
Court of Common Pleas of Lancaster County
Civil Action - Law

M&G Realty v. Lancaster General Hospital

Real Property – Easement by Implication – Building according to a site improvement plan that interferes with a recorded access easement irreparably harms the dominant estate’s property interest.

Opinion. M & G Realty, Inc. v. Lancaster General Hospital. No. CI-22-00339.

OPINION BY BROWN, J., February 7, 2022. This matter is before the court on Plaintiff M & G Realty’s (“M & G”) complaint and motion for a preliminary injunction filed January 19, 2022.

I. Background

Plaintiff M & G Realty, Inc. (“M&G”) is a Pennsylvania Corporation based in York, Pennsylvania. Defendant The Lancaster General Hospital (“LGH”) is a Pennsylvania Non-Profit Corporation based in Lancaster, Pennsylvania.

In 2016, North Field Partners, L.P. (“North Field”) owned four contiguous tracts of land north of and along Historic Drive in Strasburg Borough. North Field and M&G had entered into an agreement of sale on August 17, 2015 for M&G to purchase one of the tracts. *See* Pl. Ex. 1. The agreement expressly provided for shared common access easements over North Field’s remaining land and over M&G’s lot for the benefit of each lot. *See id.* It also stated the easements would be memorialized in recorded subdivision/land development plans.

M&G purchased the real property located at 405 Historic Drive from North Field by deed dated June 9, 2016. The deed, which was recorded on June 17, 2016, references a Final Subdivision & Land Development Plan (“the Rutter’s Plan”) approved by Strasburg Borough and recorded the same day at Document #2016-0187-J. The Rutter’s plan shows a relocatable access and utility easement burdening a portion of M&G’s property as well as the remaining North Field property. *See* Pl. Ex. 2. The easement varies between 35 and 40 feet in width as it crosses the property, splitting then-subdivided lots 8 and 10 until it connects to Historic Drive where the drive intersects with Old Post Lane. If constructed, the easement’s path would allow a second ingress and egress to the Rutter’s from Historic Drive and facilitate vehicle traffic to the diesel fuel pumps and tractor trailer parking located behind the store.

On June 28, 2021, LGH purchased the adjacent lots 8 and 10 from North Field, consolidating the lots into a single tract to develop a medical building next door to the Rutter’s. LGH and Strasburg Borough then entered a written agreement under which Strasburg Borough agreed to waive the borough’s ordinance, which required LGH’s property

to have two access points, in exchange for LGH's agreement to prevent M&G from using the easement except for emergency access. M&G did not participate in LGH's and Strasburg Borough's discussions regarding the agreement and did not sign the agreement.¹

On October 25, 2021, an approved Final Subdivision Plan and Land Development Plan depicting a proposed medical office building and site improvements was recorded at Document # 2021-0391-J (the "LGH Plan"). See Pl. Ex. 5. The LGH plan recognizes the existing easement as a current condition but notes the "easement [is] to be extinguished."² See *id.* at 7. Later pages in the LGH plan do not show the easement but do show improvements being constructed through the property where the easement would be located, including curbing, sidewalks, paved parking spaces, and drive aisles varying between 16 and 25 feet in width. The plan further states LGH will restrict traffic on the easement and "comply with all previous conditions, restrictions and plan notes related to the applicant's property with the exception of the relocatable 40' proposed access easement" See *id.* at 5.

LGH has begun construction on the property. As of January 24, 2022, site preparation was underway, a sewer lateral under construction, and the building's foundation had been laid. The building's footprint matches the location of the proposed building on LGH's plan and is immediately adjacent to the easement without accounting for the installation of sidewalks, curbing, and parking spaces yet to be constructed. The building footers and current footprint does not encroach upon the easement.

M&G filed a complaint and motion for preliminary injunction on January 19, 2022, seeking an order to prevent LGH from continuing construction on the site altogether. After a hearing on January 28, 2022 attended by both parties, this matter is ripe for judicial review.

II. Legal Standard

To obtain a preliminary objection, a petitioner must establish six elements: (1) a clear right to relief; (2) immediate and irreparable harm in the absence of an injunction; (3) restoration of the status quo; (4) no adequate remedy at law exists and the injunction is appropriate to abate the alleged harm; (5) greater injury will result by not granting than by granting the injunction; and (6) the preliminary injunction will not adversely affect the public interest. See *Summit Towne Ctr., Inc. v. Shoe Show of Rocky Mount, Inc.*, 828 A.2d 995, 1001 (Pa. 2003).

The goal of a preliminary injunction is to maintain the status

¹ Strasburg Borough is not a necessary party to these proceedings. The dispute here is between M&G, which owns an easement crossing LGH's property, and LGH, which is developing the land according to a plan that will extinguish the easement. Whether to enjoin LGH from doing so is a decision that can be made without infringing on Strasburg Borough's rights or interests. How the LGH plan was approved, and how LGH could revise the plan, are separate questions not at issue here. See *Hubert v. Grenewald*, 743 A.2d 977, 979 (Pa. Super. 1999), *appeal denied*, 760 A.2d 854 (Pa. 2000).

² The court finds troubling the process by which LGH managed to "extinguish" a recorded property right without the knowledge or consent of the owner.

quo until the court can finally determine the parties' rights. *New Castle Orthopedic Assocs. v. Burns*, 392 A.2d 1383, 1385 (Pa. 1978). "The status quo to be maintained by a preliminary injunction is the last actual, peaceable and lawful non-contested status which preceded the pending controversy." *Valley Forge Hist. Soc. v. Wash. Mem'l Chapel*, 426 A.2d 1123, 1129 (Pa. 1981). Irreparable harm is irreversible harm that cannot be adequately compensated by money damages because it "can be estimated only by conjecture and not by an accurate pecuniary standard." *Sovereign Bank v. Harper*, 674 A.2d 1085, 1091, 1093 (Pa. Super. 1996).

III. Discussion

The parties do not dispute most relevant facts, and testimony focused on the narrow issue of whether LGH's approved development plan irreparably harms M&G's property interest by interfering with the easement crossing LGH's property.³ M&G argues the plan irreparably harms its interest because LGH has begun building according to a plan where the site improvements will interfere with the easement. LGH asserts no irreparable harm exists because the LGH plan does not unreasonably restrict the easement and site improvements have not yet begun. Both parties agree the medical office building's current footprint and footers do not encroach upon the easement.

The owner of land over which an easement is granted cannot materially impair the easement. See *Duross v. Singer*, 73 A. 951, 952 (Pa. 1909). An access easement is impaired when the servient landowner hampers or obstructs it, even if the easement holder's purposes may be served by less than the whole easement granted—and even if the easement is unimproved. See *Scoppa v. Myers*, 491 A.2d 148, 149–50 (Pa. Super. 1985); *Kinzey v. Marolt*, 432 A.2d 234, 235–36 (Pa. Super. 1981).

The status quo at issue is M&G's right to use its access easement as recorded.⁴ While construction of a medical building adjacent to an easement does not obstruct M&G's right of access so as to cause immediate and irreparable harm, LGH's borough-approved site improvements do materially impair M&G's easement. Although M&G's easement is between 35 and 45 feet in width, the LGH plan significantly constricts the width of the easement. The plan also impedes access by installing curbs, sidewalks, and parking spaces through the easement that vehicles accessing Rutter's could not reasonably navigate around. As planned, site improvements build out the property so that M&G's easement cannot be relocated or accommodated, resulting in a loss of a property right with a value that can only be estimated. While LGH may still revise its site plan around M&G's easement, allowing LGH to pro-

³ An easement by implication arises when, as occurred in this case, a prior, common grantor conveys lots describing an easement as shown on a subdivision plan. See *Scoppa v. Myers*, 491 A.2d 148, 149 (Pa. Super. 1985). M&G asserts, and LGH assumed arguendo at the hearing, that the implied easement exists, was not extinguished by conveyance or by LGH's agreement with Strasburg Borough, and affords M&G a right to relief.

⁴ M&G asserts this is the status quo. LGH admitted, assuming the easement exists, that M&G's right to use the easement is at least part of the status quo.

ceed with site improvements as planned would unilaterally extinguish M&G's property interest and challenge established Pennsylvania law surrounding property rights.

It is appropriate to enjoin LGH's site improvements at this preliminary stage because LGH knowingly purchased land subject to a recorded easement and sought to enact a development plan seriously constricting M&G's property right. Not only is the approved development plan an imminent threat to M&G's property right, but the danger is made more immediate by LGH having already undertaken site preparation. In reaching this decision, the court is persuaded by *Louis W. Epstein Family Partnership v. Kmart Corp.*, in which the Third Circuit affirmed a district court decision enjoining the defendant from installing curbing and painted arrows as part of its development plan when doing so would reduce the size of the plaintiff's access easement. *See* 13 F.3d 762, 767 (3d Cir. 1994). Because the defendant ostensibly bargained for purchase of land subject to a recorded easement then acted in a manner it knew was contrary to that easement, the district court properly enjoined construction before it began and did not need to consider the hardship to the defendant. *See id.* at 770 (noting Pennsylvania courts do not balance equities when defendant "takes a chance" its behavior violates easement).

IV. Conclusion

For the reasons stated above, the court grants M&G's request for preliminary injunction as to LGH's site improvements but not as to construction of the medical office building. An appropriate order follows.

ORDER

AND NOW, this 7th day of February 2022, after a hearing on Plaintiff M & G Realty's ("M&G") motion for preliminary injunction filed January 19, 2021 that was attended by counsel for both parties, it is hereby ORDERED that

1. M&G has met the requirements for a preliminary injunction regarding LGH's site improvements, and its request for a preliminary injunction is GRANTED. LGH is hereby ENJOINED from constructing any and all site improvements until further order of court.
2. M&G has not met the requirements for a preliminary injunction regarding construction of the medical office building itself; its request for a preliminary injunction is DENIED as to the medical office building.

BY THE COURT
LEONARD G. BROWN, III, JUDGE

ESTATE AND TRUST NOTICES

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

FIRST PUBLICATION

Ashton, Thomas R., dec'd.

Late of West Lampeter Township.

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Cochran, Douglas Scott, dec'd.

Late of Lancaster Township.

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Deangelis, John M., dec'd.

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Graybill, Harold H., dec'd.

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Carmen, JoAnn M. a/k/a Jo Ann Carmen a/k/a JoAnn Marion Carmen, dec'd.

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Moss, Robert L., dec'd.

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Nusum, Janet B., dec'd.

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Precise, Kevin Patrick, dec'd.

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Royer, Scott M., dec'd.

Late of Manheim Township.

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Royer, Thelma Jean a/k/a Jean M. Royer, dec'd.

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Shugarts, Dennis Dwight, dec'd.

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Snyder, Warren T. a/k/a Warren Theodore Snyder, dec'd.

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Souders, Jennifer Paula, dec'd.

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Stauffer, John W., dec'd.

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Steckel, Eric L. a/k/a Erick Steckel, dec'd.

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Late of Lancaster.

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Wiley, Judy A., dec'd.

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Witmer, James C., dec'd.

Late of Columbia Borough.
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THIRD PUBLICATION

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Bahn, Carlton Shaffley, dec'd.

Late of Lancaster City.
Executor: Nicholas C. Bahn c/o James N. Clymer, Esquire, 408 West Chestnut Street, Lancaster, PA 17603.

Attorney: Clymer Musser & Sarano, PC.

Barnes, Arlene E., dec'd.

Late of Fulton Township.
Co-Executors: Tamahein M. Wilkey, Elwood E. Barnes, III, and Jennifer L. Long c/o Ni-

kolaus & Hohenadel, LLP, 303 West Fourth Street, Quarryville, PA 17566.

Attorney: Jeffrey S. Shank, Esquire.

Barnes, Gail A., dec'd.

Late of the Township of West Hempfield.

Personal Representative: Ann L. Sheaffer, Executrix, c/o Marci S. Miller, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

Beaner, Dorothy S., dec'd.

Late of Warwick Township.
Executor: Wayne E. Beaner c/o Dennis L. Plank, Esq., Going & Plank, 140 E. King Street, Lancaster, PA 17602.

Attorney: Dennis L. Plank, Esquire.

Brown, Lonnie C., Sr., dec'd.

Late of Columbia Borough.
Executor: Lonnie C. Brown, Jr. c/o 327 Locust Street, Columbia, PA 17512.

Attorney: John F. Markel; Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

Coble, Timothy K. a/k/a Timothy Kevin Coble, dec'd.

Late of the Borough of Elizabethtown.

Executor: Doug Hummer c/o Nikolaus & Hohenadel, LLP, 222 S. Market Street, Suite 201, Elizabethtown, PA 17022.

Attorney: Kevin D. Dolan, Esquire.

Dopler, Joan W., dec'd.

Late of Ephrata Borough.
Executor: Wade C. Smith c/o
Kling, Deibler & Glick, LLP, 131
W. Main Street, New Holland, PA
17557.

Attorney: Patrick A. Deibler, Es-
quire; Kling, Deibler & Glick,
LLP.

Echternach, Joan B., dec'd.

Late of Warwick Township.
Executor: Guy S. Echternach
c/o Gardner and Stevens, P.C.,
109 West Main Street, Ephrata,
PA 17522.

Attorney: John C. Stevens.

Eckert, David A., dec'd.

Late of East Donegal Township.
Administratrix: Leanne Eckert
c/o 50 East Market Street, Hel-
lam, PA 17406.

Attorney: Alexis K. Swope, Es-
quire.

Fichner, Elizabeth W., dec'd.

Late of East Hempfield Town-
ship.

Executor: Jane Hungarter, 1344
Sylvan Road, Lancaster, PA
17601.

Attorney: None.

**Fry, Herbert S. a/k/a Herbert
Stanley Fry**, dec'd.

Late of Lititz Borough.

Executor: Susan L. Shaub c/o
Kling, Deibler & Glick, LLP, 131
W. Main Street, New Holland, PA
17557.

Attorney: Patrick A. Deibler, Es-
quire; Kling, Deibler & Glick,
LLP.

Gambler, Virginia L., dec'd.

Late of West Hempfield Town-
ship.

Executors: Melissa A. Paules
and Gerald L. Paules, Jr. c/o
327 Locust Street, Columbia, PA
17512.

Attorney: John F. Markel; Ni-
kolaus & Hohenadel, LLP, 327
Locust Street, Columbia, PA
17512.

Greenfield, Peter A., dec'd.

Late of Manheim Township.

Co-Executors: John P. Green-
field and Deborah A. Wims c/o
Law Office of Shawn Pierson,
105 East Oregon Road, Lititz,
PA 17543.

Attorney: Shawn M. Pierson, Es-
quire.

Hackman, Gene, dec'd.

Late of the Township of Eliza-
beth.

Executor: James Hackman, 135
Michters Road, Newmanstown,
PA 17073.

Attorney: Timothy T. Engler, Es-
quire; Steiner & Sandoe, Attor-
neys.

**Hartman, Mary S. a/k/a M. Sue-
ie Hartman a/k/a Suesie Hart-
man**, dec'd.

Late of Lancaster County.

Administrator: Shannan D.
Thomas c/o 624 North Front
Street, Wormleysburg, PA
17043.

Attorney: Michael Cherewka,
Esquire, 624 North Front Street,
Wormleysburg, PA 17043.

Hilton, Linda R., dec'd.

Late of Lancaster City.

Executor: Mark Santivenere c/o
Pyfer, Reese, Straub, Gray &
Farhat, P.C., 128 N. Lime Street,
Lancaster, PA 17602.

Attorney: Pyfer, Reese, Straub,
Gray & Farhat, P.C.

Attorney: Clymer Musser & Sar-
no, PC.

Kauffman, Dorothy W., dec'd.

Late of Manheim Township.
Personal Representatives: Bar-
bara L. Michael and Beverly A.
Kauffman c/o John H. May,
Esquire, 49 North Duke Street,
Lancaster, PA 17602.
Attorneys: May, Herr & Grosh,
LLP.

Leed, Geraldine M., dec'd.

Late of Millersville Borough.
Executor: Jeffrey A. Kauffman
c/o Kling, Deibler & Glick, LLP,
131 W. Main Street, New Hol-
land, PA 17557.
Attorney: Patrick A. Deibler, Es-
quire; Kling, Deibler & Glick,
LLP.

Koser, Paul Stanley, dec'd.

Late of Marietta Borough.
Executrix: Sandra Lee Koser
Service c/o Scott E. Albert, Esq.,
50 East Main Street, Mount Joy,
PA 17552.
Attorney: Scott E. Albert, Es-
quire.

**Little, Mary Elizabeth a/k/a
Mary E. Little**, dec'd.

Late of Lancaster City.
Executor: Richard K. Dieterle,
Jr., 15 Strawberry Lane, Lititz,
PA 17543.
Attorney: Richard K. Dieterle,
Jr., Esquire.

**Kreider, Carl R. a/k/a Carl
Royce Kreider**, dec'd.

Late of Manheim Township.
Executor: Randall L. Kreider c/o
Aevitas Law, PLLC, 1755 Oregon
Pike, Suite 201, Lancaster, PA
17601.
Attorneys: Neil R. Vestermark,
Esquire; Aevitas Law, PLLC.

Lombardo, Joseph J., dec'd.

Late of Manheim Township.
Executor: George Mastromatteo
c/o Nikolaus & Hohenadel, LLP,
212 North Queen Street, Lan-
caster, PA 17603.
Attorney: Barbara Reist Dillon.

Kroekel, Patricia A., dec'd.

Late of Earl Township.
Executor: L. Paul Kroekel c/o
Kling, Deibler & Glick, LLP, 131
W. Main Street, New Holland, PA
17557.
Attorney: Linda Kling, Esquire;
Kling, Deibler & Glick, LLP.

Loomis, Edwin W., dec'd.

Late of Ephrata Township.
Executors: M. Louise Bowman
and James R. Loomis c/o C.
Thomas Work, Esq., 111 N. 6th
St., P.O. Box 679, Reading, PA
19603.
Attorney: C. Thomas Work, Es-
quire, Stevens & Lee, 111 N. 6th
St., P.O. Box 679, Reading, PA
19603.

Leaman, Duane R., dec'd.

Late of New Holland Borough.
Executor: Glenn E. Leaman c/o
James N. Clymer, Esquire, 408
West Chestnut Street, Lancast-
er, PA 17603.

Lutz, Beverly J., dec'd.

Late of Lancaster.
Co-Executors: Harry B. Lutz and
Kimberly A. Lutz c/o W. Bryan
Byler, 363 West Roseville Road,

Lancaster, PA 17601.

Attorney: W. Bryan Byler, Esquire; Byler & Winkle, P.C., 363 West Roseville Road, Lancaster, PA 17601.

McDowell, Lavonna T., dec'd.

Late of West Donegal Township.

Executrix: Heather L. McDowell c/o Elaine T. Yandrisevits, Esq., P.O. Box 50, Doylestown, PA 18901.

Attorney: Elaine T. Yandrisevits, Esquire; Antheil Maslow & MacMinn, LLP, P.O. Box 50, Doylestown, PA 18901.

McGlynn, Thomas F., dec'd.

Late of Marietta Borough.

Executrix: Cindy S. Graham c/o Karl Kreiser, Esquire, 553 Locust Street, Columbia, PA 17512.

Attorney: Mountz & Kreiser.

Miller, Sharon L. a/k/a Sharon Miller, dec'd.

Late of Caernarvon Township.

Executrix: Deborah L. Frost, 701 Cloverfield Drive, Narvon, PA 17555.

Attorney: Kathleen K. Good; Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372.

Musser, Josephine F., dec'd.

Late of the Township of West Donegal.

Executrix: Janet C. Wallace c/o Nikolaus & Hohenadel, LLP, 222 S. Market Street, Suite 201, Elizabethtown, PA 17022.

Attorney: John M. Smith, Esquire.

Newlin, Nancy Jo, dec'd.

Late of Mount Joy Borough.

Executor: Albert C. Newlin, Jr. c/o Scott E. Albert, Esq., 50 East Main Street, Mount Joy, PA 17552.

Attorney: Scott E. Albert, Esquire.

Perry, Christopher Z., dec'd.

Late of Lancaster.

Executor: Barbara Reist Dillon c/o Nikolaus & Hohenadel, LLP, 212 North Queen Street, Lancaster, PA 17603.

Attorney: Barbara Reist Dillon.

Plank, Richard Allen a/k/a Richard A. Plank, dec'd.

Late of Adamstown.

Administratrix: Lisa Moyer c/p Dennis L. Plank, Esq., Going & Plank, 140 E. King Street, Lancaster, PA 17602.

Attorney: Dennis L. Plank, Esquire.

Reed, Ellen E., dec'd.

Late of Lititz Township.

Executor: Virginia C. Mackey c/o Law Office of Shawn Pierson, 105 East Oregon Road, Lititz, PA 17543.

Attorney: Shawn M. Pierson, Esquire.

Ringer, John E., dec'd.

Late of Lancaster Township.

Personal Representative: Beckie L. Hartman, Executrix, c/o John R. Gibbel, Attorney, P.O. Box 5349, Lancaster, PA 17606. Attorneys: Gibbel Kraybill & Hess LLP.

Rissel, Doris Marie, dec'd.

Late of Bart Township.

Administratrix: Jennifer M.

Kurtz, 11 Lancaster Avenue, Christiana, PA 17509, and Carol R. Moore, 228 West Baker Hollow Road, Coudersport, PA 16915.

Attorney: William T. Keen; Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372.

Sanders, Maryella E. a/k/a Maryella Sanders, dec'd.

Late of Manheim Township.
Executor: Wardell Sanders c/o Theodore L. Brubaker, Esquire, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602.
Attorneys: Brubaker Connaughton Goss & Lucarelli LLC.

Sauder, Arlene a/k/a A. Arlene Sauder, dec'd.

Late of West Earl Township.
Co-Executors: John M. Sauder, Jr. and Barbara Jean Sweigart c/o H. Charles Benner, Attorney, 200 East Main Street, Leola, PA 17540.
Attorney: H. Charles Benner.

Schock, Wayne, dec'd.

Late of Manor Township.
Executor: Dennis K. Schock c/o Karl Kreiser, Esquire, 553 Locust Street, Columbia, PA 17512.
Attorney: Mountz & Kreiser.

Sellers, Joan L., dec'd.

Late of Columbia Borough.
Executrix: Tracey L. Mirgon, 22 Springwood Ct., Cabot, AR 72023.
Attorney: Robert Freedenberg; Skarlatos Zonarich, 320 Market Street, Suite 600W, Harrisburg, PA 17101.

Smith, Robert Aril, dec'd.

Late of Manheim Township.
Administrator: Wendy B. Smith c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.
Attorney: Young and Young.

Smuck, Kenneth A., dec'd.

Late of the Borough of Mount Joy.
Administratrix: Laura A. Smuck c/o Nikolaus & Hohenadel, LLP, 222 S. Market Street, Suite 201, Elizabethtown, PA 17022.
Attorney: Matthew Bleacher, Esquire.

Stotz, Earl R., dec'd.

Late of Columbia Borough.
Executrix: Roberta L. Stotz c/o Karl Kreiser, Esquire, 553 Locust Street, Columbia, PA 17512.
Attorney: Mountz & Kreiser.

Swavely, Rick C. a/k/a Rick Swavely, dec'd.

Late of Brecknock Township.
Administratrix: Felicia Maria Swavely, 653 Yellow Hill Road, Narvon, PA 17555.
Attorney: Eugene Orlando, Jr.; Orlando Law Offices, P.C., 2901 St. Lawrence Avenue, #202, Reading, PA 19606.

Vergara, Anthony, dec'd.

Late of New Holland Borough.
Administrator: Carolyn Esterling c/o Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557.
Attorney: Linda Kling, Esquire; Kling, Deibler & Glick, LLP.

Weaver, William R. a/k/a Wil-

liam R. Weaver, Sr., dec'd.

Late of East Petersburg Borough.

Co-Executors: Karen M. Woods and William R. Weaver, Jr. c/o Appel Yost & Zee LLP, 33 N. Duke Street, Lancaster, PA 17602.

Attorney: Jeffrey P. Ouellet.

Wells, Christine M., dec'd.

Late of Elizabethtown Borough.

Executor: Charles A. Wells c/o Nikolaus & Hohenadel, LLP, 222 S. Market Street, Suite 201, Elizabethtown, PA 17022.

Attorney: Jeffrey S. Shank, Esquire.

Wood, Dolores D., dec'd.

Late of Drumore Township.

Administrator: Jay D. Shenberger, 1411 River Road, Drumore, PA 17518.

Attorney: Clayton A. Lingg, Esquire; Mooney Law, 230 York Street, Hanover, PA 17331.

Young, Evelyn R., dec'd.

Late of Warwick Township.

Executor: Robert E. Wilson and Pamela A. Wilson c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorney: Young and Young.

Ziemer, Richard S., dec'd.

Late of Warwick Township.

Executor: Neal R. Ziemer c/o Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Linda Kling, Esquire; Kling, Deibler & Glick, LLP

CHANGE OF NAME NOTICES

Lancaster County
Court of Common Pleas
NO.:CI-21-06465

IN RE: NAME CHANGE OF A.P.M., a minor, BY EDMUND C. MILUKAS, II AND CONNIE M. KING, Parents and natural guardians

NOTICE IS HEREBY GIVEN that the Petition of Edmund C. Milukas, II, and Connie M. King, parents of A.P .M., was filed in the above Court praying for a Decree to change the name of Ava Page Milukas to Avalon Page Milukas.

The Court has fixed the 9th day of June, 2022, at 2:00p.m., in Courtroom No. 4, of the Lancaster County Courthouse, 50 N. Duke Street, Lancaster, Pennsylvania, for a hearing of said Petition, when and where any persons interested may attend and show cause, if any, why said Petition should not be granted.

KLING & DEIBLER, LLP
Attorneys

M-18, 25

A hearing will be held on May 23, 2022, at 2:30 p.m. in Courtroom 4, at Lancaster County Courthouse, 50 N. Duke Street, Lancaster, PA regarding the request of Lilliam Santiago Colon to change her name to Lillian Colon Santiago. Any person with objections may attend and show cause why the request should not be granted.

M-18

**MISCELLANEOUS LEGAL
NOTICE**

In the Court of Common Pleas of Lancaster County, Pennsylvania
No. CI-19-06288

KAY M. RICHARDS, Plaintiff
v.
DARRENKAMP'S MT JOY MARKET, INC. t/d/b/a DARRENKAMP'S, Defendant

(717) 393-0737

John C. Hohenadel, Esq.
NIKOLAUS & HOHENADEL
Attorney for Plaintiff
212 North Queen Street
Lancaster, PA 17603
(717) 299-3726

TO: Defendant Darrenkamp's Mt Joy Market, Inc. t/d/b/a Darrenkamp's. Plaintiff Kay M. Richards has filed a Writ of Summons against you concerning injury from premises liability matter at Docket No. CI-19-06288.

M-18

In the Court of Common Pleas of Lancaster County, Pennsylvania
No. NO. 19-12107

ERIC TERE0, Plaintiff

v.

AMANDA TERE0, Defendant

NOTICE OF INTENTION TO FILE THE PRAECIPE TO TRANSMIT RECORD

TO: AMANDA TERE0, DEFENDANT

Plaintiff, Eric Tereo, intends to file with the court the attached Praecipec to Transmit Record on or after March 23, 2022, requesting that the court enter a final decree in divorce or an order approving grounds for divorce as indicated in the attached proposed Praecipec to Transmit Record.

PRAECIPE TO TRANSMIT RECORD

To the Prothonotary:

Transmit the record, together with the following information, to the court for entry of (check one of the following):

- a divorce decree;
 - a divorce decree with marital settlement agreement attached;
 - a bifurcated divorce decree with the Court retaining jurisdiction over unresolved ancillary claims;
- or

an order approving grounds for

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

Lancaster Bar Association
Lawyer Referral Service
28 East Orange Street
Lancaster, PA 17602

divorce with the Court retaining jurisdiction over unresolved ancillary claims. claims.

1. Check the applicable section of the Divorce Code.

Grounds for divorce: irretrievable breakdown under:

Section 3301 (c)(1)

Section 3301(c)(2)

X Section 3301(d)

2. Service of the Complaint:

(a) Date served: March 19, 2020.

(b) Manner of service: Personal Service. Affidavit of Service filed March 23, 2020.

3. Complete either paragraph (a) or (b).

(b) Section 3301(d) of the Divorce Code:

(1) The date the Affidavit under Section 3301 (d) of the Divorce Code was signed: April 22, 2020;

(2) Date of filing and manner of service of the Affidavit under Section 3301 (d) of the Divorce Code and blank Counter-Affidavit under Section 3301(d) of the Divorce Code upon the other party: Filed April 29, 2020, reinstated February 8, 2022. Order dated November 23, 2021, granting Leave to Serve by Publication and Service by email: email sent on December 15, 2021, publication occurred on February 7, 2022, and February 11, 2022.

4. Related ancillary claims pending: none.

5. Complete either (a) or (b).

(a) Notice of Intention to File the Praecipe to Transmit Record:

(1) Date served: March 7, 2022.

(2) Manner of service: Email to Defendant and publication on March 18, 2022 in Lancaster Bar Review and LNP Media Publica-

tion.

Purdy Law Office, LLC:

Allison G. Hastings Supreme Court I.D. #314900 20 Erford Road, Suite 112

Lemoyne, PA 17043

PH: (717) 221-8303

FX: (717) 221-8403

allison@purdylawoffice.com

M-18

**NOTICE OF ACTION IN A
MORTGAGE FORECLOSURE**

COURT OF COMMON PLEAS
- LANCASTER COUNTY - NO.
CI-20-00324 - CIVIL ACTION -
MORTGAGE FORECLOSURE -
Metropolitan Life Insurance Com-
pany, c/o NewRez LLC f/k/a New
Penn Financial, LLC, d/b/a Shell-
point Mortgage Servicing, Plaintiff
vs Kenneth Eppinette, Defendant
- NOTICE OF SHERIFF'S SALE OF
REAL PROPERTY -To: Kenneth
Eppinette, Defendant, 273 Ridge
Avenue, Ephrata, PA 17522.
The real estate located at 273
Ridge Avenue, Ephrata, PA 17522,
is scheduled to be sold at Sher-
iffs Sale 5/25/2022 at 10:00, in
rooms 102-104 located at 150 N.
Queen St., Lancaster, PA 17608,
to enforce the court judgment of
\$128,370.69, plus fees, costs and
other charges obtained by Met-
ropolitan Life Insurance Compa-
ny, c/o NewRez LLC, £1k/a New
Penn Financial, LLC d/b/a Shell-
point Mortgage Servicing, against
you. - NOTICE OF OWNER'S
RIGHTS YOU MAY BE ABLE TO
PREVENT THIS SHERIFF'S SALE
- 1. This sale will be canceled if
you pay the judgment to Patrick
J. Wesner, Esq., 9000 Midlan-
tic Dr., #300, P.O. Box 5054, Mt.

Laurel, NJ 08054. To find out how much you must pay, you may call 856.810.5815. 2. You may be able to stop the sale by filing a petition asking the court to strike or open the judgment, if the judgment was improperly entered. You may also ask the court to postpone the sale for good cause. 3. You may also be able to stop the sale through other legal proceedings. 4. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale.

-RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE - 1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling the Sheriff's Office at 717.299.8200 or Patrick J. Wesner, Esq. at 856.810.5815. 2. You may be able to petition the court to set aside the sale if the bid price was grossly inadequate compared to the value of your property. 3. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened, you may call the Sheriff's Office at 717.299.8200 or Patrick J. Wesner, Esq. at 856.810.5815. 4. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened. 5. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you. 6. You may be entitled to a share of the money which was paid for your house. A schedule of distribution of the money bid for your

house will be filed by the Sheriff on the 30th day after the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days of the preparation of the schedule of distribution. 7. You may also have other rights and defenses, or ways of getting your house back, if you act immediately after the sale. **YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.** Lancaster Bar Assn., Lawyer Referral Service, 28 E. Orange St., Lancaster, PA 17602, 717.393.0737

M-18

NOTICE OF SPECIAL MEETINGS

Notice is hereby given that the Annual Meeting of the Policyholders of Cloister Mutual Casualty Insurance Company will be held at the Corporate Office, 21 West Main Street, Ephrata, PA, on Tuesday, April 12th, 2022 commencing at 10:00 A.M., for the purpose of Election of Directors and/or the transaction of other business.

Douglas L. Underwood
President/CEO

Ephrata PA
 ATTEST: Jacob M. Klinefelter
 Chief Risk Officer/Vice President/
 Secretary
 PO Box 587
 Ephrata PA 17522

M-4, 11, 18, 25

M-11, 18, 25

NOTICE IS HEREBY GIVEN that a special meeting of the members ("Special Meeting") of The Reamstown Mutual Insurance Company ("Reamstown Mutual") will be held on April 5, 2022, commencing at 1:00 pm, at 625 West Main Street, New Holland, PA, for the following purposes: (i) to consider and vote upon amending and restating the Amended and Restated Charter of Reamstown Mutual which includes a proposed change to its legal name and to broaden the scope of its purpose of engaging in the business of property and casualty insurance in Pennsylvania and other states, business reasonably incidental thereto and other lawful activity, among other amendments, as set forth in the proposed Second Amended and Restated Charter which can be viewed at: www.rmins.com and (ii) to transact such other business, if any, as may properly come before the Special Meeting.

All members of Reamstown Mutual are cordially invited to attend the Special Meeting. For questions about the Special Meeting, please contact Maryfrances Cooper, General Counsel and Corporate Secretary of Reamstown Mutual at telephone number 717-354-1998.

James M. Harder
 Chairman
 Maryfrances T. Cooper
 General Counsel/Corporate Secretary

SUITS ENTERED

Defendant's name appears first in capitals, followed by plaintiff's name, number and plaintiff's or appellant's attorneys.

March 2, 2022
 to March 9, 2022

ALBRIGHT, KELLY; Americredit Financial Services, Inc.; 01147; Scian

ALLER, JAMES M.; Americredit Financial Services, Inc.; 01168; Scian

AMERICAN GENERAL LIFE INSURANCE COMPANY; Arabella Lagoon, LLC; 01148; Dugalic

CHANNELLE, ERIK M.; Americredit Financial Services, Inc.; 01170; Scian

CHAUDHRY, SALIMA; Conestoga Valley School District; 01261; Boehret

Christopher Michael; 01248

CLAWSON III, THOMAS K.; Solanco School District; 01214; Boehret

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION; Adrienne Marie Kriegh; 01282

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION; Jaime L. Pollock; 01135; Szilagyi

CULLER, MARTIN; Americredit Financial Services, Inc.; 01126; Scian

DAHLHEIMER, DORINDA A.; Edward D. Schelmmmer; 01300; Sadlock

DAWKINS, JEFFREY L., DAWKINS, WANDA D. ; Americredit Financial Services, Inc.; 01169;

Scian

DELOREFFICE, MICHELE, DELOREFFICE, JOSEPH T.; Solanco School District; 01216; Boehret

DERING, EARL R., Dering Cynthia D.; Americredit Financial Services, Inc.; 01159; Scian

Eden Elizabeth Milby; 01247

FRANKHOUSER, G. ERIC, ATKINS, RICHARD; Solanco School District; 01215; Boehret

HEILINGER, WILLIAM I., HEILINGER, FRANCES A.; Americredit Financial Services, Inc.; 01157; Scian

HEWETT, TERESA L.; Americredit Financial Services, Inc.; 01165; Scian

INOA, JOSE, YNOA DELI GROCERY; Marcos Cruz Ortiz; 01239; Tarnowski

JONES, FREDERICK; Bartolo Jimenez-Peredes; 01196; Swartz

LAKE, CHARLOTTE; Veronica Muniz; 01204; Levin

LEIS, PAULA, LEIS, DAVID E.; Tammac Holdings Corporation; 01220; Bates

LOPERENA, MANUEL; Samantha Hughes; 01197; Hall

MARTINEZ, MARGARITA; Americredit Financial Services, Inc.; 01172; Scian

MAY, LAURA; Benuel S. Fisher Jr.; 01161

OTSTOT, DEBBY A.; Americredit Financial Services, Inc.; 01155; Scian

PERRY, ALLEN; New Wave Energy Corporation; 01218; Bradshaw

PETERS, ERICA, PETERS, SAUL; Iddlings Brothers LLC; 01224; Wechsler

ROCKVIEW, LLC; Nancy Cozine; 01302; Baer

ROSTOLSKY, MAURICE A.; Mina Lois Rostolsky; 01143; Rothermel

RUIZ, GABRIEL; Ford Motor Credit Company, LLC; 01257; Weinstein

SCATES, RONALD; Russell T. McFall; 01275; Bollinger

SHOLLY, RICHARD; Americredit Financial Services, Inc.; 01171; Scian

SKINNER, PATRICK W., THE UNITED STATES OF AMERICA, BURNS, MELISSA M.; First National Bank of Pennsylvania; 01291; Anthon

STOCKTON, SKYLAR, STOCKTON, SHELBY, HOLLINGER NATHAN, HOLLINGER, STACIE, HOLLINGER, PAUL; Hung Huynh; 01206; Gomez

STRANDE, CHRYS, GILBERTSON, CHRISTIN, HOGAN, CHRISTIN; Michael J. Griffith; 01219; Calkins

TAYLOR, ISIS; Samuel Valle Subuyuc; 01286; Swartz

TINY ESTATES LLC, SMEAL, ROGER; Julie Phillips; 01159; Unger Bort

WADSWORTH, LAUREN M.; Ford Motor Credit Company; LLC; 01260; Weinstein

YOUNG, ARTHUR; Eduardo Valdes Carrasco; 01139; Piermattei