall iron pin found marking the northwest corner of this, the northeast corner of said land of Alvin R. Johnson and set in the line of land of J. Albert Featherman; thence along said land of Featherman (2) North 46 degrees 36 minutes 21 seconds East 108.31 feet to an iron pin set marking the northeast corner of this and the northwest corner of land of Joseph D. and Ruth A. Furches; thence along said land of Furches (3) South 16 degrees 41 minutes 00 seconds East crossing over a 1 inch diameter iron pin found 15.32 feet from aforementioned center line of Shadyside Road, a total distance of 331.69 feet to a point in said center line of Shadyside Road marking the southeast corner of this and the southwest corner of said land of Furches; thence along said center line of Shadyside

Road (4) South 74 degrees 10 minutes 00 seconds West 101.45 feet to the point and place of beginning.

CONTAINING 30,327 square feet

BEING Chester County Tax Parcel 69-5-30

BEING the same premises which Yvonne R. Johnson by Deed dated December 29, 1988 and recorded in Chester County, in Record Book 1405 page 263 conveyed unto Becky J. Andriole, her heirs and assigns.

PLAINTIFF: McCormick 112, LLC  
VS

DEFENDANT: **Emma J. Stewart  
A/K/A E. Jean Stewart Blount**

SALE ADDRESS: 1020 a/k/a 1702  
Shadyside Road, East Nottingham  
Township (Oxford), PA 19363

PLANTIFF ATTORNEY: **BRIAN J.  
SCHAFFER 610-994-1137**

**SALE NO. 20-11-349****Writ of Execution No. 2019-07650****DEBT \$802,375.92**

Property situate in Uwchlan Township, Exton, PA 19341

UPI No. 33-4-69.1B

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: U.S. Bank National Association, not individually but solely as Trustee for the BlueWater Investment Trust 2018-1

VS

DEFENDANT: **Gregory G. Truskey &  
Diane M. Truskey**

SALE ADDRESS: 106 Steeplewood  
Drive, Exton, PA 19341

**PLANTIFF ATTORNEY: STERN & EISENBERG 215-572-8111**

**SALE NO. 20-11-350**

**Writ of Execution No. 2017-11729**

**DEBT \$173,787.81**

ALL THAT CERTAIN parcel of land situate in the Township of West Caln, County of Chester and Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Tax Parcel # 28-4-1

PLAINTIFF: MTGLQ Investors, LP

VS

DEFENDANT: **Hugh McLennan a/k/a Hugh McLennan III & Claire M. McLennan**

SALE ADDRESS: 1501 W. Kings Highway, Gap, PA 17527

PLANTIFF ATTORNEY: **RICHARD M. SQUIRE & ASSOCIATES, LLC 215-886-8790**

**SALE NO. 20-11-351**

**Writ of Execution No. 2018-06642**

**DEBT \$98,317.22**

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE TOWNSHIP OF EAST FALLOWFIELD, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS FOLLOWS, TO WIT:

All that certain tract of land, situate in the Township of East Fallowfield, County of Chester, Commonwealth of Pennsylvania, bounded and described according to a plan dated December 8, 1986, revised July 22, 1987, by Berger and Hayes, Inc., Consulting Engineers and Surveyors, Thorndale, PA, recorded in Chester County as Plan No. 7365, as follows:

Beginning at a point on the east right of way line of Caln Mortonville Road a corner of Lot No. 1; thence leaving said right of way line along Lot No. 1, South 79 degrees 23 minutes 21 seconds East, 220 feet to a point in line of land remaining of grantor herein; thence along land remaining of grantor herein, South 10 degrees 36 minutes 39 seconds West, 200 feet to a point; thence continuing along land remaining of grantor herein, North 79 degrees 23 minutes 21 seconds West, 220 feet to a point in the aforesaid east right of way line of Caln Mortonville Road; thence along the same, North 10 degrees 36 minutes 39 seconds East, 200 feet to the first mentioned point and place of beginning.

Containing 1.010 acres of land be the same more or less.

BEING THE SAME PROPERTY CONVEYED TO ROBERT M. BARNHART AND KAREN A. BARNHART WHO ACQUIRED TITLE BY VIRTUE OF A DEED FROM R. CRAIG JENKINS AND SHIRLEY M. JENKINS, HIS WIFE, DATED MARCH 15, 1991, RECORDED MARCH 20, 1991, AT DOCUMENT ID 012015, AND RECORDED IN BOOK 2344, PAGE 295, OFFICE IF THE RECORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

PARCEL NO.: 47-06-0054.020

PLAINTIFF: U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for VRMTG Asset Trust

VS

DEFENDANT: **Karen A. Barnhart, AKA Karen Barnhart & Robert M. Barnhart, AKA Robert Barnhart**

SALE ADDRESS: Lot 2 Caln Road, AKA 960 South Caln Road, Coatesville, AKA East Fallowfield, PA 19320

PLANTIFF ATTORNEY: **MANLEY DEAS KOCHALSKI LLC 614-220-5611**

**SALE NO. 20-11-352**

**Writ of Execution No. 2019-12510**  
**DEBT \$2,142.45**

ALL THAT CERTAIN lot or piece of ground, Situate in Uwchlan Township, Chester County, Pennsylvania described according to a Final Subdivision Plan Phase IV, V and VI for Rondda Sheet NO. 4-A prepared by Robert F. Harach and Associates, Inc. Consulting Engineers dated December 5th, 1978 and last revised September 15th, 1979 and recorded in Chester County as Plan No. 2529 known as 234 Towyn Court.

Tax Parcel No. 33-5E-154

PLAINTIFF: Rhondda Homeowners Association  
VS

DEFENDANT: **Lisa A. Shoats**

SALE ADDRESS: 234 Towyn Court, Exton, PA 19341

PLANTIFF ATTORNEY: **STEVEN L. SUGARMAN & ASSOCIATES 610-889-0700**

**SALE NO. 20-11-353**

**Writ of Execution No. 2018-00284**  
**DEBT \$94,043.43**

ALL THAT CERTAIN Western half of a double brick and frame house and frame stable and a piece of land thereunto belonging, SITUATE on the North side of Ridge Avenue in the Borough of Spring City, County of Chester and State of Pennsylvania, being Lot No. 86 on a plan of lots laid out by William P. Snyder, known as the Emery Addition to Spring

City, which plot remains in the Recorder's Office in Chester County in Deed

Book T-10, Page 72

Tax Parcel # 14-1-7

PLAINTIFF: Deutsche Bank National Trust Company, as Indenture Trustee, for New Century Home Equity Loan Trust 2005-1

VS

DEFENDANT: **Kari Newman**

SALE ADDRESS: 411 Ridge Avenue, Spring City, PA 19475

PLANTIFF ATTORNEY: **RICHARD M. SQUIRE & ASSOCIATES, LLC 215-886-8790**

**SALE NO. 20-11-354**

**Writ of Execution No. 2020-03146**  
**DEBT \$99,645.93**

PROPERTY SITUATE IN VALLEY TOWNSHIP

TAX PARCEL # 38-5C-74

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: Deutsche Bank National Trust Company, as Indenture Trustee, for New Century Home Equity Loan Trust 2005-2

VS

DEFENDANT: **Nazario Tapia & Rosa Tapia**

SALE ADDRESS: 918 Charles Street, Coatesville, PA 19320

PLANTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**