

Adams County Legal Journal

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FERRARELLI ET AL VS. MONTELEONE

Our Trust department
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for other people's property.

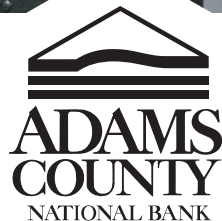
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-59 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain piece, parcel, or tract of land, together with the improvements thereon erected, situate in the Township of Straban, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a stone for a corner in a line of property formerly of George Cashman; thence by the same North 21 degrees west (appears as North 22 degrees West on some other deeds) 27.6 perches to a stone; thence by land formerly of John Goulden and John Yeagy, North 62-1/4 degrees East 60.9 perches to a stone; 32.8 perches to a stone; thence by same South 67-1/4 degrees West 62.6 perches to the place of BEGINNING. CONTAINING 11 acres, 2 rods and 20 perches.

Being Known As: 130 Cashman Road, Gettysburg, PA 17325

Property ID No.: (38) H 09-0010

TITLE TO SAID PREMISES IS VESTED IN John J. Callaway and Mary Francis J. Callaway, husband and wife, as tenants in common, and Bonnie Michele Still Hammond, married adult individual, as joint tenants with the right of survivorship by deed from Ada L. Barnett, a widowed adult individual, and Bonnie C. Barnett, single adult individual dated 6/20/2000 recorded 7/7/2000 in Deed Book 2083 Page 176.

SEIZED and taken into execution as the property of **John J. Callaway a/k/a John J. Callaway, Mary Francis J. Callaway a/k/a Mary Francis J. Callaway & Bonnie Michele Still-Hammond** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless

exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-795 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground situate, lying and being in Mt. Pleasant Township, Adams County, Pennsylvania, being Lot No. 682 of Lake Heritage Subdivision, and more particularly bounded and described as follows:

BEGINNING at an existing 3/4 inch steel rod on the eastern edge of Grant Drive at corner of Lot No. 681, now or formerly of Jimmy Artis; thence by said Lot No. 681, South 62 degrees 31 minutes 00 seconds East, 210.00 feet to an existing 3/4 inch steel rod on line of land now or formerly of Kenneth Dayhoff; thence by said land of Kenneth Dayhoff, South 27 degrees 30 minutes 42 seconds West, 75.00 feet to an existing concrete monument at corner of Lot No. 683, now or formerly of David Flood; thence by said Lot No. 683, North 62 degrees 31 minutes 00 seconds West, 210.00 feet to a point in 10 inch cedar (said point being North 3 degrees 15 minutes 00 seconds East, 0.72 feet from an existing concrete monument) on the eastern edge of Grant Drive, aforesaid; thence along Grant Drive, North 27 degrees 30 minutes 42 seconds East, 75.00 feet to an existing 3/4 inch steel rod, the point and place of BEGINNING. CONTAINING 15,750 Square Feet.

The above description was taken from a draft of survey prepared by Adams County Surveyors dated March 15, 1995.

TOGETHER WITH rights and SUBJECT TO restrictions referred to in the above recited deed and contained in Deed Book 353 at page 958.

TITLE TO SAID PREMISES IS VESTED in Brian R. Dougherty, by Deed from Shawn J. Smith and Christina L. Smith, his wife, dated 06/25/1999, recorded 06/25/1999 in Book 1861, Page 39.

Tax Parcel: 33.005-0158.000

Premises Being: 682 Grant Drive, Gettysburg, PA 17325-8946

SEIZED and taken into execution as the property of **Brian R. Dougherty** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/20, 25 & 12/4

FERRARELLI ET AL VS. MONTELEONE

1. A trial court's ruling refusing to open a default judgment should not be reversed unless there has been an error of law or a clear, manifest abuse of discretion.

2. I find that Defendant has established the element of prompt filing of the Petition as appellate authority has found prompt filing where the period of delay is generally less than one month.

3. The requirement of a meritorious defense is only that a defense must be pleaded that if proved at trial would justify relief.

4. Whether a reason is legitimate and therefore sufficient to excuse a party's failure to timely file a pleading is not easily answered and depends upon the specific circumstances of the case.

5. The nature of a default judgment is to impose responsibility upon a defendant who had the opportunity to defend the claim on the merits but has failed to do so.

In the Court of Common Pleas of Adams County, Pennsylvania,
Civil, No. 08-S-696, GIAMBATTISTA FERRARELLI AND
VITALE ROSARIA VS. GIUSEPPE MONTELEONE.

Brandon K. Meyer, Esq., for Plaintiffs
Andrew J. Ostrowski, Esq., for Defendant
George, J., February 6, 2009

OPINION PURSUANT TO PA. R.A.P. 1925(A)

The Defendant, Giuseppe Monteleone ("Monteleone"), appeals from this Court's decision dated September 24, 2008 denying his Petition to Open Judgment. Although Monteleone's Statement of Matters Complained of on Appeal is more argumentative than concise, it appears that the primary issue raised on appeal is a challenge to this Court's exercise of discretion in denying Monteleone's Petition.¹ Essentially, Monteleone argues that evidence presented at hearing was sufficient to establish grounds to open judgment. As the procedural background of this matter will be helpful in resolving this appeal, I will briefly summarize the same.

On May 15, 2008, the Plaintiffs, Giambattista Ferrarelli and Vitale Rosario ("Plaintiffs"), filed a Complaint containing a Notice to Defend alleging breach of a lease agreement and demanding return of a \$30,000 security deposit paid to Monteleone. Service of the

¹ When an appellant fails to adequately identify, in a concise manner, the issue sought to be pursued on appeal, the trial court is impeded in its preparation of the legal analysis which is pertinent to those issues. *In Re Estate of Dolbert*, 757 A.2d 962, 963 (Pa.Super. 2000).

Complaint on Monteleone was properly made by the Adams County Sheriff on May 30, 2008. On June 20, 2008, Notice of Intention to Take Default Judgment pursuant to Pennsylvania Rule of Civil Procedure 237.1 was served on Monteleone. On July 1, 2008, Praecipe to Enter Default Judgment was filed with judgment being entered that same date by the Adams County Prothonotary's Office. On July 22, 2008, Monteleone, acting pro se, filed a Petition to Open Judgment. Additionally, that same date, he filed an Answer with New Matter. In his Petition to Open Judgment, Monteleone claims that he had received a copy of the Complaint through U.S. mail at some time prior to May 30, 2008. Upon receipt of the Complaint, he consulted counsel, however, did not retain counsel. After service of the Complaint on May 30, 2008, Monteleone claims to have left the country for Panama on June 5, 2008 in order to explore treatment alternatives for a seriously ill family member. He returned to the United States on June 15, 2008 and claims to have left for Italy three days later on June 18, 2008 in order to visit with the critically ill family member. Monteleone claims to have returned to the United States on July 4, 2008. He further alleges that, upon his return, he was unable to consult with his counsel of choice as counsel was unavailable, due to a pre-planned vacation, until July 14, 2008. Ultimately, he met with counsel on July 18, 2008. Nevertheless, as of July 22, 2008, counsel had not been retained as Monteleone filed his pleadings pro se. Despite claiming to have been "over-wrought" by the family member's circumstances, Monteleone acknowledges being in contact with Plaintiffs' counsel during this period of time. He further acknowledges leaving an agent in this country to manage his business affairs. Finally, he admits that he had numerous contacts with counsel of his choice despite never formally retaining counsel.

Generally, a petition to open a default judgment is addressed to the equitable powers of the court and is a matter of judicial discretion.

Boatin v. Miller, 955 A.2d 424, 427 (Pa.Super. 2008). A court should properly only exercise this discretion when (1) the petition has been promptly filed; (2) a meritorious defense can be shown; and (3) the failure to appear can be excused. *Schultz v. Erie Ins. Exch.*, 477 A.2d 471, 472 (Pa. 1984). A trial court's ruling refusing to open a default judgment should not be reversed unless there has been an error of law or a clear, manifest abuse of discretion. *Id.* A.2d at 472.

Initially, I note that Monteleone's Petition to Open Judgment was timely filed. In evaluating whether a petition is promptly filed, "[t]he Court does not employ a bright line test.... [b]ut rather focuses on two factors: (1) the length of the delay between discovery of the entry of a default judgment and filing the petition to open judgment, and (2) the reason for the delay." *Allegheny Hydro No. 1 v. American Line Builders, Inc.*, 722 A.2d 189, 193 (Pa.Super. 1998) citing *Quatrochi v. Gaiters*, 380 A.2d 404, 407 (Pa.Super. 1977). As noted, default judgment was entered on July 1, 2008; however, notice of the judgment was not mailed until July 9, 2008. Monteleone's Petition to Open Judgment was filed 21 days after entry of judgment on the docket, however, only 13 days passed between the mailing of notice of judgment and the filing of Monteleone's current Petition. Under these circumstances, I find that Monteleone has established the element of prompt filing of the Petition as appellate authority has found prompt filing where the period of delay is generally less than one month.² See *Alba v. Urology Associates of Kingston*, 598 A.2d 57, 58 (Pa.Super. 1991) (fourteen-day delay is timely); *Fink v. General Accident Insurance Co.*, 594 A.2d 345, 346 (Pa.Super. 1991) (five-day delay is timely).

²Monteleone attempts to justify the delay in filing his Petition to Open Judgment on the unavailability of counsel. Although I have found the Petition to be timely filed, I find this specific argument to be unpersuasive. Initially, I note that Monteleone's Petition to Open Judgment and Answer with New Matter are filed pro se. Thus, even after judgment had been entered, Monteleone opted not to retain counsel to represent his interests. Moreover, even presuming his efforts to promptly challenge the judgment were hampered by his inability to consult with counsel, that inability resulted from his own lack of due care in retaining counsel during the many opportunities prior to his trips to Panama and Italy. Finally, I note that the Supreme Court has previously held that the absence of a party's attorney, due to vacation or otherwise, is generally not a ground for opening a judgment. See *Pappas v. Stefan*, 304 A.2d 143, 145 (Pa. 1973).

I also found that Monteleone has set forth a meritorious defense.³ The requirement of a meritorious defense is only that a defense must be pleaded that if proved at trial would justify relief. *ABG Promotions v. Parkway Publishing, Inc.*, 834 A.2d 613 (Pa.Super. 2003). In essence, Monteleone's Answer and New Matter alleged a prior breach of the lease agreement on the part of Plaintiffs causing in excess of \$20,000 damages to Monteleone. Monteleone further claims that Plaintiffs abandoned the property contrary to the lease agreement thus, under terms of the lease, permitting him to retain the security deposit as liquidated damages. These pleadings are sufficient to create a factual issue and thus support the claim of meritorious defense.

Although I found that Monteleone's Petition satisfied two of the three criteria justifying the opening of the default judgment, I was unable to find any merit in his claim that his failure to file a responsive pleading is reasonably excused. Whether a reason is legitimate and therefore sufficient to excuse a party's failure to timely file a pleading is not easily answered and depends upon the specific circumstances of the case. *Flynn v. American West Airlines*, 742 A.2d 695, 698 (Pa.Super. 1999). Currently, Monteleone advances a claim that a family member's terminal illness caused a preoccupation which led to his failure to timely file a responsive pleading. He further claims that during the relevant time period, he was emotionally distraught which added to his untimely response. When considered superficially, these claims invoke a sympathetic response. Nevertheless, further examination led this Court to conclude that Monteleone's failure to timely file a responsive pleading was not justified.

Although Monteleone was initially improperly served with the Complaint by mail, he nevertheless acknowledged being aware of the litigation when he received the Complaint by certified mail in mid-May, 2008. He immediately consulted with counsel and was present during a conversation between consulted counsel and Plaintiffs' counsel during which negotiations were discussed. Inexplicably,

³ Although Monteleone failed to attach a verified copy of his Answer to the Petition to Open, in violation of Pennsylvania Rule of Civil Procedure 237.3, I found the error to be inconsequential as Monteleone filed an Answer and New Matter by separate pleading concurrent with the filing of his Petition. See generally *Penn-Delco School District v. Bell Atlantic-Pa., Inc.*, 745 A.2d 14, 18 (Pa.Super. 1999) (technical error may be excused where it is inconsequential and not prejudicial).

Monteleone, while initially consulting with counsel, did not retain counsel. After being served with the Complaint on May 30, 2008, Monteleone acknowledged once again meeting with the same counsel with whom he had previously consulted. He claims to have left for Panama on June 5, 2008 to “seek aggressive treatment alternatives” for the ill family member. Monteleone alleges to have returned to this jurisdiction for approximately three days where after he again left the country to spend time with the family member who ultimately died on June 21, 2008. Monteleone returned to this jurisdiction on July 4, 2008. Importantly, Monteleone acknowledged that during this relevant period of time, he contacted Plaintiffs’ counsel’s office and had contact with counsel with whom he had previously consulted but not retained.⁴ Monteleone further admitted that he was receiving his mail while overseas and was in regular consultation with an agent whom he had left in charge of his affairs. Finally, counsel with whom he was consulting during the relevant time period acknowledged, at hearing, that Monteleone was fully aware of his time obligations and, indeed, consulted with counsel during his three-day presence in this jurisdiction between the Panama and Italy trips.

Under these circumstances, I found Monteleone’s failure to timely file a responsive pleading inexcusable. Importantly, his claim of being in Panama for ten days to seek aggressive medical treatment for his family member was not credible. While I do not doubt the trip occurred, I am unconvinced as to the trip’s purpose for such an extended time. Monteleone provided no corroboration for this claim and, while testifying, was vague and unpersuasive. Moreover, other than his self-serving testimony, there is nothing in the record to suggest that he was unable to attend to his business affairs while in Panama. To the contrary, all indications in the record indicate that, even while in Panama, Monteleone was in touch with his affairs in this jurisdiction. Although being aware of this litigation much prior to his departure to Panama on June 5, 2008, Monteleone has failed to offer any explanation as to his failure to make arrangements to timely respond to the litigation prior to his anticipated departure.

⁴The record suggests that Monteleone was fully aware of his legal responsibilities and his right to counsel, however, attempted to use counsel in a piece-meal basis without formally retaining him. For instance, in December of 2008, two separate letters were sent from counsel consulted by Monteleone to Plaintiffs’ counsel. At the same time, Monteleone was making separate overtures to Plaintiffs’ counsel.

Although his claims of distress are, at first glance, plausible, they are refuted by a record which reveals that Monteleone rationally understood his legal obligations as he took time to consult with counsel not only in between his trips to Panama and Italy but, also, while actually on the trips. Yet he inexplicably failed to file an answer.

A reoccurring theme throughout Monteleone's testimony was that despite alleged family issues, he was fully aware of his legal obligations but dropped the ball while attempting to address the issues with the benefit of the advice of counsel without incurring the expense of formally retaining counsel. Unfortunately for him, his efforts at being penny-wise may have been pound-foolish. Nevertheless, they do not justifiably excuse his failure to file a timely pleading. Denial of Monteleone's Petition is in accord with appellate decisions. *Britton v. Cont'l Min. and Smelting Corp.*, 76 A.2d 625, 627 (Pa. 1950) (judgment by default will not be opened when ground that defendant was confined to hospital when defendant had ample opportunity to protect his rights); *Castings Condominiums Assn., Inc. v. Klein*, 663 A.2d 220, 225 (Pa.Super. 1995) (assumption that plaintiffs would not pursue default judgment is not a basis to open the judgment); *Sharon Hill Contracting Co. v. Recreational Equip. Ltd., Inc.*, 425 A.2d 447, 450-51 (Pa.Super. 1981) (one seeking to open a judgment must show a lack of negligence or indifference and the exercise of due care).

The nature of a default judgment is to impose responsibility upon a defendant who had the opportunity to defend the claim on the merits but has failed to do so. *Allegheny Hydro, supra*, A.2d at 195. Monteleone clearly had the opportunity and the means to defend the current claim but did not do so. Based upon the evidence, I found that his failure to file a responsive pleading was not an error that indicated an oversight but rather an inexcusable, deliberate decision.

For the foregoing reasons, it is respectfully requested that this Court's decision be affirmed.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-155 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract or parcel of land situated in Conewago Township, Adams County, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point along Sterling Drive right-of-way and running with said right-of-way South 01 degree 33 minutes 27 seconds West, a distance of 90.00 feet to a point; thence leaving said right-of-way North 88 degrees 26 minutes 33 seconds West, a distance of 170.00 feet to a point; thence North 01 degree 33 minutes 27 seconds East, a distance of 90.00 feet to a point; thence South 88 degrees 26 minutes 33 seconds East, a distance of 170.00 feet to a point; to the place of BEGINNING.

BEING known as Lot No. 108, The Preserves, Phase II, as shown on the aforementioned Final Subdivision and Land Development Plan and having an area of 15,300 square feet, 0.351 acres. The foregoing legal description is in conformance with the Final Subdivision and Land Development Plan for The Preserves, Phase II, dated January 5, 2004, last revised March 11, 2004, prepared by KPI Technology, recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania, in Subdivision Plan Book 87, page 30.

UNDER AND SUBJECT to any and all conditions, restrictions, easements, rights-of-way, agreements and covenants of record as well as those which a physical inspection of the property would disclose, including but not limited to those outlined in the Declaration of The Preserves, a Planned Community, dated March 23, 2004, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, on April 21, 2004, in Record Book 3537, page 1; First Amendment dated October 14, 2004, and recorded October 26, 2004, in Record Book 3748, page 319; Second Amendment dated June 10, 2005, and recorded on June 22, 2005, in Record Book 4015, page 1, (as the same may be amended from time to time) and the aforementioned Final Subdivision and Land Development Plan.

TITLE TO SAID PREMISES IS VESTED IN Terri L. Smithburger, by Deed from Harvest Investment Group, LLC, dated 12/19/2006, recorded 04/11/2007 in Book 4799, Page 220.

Tax Parcel: (08) 003-0087---000

Premises Being: 23 Sterling Drive, Hanover, PA 17331

SEIZED and taken into execution as the property of **Terri L. Smithburger** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/20, 25 & 12/4

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-545 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING for a point on the westerly side of public highway known and identified as Pennsylvania Legislative Route No. 01070, said point being thirty (30) feet, West of the center of said public highway, and at Lot No. 5, Section 1 of Tanglewood Heights, said point of beginning being located in the center of a fifteen (15) feet wide drainage easement hereinafter referred to; thence along the westerly side of the aforementioned Pennsylvania Legislative Route No. 01070, South twenty-eight (28) degrees, fifty-seven (57) minutes twenty-seven (27) seconds East, one hundred (100) feet to a point at Lot No. 7, Section 1 of Tanglewood Heights; thence along Lot No. 7, Section 1 of Tanglewood Heights; South sixty-one (61) degrees two (02) minutes thirty-three (33) seconds West, two hundred (200) feet to a point at lands now or formerly of Tanglewood Heights, Inc.; thence along said lands, North twenty-eight (28) degrees fifty-seven (57) minutes twenty-seven (27) seconds West, one hundred (100) feet to a point in the middle of the aforementioned

fifteen (15) feet wide drainage easement and Lot No. 5, Section 1 of Tanglewood Heights; thence through the middle of the aforementioned fifteen (15) feet wide drainage easement and along Lot No. 5, Section 1 of Tanglewood Heights, North sixty-one (61) degrees two (02) minutes thirty-three (33) seconds East, two hundred (200) feet to a point on the western side of the aforementioned Pennsylvania Legislative Route No. 01070, the place of BEGINNING.

CONTAINING 20,000 square feet and being identified as Lot No. 6, Section 1, of Tanglewood Heights, Inc., the place of Section 1 of Tanglewood Heights being recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plat Book No. 1, at page 8.

TAX PARCEL: 41-K-18-0054

Property Address: 1067 Pine Grove Road, Hanover, PA 17331

SEIZED and taken into execution as the property of **Patricia C. Slater & Timothy C. Slater** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/20, 25 & 12/4

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1089 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING for a point at Heritage Court and Lot No. 46; thence along Lot No. 46, North forty-eight (48) degrees thirty-four (34) minutes twelve (12) seconds East, one hundred forty-five and thirty-eight hundredths (145.38) feet to a point at Lot No. 49; thence along Lot No. 49 and Lot No. 48, South forty-one (41) degrees twenty-five (25) minutes forty-eight (48) seconds East, one hundred twenty-five (125.00) feet to a point at Heritage Court; thence along Heritage Court, South forty-eight (48) degrees thirty-four (34) minutes twelve (12) seconds West, twenty and thirty-eight hundredths (20.38) feet to a point; thence continuing along the same by a curve to the right whose radius is one hundred twenty-five (125.00) feet and whose chord bearing is North eighty-six (86) degrees twenty-five (25) minutes forty-eight (48) seconds West, one hundred seventy-six and seventy-eight hundredths (176.78) feet for an arc distance of one hundred ninety-six and thirty-five hundredths (196.35) feet to the point and place of BEGINNING.

And identified as Lot No. 47 on a plan of lots entitled Heritage Estates, recorded in the Office of the Recorders of Deeds of Adams County, Pennsylvania, in Plan Book 63, page 25.

UNDER AND SUBJECT, NEVERTHELESS, to conditions, restrictions, easements and rights-of-way of record.

BEING the same premises which Mary Lee Kuhn and John H. Kuhn, her husband, by Deed dated 03/30/1994 and recorded 03/31/1994 in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Record Book 866-280, granted and conveyed unto Joseph W. Drago and Stephanie A. Drago, husband and wife.

TITLE TO SAID PREMISES IS VESTED IN Brian C. Groft, by Deed from Joseph W. Drago and Stephanie A. Drago, h/w, dated 07/23/2004, recorded 08/03/2004 in Book 3658, Page 202.

Tax Parcel: (35) 002-0078-000

Premises Being: 37 Heritage Court, New Oxford, PA 17350

SEIZED and taken into execution as the property of **Brian C. Groft** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/25, 12/4 & 11

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-949 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those two tracts of land situate in New Oxford Borough, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

TRACT NO. 1:

BEGINNING at a pipe on the building line on Lincoln Way West at land now or formerly of Henry Slaybaugh; thence by said Slaybaugh land, South 20 degrees 12 minutes East, 170 feet to a pipe on the North side of a 20 feet wide alley; thence by said alley, North 69 degrees 48 minutes East, 25 feet to a pipe at land now or formerly of John Myers; thence by said Myers land, North 20 degrees 12 minutes West, 170 feet to a point on the building line at Lincoln Way West, aforesaid; thence by said street, South 69 degrees 48 minutes West, 25 feet to a pipe, the place of BEGINNING.

The above description being taken from a draft of survey prepared by J. R. Fleming, R.E., April 11, 1950, for the use of Mary J. Spangler.

TRACT NO. 2:

BEGINNING at an iron pipe on the building line of Lincoln Way West at land now or formerly of Anna Laura Slaybaugh; thence by said land South 20 degrees 12 minutes East, 170 feet to an iron pipe on the North side of a 20 foot

alley; thence by said alley, North 69 degrees 48 minutes East, 1 foot to an iron pipe at other lands now or formerly of Henry and James Stock; thence by said last mentioned land, North 20 degrees 12 minutes West, 170 feet to an iron pipe on the building line at Lincoln Way West aforesaid; thence by said street, South 69 degrees 49 minutes West, 1 foot to an iron pipe, the place of BEGINNING.

BEING the same premises which Joseph M. Adams, single, and Shannon L. Becker, single, by Deed dated June 22, 2005 and recorded in the Recorder of Deeds of Adams County on June 27, 2005, in Deed Book Volume 4020, Page 261, granted and conveyed unto Joseph M. Adams, single, and Shannon L. Becker, single, as joint tenants with the right of survivorship and not as tenants in common.

SEIZED and taken into execution as the property of **Joseph M. Adams & Shannon L. Becker a/k/a Shannon Becker** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/25, 12/4 & 11

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1126 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN tract of land, situate, lying and being in Conewago Township, Adams County, Pennsylvania, more particularly bounded, limited and described as follows, to-wit:

BEGINNING at a point on the northern right-of-way line of Sycamore Lane at corner of Lot No. 154 on the subdivision plan hereinafter referred to; thence along the northern right-of-way line of Sycamore Lane, North fifty-nine (59) degrees thirty-six (36) minutes ten (10) seconds West, sixty-five (65) feet to a point at Lot No. 156 on the subdivision plan hereafter referred to; thence along Lot No. 156: North thirty (30) degrees twenty-three (23) minutes fifty (50) seconds East, One hundred sixteen (116) feet to a point at Lot No. 147, on the subdivision plan hereafter referred to; thence along Lot No. 147, South fifty-nine (59) degrees thirty-six (36) minutes, Ten (10) seconds West, sixty-five (65) feet to a point at Lot No. 154 on the subdivision plan hereinafter referred to; thence along Lot No. 154, South thirty (30) degrees Twenty-three (23) minutes fifty (50) seconds West, one hundred sixteen (116) feet to a point on the northern right-of-way line of Sycamore Lane, the point and place of BEGINNING. CONTAINING 7,540 square feet and being Lot No. 155 on plan prepared for Diller's Village, Phase Two, by Donald F. Morley, Registered Surveyor, dated April 29, 1987, designated as File No. G-93, which said subdivision plans is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plan 47, page 22.

Parcel# 08-009-0268-000

Property address: 65 Sycamore Lane, Hanover, PA 17331

BEING the same premises which Laura Deardorff by deed recorded 03/13/07 in the Office of the Recorder of Deeds in and for Adams County in Deed Book 4769 Page 38, granted and conveyed unto Laura Deardorff and James Buckley.

SEIZED and taken into execution as the property of **James Buckley & Laura E. Deardorff** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/25, 12/4 & 11

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-568 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at an existing cotton gin spindle in the centerline of Upper Bermudian Road (S.R. 1016) and at corner of lands now or formerly of Raymond Bream and Nancy S. Bream; thence along the centerline of Upper Bermudian Road (S.R. 1016), South 30 degrees 19 minutes 25 seconds East, 160.00 feet to a magnetic nail set in the centerline of Upper Bermudian Road (S.R. 1016) at a line of land of Harry E. Hoffman and Harriet G. Hoffman; thence along said Hoffman land and through a 5/8" rebar set back 25 feet from the beginning of this course, South 68 degrees 50 minutes 10 seconds West, 200.00 feet a 5/8" rebar set; thence by the same and through an existing frame shed, North 30 degrees 19 minutes 25 seconds West, 160.00 feet to an existing 5/8" rebar set; thence by said Bream land and through a 5/8" rebar set 25 feet back from the end of this course North 68 degrees 50 minutes 10 seconds East, 200.00 feet to an existing cotton gin spindle in the centerline of Upper Bermudian Road (S.R. 1016), the place of BEGINNING, CONTAINING 31,592 square feet, more or less.

TAX PARCEL #: 22-G-4-87

PROPERTY ADDRESS: 785 Upper Bermudian Road, Gardners, PA 17324

BEING the same premises which Mary Bobo by Deed dated 07/16/06 and recorded 07/20/06 in the Office of the Recorder of Deeds in and for Adams County in Deed Book 4500 Page 235, granted and conveyed unto Russell and Mary Deshong, husband and wife.

SEIZED and taken into execution as the property of **Russell E. Deshong, Sr. & Mary L. Deshong** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/25, 12/4 & 11

NOTICE

NOTICE IS HEREBY GIVEN that the Application for Domestic Limited Liability Company was filed by FATMAN, L.L.C. with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of registering under 15 Pa. C.S. 8913, relating to Domestic Limited Liability Companies.

Samuel A. Gates, Esq.
Solicitor

12/4

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1278 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those three tracts of land situate in Tyrone Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

Tract No. 1: BEGINNING at a stone at a Public Alley and in the center of a public road or a forty-five (45) foot street; thence along and in the center of said road or street, Northeast fifty (50) feet to a stone in the center of said road or Street; thence Southeast along lands now or formerly of Henry J. Gardner and wife, one hundred and seventy-six and one-half (176-1/2) feet to a stone at a fourteen foot alley; thence along said alley, Southwest fifty (50) feet to a stone at a twelve foot public alley; thence along said alley, Northwest one hundred and seventy-six and one-half (176-1/2) feet to the place of BEGINNING.

CONTAINING thirty-two (32) perches and four hundred and fifty-two (452) square feet, more or less.

Tract No. 2: BEGINNING at a stone at lands now or formerly of Henry J. Gardner and wife and in the center of the public road leading to Bendersville; thence along the center of the road to Idaville, one hundred (100) feet to a stone; thence Southeast along lands now or formerly of Henry J. Gardner and wife, one hundred and seventy-six and one-half (176-1/2) feet to a post at public alley; thence along said alley, Southwest one hundred (100) feet to a post at lands now or formerly of said Henry J. Gardner and wife; thence along lands of same, one hundred and seventy-six and one-half (176-1/2) feet to the place of BEGINNING. CONTAINING sixty-four (64) perches and nine hundred and four (904) square feet.

Tract No. 3: BEGINNING at a point at the Southeast corner of the intersection of the Bendersville road with a public highway leading to Gardners Station, said point being North sixty-three and one-half (63-1/2) degrees East, twenty-eight (28) feet from a stone at the Southwest corner of said intersection; thence with said Bendersville road, North sixty-three and one-half (63-1/2) degrees East, sixty (60) feet to a point; thence with lands now or formerly of Edward Hoffman, South twenty-six and one-fourth (26-1/4) degrees East, one hundred and sixty (160) feet to a fourteen

foot public alley; thence South sixty-three and one-half (63-1/2) degrees West, fifty-seven (57) feet to a stake; thence by public road, North twenty-six and three-fourth (26-3/4) degrees West, one hundred sixty (160) feet to the place of BEGINNING. CONTAINING nine thousand three hundred sixty (9,360) square feet, neat measure.

Tracts Nos. 1 and 2 being the same two tracts of land which Ada L. Kreider, unmarried, by her deed dated July 1, 1927, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 113 at page 517, sold and conveyed unto I. Edgar Hoffman and Cora E. Hoffman, husband and wife.

Tract No. 3 being the same which Mary Alice Gardner, et al, being five of the heirs-at-law of Henry J. Gardner, deceased, by their deed dated March 29, 1934, recorded in the Office aforesaid in Deed Book 136 at page 113, sold and conveyed unto Edward Hoffman, he being the same person as I. Edgar Hoffman, and Cora E. Hoffman, husband and wife. And the said I. Edgar Hoffman, being the same person as Edward Hoffman, having died on April 7, 1951, the entire right title and interest in the above three tracts of land became vested in Cora E. Hoffman, she being the party of the first part, Grantor herein.

TITLE TO SAID PREMISES IS VESTED IN Clair R. Hikes and Louise W. Hikes, h/w, as tenants of an estate by the entireties, by Deed from Cora E. Hoffman, widow, dated 04/15/1953, recorded 04/16/1953 in Book 202, Page 189.

Tax Parcel: 40,G04-70

Premises Being: 455 Gardners Station Road, Gardners, PA 17324-9781

SEIZED and taken into execution as the property of **Clair R. Hikes** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/25, 12/4 & 11

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-862 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 18th day of December, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of ground, situate on the north side of Main Street in the Borough of McSherrystown, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point on the north side of Main Street at land now or formerly of Melvin Ohier, thence by said lands in a northerly direction for a distance of 176.3 feet to a point at a public alley thence by said alley in a westerly direction for a distance of 54.5 feet, more or less, to a point at lands now or formerly of Paul Topper, thence by said lands in a southerly direction for a distance of 178.5 feet to a point on the north side of Main Street aforesaid, thence by the same in an easterly direction for a distance of 81.5 feet, more or less, to a point, the place of beginning.

Tax Id#: (28) 002-0093

TITLE TO SAID PREMISES IS VESTED IN Shellie L. Neiderer, a single woman, by Deed from Beverley A. Neiderer, dated 03/21/2003, recorded 03/26/2003 in Book 3027, Page 254.

Tax Parcel: 28-002-0093-000

Premises Being: 81 Main Street, McSherrystown, PA 17344-2103

SEIZED and taken into execution as the property of **Shellie L. Neiderer** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 8, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/20, 25 & 12/4

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-978 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground, with the improvements thereon situate on the southeast side of Pin Oak Drive, in the Borough of Bonneauville, Adams County, Pennsylvania, more particularly bounded and described as follows: beginning at a lietz spike in the center line of Pin Oak Drive as established on the plot plan hereinafter referred to and at other lands now or formerly of Robert S. Riley; thence in and along the center line of Pin Oak Drive, North thirty-nine (39) degrees thirty-eight (38) minutes five (5) seconds East, one hundred (100) feet to a pk nail in the center line of Pin Oak Drive at lands now or formerly of Andrew J. Bauerline, Lot No. 5; thence leaving said Pin Oak Drive and through a steel rod set back twenty-five (25) feet from the beginning hereof South fifty (50) degrees thirty-five (35) minutes ten (10) seconds East four hundred seven and ninety-seven hundredths (407.97) feet to a steel rod at lands now or formerly of Robert A. Hartlaub; thence by said Hartlaub lands, South forty-six (46) degrees three (3) minutes thirty (30) seconds West, seventy (70) feet to an existing pipe; thence by lands now or formerly of Dorothy A. Greene, Marie E. Weaver and Robert S. Riley, and through an existing pipe set back twenty-five (25) feet from the end hereof, North fifty-four (54) degrees fifty-six (56) minutes twenty (20) seconds West, four hundred one and forty-one hundredths (401.41) feet to a lietz spike in the center of Pin Oak Drive, the point and place of BEGINNING, CONTAINING .785 acre.

Tax ID# 6-47.

SUBJECT nevertheless to the following conditions, covenants and restrictions which shall run with the land hereby conveyed and shall be binding upon the grantees and their heirs and assigns:

1. No house or other structure shall be erected any nearer than forty (40) feet from the right of way line of Pin Oak Drive.
2. No poles or appliances upon which to hang or expose laundry shall be erected or maintained on said premises closer to the front of said premises than the rear wall of the dwelling to be erected thereon.
3. No TV aeriels or TV apparatus shall be erected or maintained on said premises closer to the front of said

premises than the front line of the dwelling to be erected thereon.

4. No fences, hedges, (trees or shrubbery to form hedges) shall be erected or grown to exceed forty-two (42) inches above the established grade in front yard of the said lot within sixty-five (65) feet of the center line of Pin Oak Drive.
5. Any inoperative motor vehicle must be stored within the confines of a garage; an inoperative motor vehicle is one that is not licensed or bearing a current inspection sticker.
6. No building shall be erected on any lot with cement block or parged wall exposed.
7. By virtue of the fact that the subdivision plan calls for a ten (10) feet wide drainage easement centered on the interior lines, all finished grading shall conform with this maintained on the common boundary lines of each property, five feet of which shall be on the lot contiguous thereto.
8. By virtue of the subdivision plan and pursuant to the authority of the Borough of Bonneauville this lot is sold under and pursuant to the provision that the grantees and their heirs and assigns shall construct a curb in the front of constructed on said lot in accordance with borough specification and pursuant to a grade as shall be established by the Borough of Bonneauville engineer on request. This provision shall be in the nature of a covenant running with the land and be binding upon the grantees and their heirs and assigns and shall be enforceable by the Borough of Bonneauville and its successors and assigns.
9. Invalidation of any of these covenants by judgement or court order shall in no way affect any of the other provisions which remain in full force and effect.

TITLE TO SAID PREMISES IS VESTED IN Rodger D. Drabick and Karen E. Drabick, h/w, as tenants by the entireties, by Deed from John E. Pfaff and Diana M. Pfaff, t/k/a Diana M. Potter, now h/w, dated 08/26/2005, recorded 10/13/2005 in Book 4163, Page 102.

Tax Parcel:(06), 006-0047-000

Premises Being: 6 Pin Oak Drive, Gettysburg, PA 17325-7805

SEIZED and taken into execution as the property of **Karen E. Drabick** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless

exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1062 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of land situate in Reading Township, Adams County, Pennsylvania, being more particularly described as Lot No. 917 on a plan of lots of Lake Meade Subdivision duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County in Misc. Docket 1, Page 6.

Being Known As: 2 Stuart Drive, East Berlin, PA 17316.

TITLE TO SAID PREMISES IS VESTED IN Heather M. Stamm and Jason Stamm aka Jason L. Stamm by deed from David A. Duda, single man and Debra L. Duda, single woman, dated September 21, 1998 and recorded October 6, 1998 in Deed Book 1675, Page 133.

TAX I.D. #: 37-009-0139-000

SEIZED and taken into execution as the property of **Heather M. Stamm & Jason Stamm a/k/a Jason L. Stamm** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/25, 12/4 & 11

SHERIFF'S SALE

NOV 13 SALE POSTPONED TO:

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-568 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a stake at the eastern side of a public alley on line of land now or formerly of Clair Tate and extending thence along said alley, North 9 degrees East, 244.6 feet to an iron pin at corner of land now or formerly of Bruce Winter; thence along land now or formerly of Bruce Winter, South 81 degrees 45 minutes East, 45.4 feet; thence by same, North 12 degrees 10 minutes East, 133.9 feet to a spike in the center of the state highway leading to Golden's Station; thence in and along said highway, South 62 degrees 25 minutes East, 115.6 feet to a spike in the center of said highway; thence by land now or formerly of Neely Taughinbaugh and through a stake, which stake is 28.4 feet from said spike, South 7 degrees 40 minutes West, 335.5 feet to a stake on line of land now or formerly of Clair Tate; thence by land now or formerly of Clair Tate, North 83 degrees 30 minutes West, 170.5 feet to the stake, the place of BEGINNING.

LESS, HOWEVER, a tract of land containing 35 perches which George M. Smith, unmarried, and his sister, Ruth A. Smith, unmarried, by deed dated September 18, 1967, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 263, page 950.

TITLE TO SAID PREMISES IS VESTED IN James E. Deardorff and Lisa Deardorff, h/w, as tenants by the entireties, by Deed from Gregory D. Smith, an adult individual, dated 03/14/2008, recorded 03/25/2008 in Book 5151, Page 223.

Tax Parcel: (38) 021-0074

Premises Being: 69 Hunterstown Hampton Road, Gettysburg, PA 17325-8237

SEIZED and taken into execution as the property of **Lisa Deardorff & James E. Deardorff** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010,

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

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1348 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of land situate, lying and being in Littlestown Borough, Adams County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the right-of-way line of Constitution Court; thence along the right-of-way line of Constitution Court, North forty-one (41) degrees thirty-eight (38) minutes zero (00) seconds West, fifty-five (55.00) feet to a point at the right-of-way line of Constitution Court; thence further along the right-of-way line of Constitution Court by a curve to the left, having a radius of twenty (20.00) feet, an arc length of thirty-one and forty-two hundredths (31.42) feet and along chord bearing and distance of North three (03) degrees twenty-two (22) minutes zero (00) seconds West, twenty-eight and twenty-eight hundredths (28.28) feet to a point at the right-of-way line of South Columbus Avenue; thence along the right-of-way line of South Columbus Avenue, North forty-eight (48) degrees twenty-two (22) minutes zero (00) seconds East, one hundred five (105.00) feet to a point at Lot No. 32 as shown on the hereinafter described subdivision plan; thence along Lot No. 32, South forty-one (41) degrees thirty-eight (38) minutes zero (00) seconds East, seventy-five (75.00) feet to a point at Lot No. 34 as shown on the hereinafter described subdivision plan; thence along Lot No. 84, South forty-eight (48) degrees twenty-two (22) minutes zero (00) seconds West, one hundred twenty-five (125.00) feet to a point, the point and place of BEGINNING. CONTAINING 9,288.93 square feet or 0.21 acres.

The above described lot being designated as Lot No. 33 on the final subdivision plan of "Heritage Hill-Phase 1",

prepared by James R. Holley, registered professional surveyor, dated July 31, 1992, and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plat Book 61, at Page 84.

It being the same tract of land which Harry P. McKean, by deed dated June 30, 1993 and recorded in the Recorder of Deeds Office of Adams County, Pennsylvania in Record Book 749, Page 89, granted and conveyed unto Brian D. McGee and Kyle P. McGee, husband and wife, grantors herein.

SUBJECT, nevertheless, to the "Heritage Hill-Phase 1" subdivision approval agreement dated October 27, 1992, and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Record Book 656 at Page 139.

ALSO, subject, nevertheless to the protective covenants of "Heritage Hill" dated, November 13, 1992 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Record Book 656 at Page 146.

Being Known As: 483 South Columbus Avenue, Littlestown, PA 17340

Property ID No.: (27) 011-0151

TITLE TO SAID PREMISES IS VESTED IN Lorenzo Justino Garcia and Sonia M. Chaves, husband and wife, as tenants by the entireties. Deed from Brian D. McGee and Kyle P. McGee, husband and wife dated 7/28/2006 recorded 8/14/2006 in Deed Book 4521 Page 144.

SEIZED and taken into execution as the property of **Lorenzo Justino Garcia & Sonia M. Garcia** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1017 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL those two certain tracts of land in Carroll Valley Borough, County of Adams, Commonwealth of Pennsylvania, being Lot No. 269 and Lot No. 270 in Section WA, more particularly bounded and described as follows:

Tract No. 1-Lot No. 269:

BEGINNING at point in the center of High Ridge Trail at Lot No. 270; thence by said lot South 61 degrees 55 minutes 20 seconds East 175 feet to Lot No. 436; thence by said lot South 28 degrees 4 minutes 40 seconds West 160 feet to a point in the center of Sky Lark Trail; thence in said Sky Lark Trail North 61 degrees 55 minutes 20 seconds West 175 feet to a point in the intersection of Sky Lark Trail and High Ridge Trail; thence in said High Ridge Trail North 28 degrees 4 minutes 40 seconds East 160 feet to the place of BEGINNING.

The above description was taken from a plan of lots labeled Section WA of Chamrita, Inc., dated January 17, 1970, prepared by Gordon L. Brown, R.S., recorded in Adams County Plat Book 1 at Page 65.

Tract No. 2-Lot No. 270:

BEGINNING at a point the center of High Ridge Trail at Lot No. 271; thence by said lot South 61 degrees 55 minutes 20 seconds East 175 feet to Lot No. 434; thence by said Lot No. 436 South 28 degrees 4 minutes 40 seconds West 135 feet to Lot No. 269; thence by said lot North 61 degrees 55 minutes 20 seconds West 175 feet to a point in the center of said High Ridge Trail; thence in said High Ridge Trail North 28 degrees 4 minutes 40 seconds East 135 feet to the place of BEGINNING. The above description was taken a plan of lots labeled Section WA of Chamrita, Inc., dated January 17, 1970 prepared by Gordon L. Brown, R.S., recorded in Adams County Plat Book 1 at Page 65.

Being Known As: 2 High Trail, Fairfield, PA 17320.

TITLE TO SAID PREMISES IS VESTED IN Kelly C. Middleton and Sean M. Middleton by deed from Susan Faith Puhala, a single woman, dated February 28, 2005 and recorded March 2, 2005 in Deed Book 3882, Page 78.

TAX ID. #: 43-022-0117

SEIZED and taken into execution as the property of **Kelly C. Middleton & Sean M. Middleton** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-544 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN lot or piece of ground, situate in Gettysburg Borough, County of Adams, Commonwealth of Pennsylvania.

BEGINNING at an existing iron pin located at the eastern edge of the existing right of way of North Fourth Street and near the southern right of way line of railroad; thence by said right of way line of railroad North 73 degrees 55 minutes 6 seconds East 345.09 feet to a point at corner of Lot No. 2; thence by said lot No. 2 South 23 degrees 38 minutes 2 seconds East 111.05 feet to a point on the northern edge of Race Horse Alley; thence by said Race Horse Alley South 66 degrees 16 minutes 6 seconds West 342.32 feet to an existing railroad spike near the eastern edge of the existing right of way of North Fourth Street; thence by same North 23 degrees 46 minutes 1 second West 157.10 feet to an existing iron pin the place of BEGINNING.

THE ABOVE DESCRIPTION is being LOT NO. 1 on a Final Subdivision Plan for Fourth Street Subdivision, prepared by Herbert, Rowland & Grubic, Inc., dated November 4, 2005 and recorded.

Being more commonly known as: 37 North 4th Street a/k/a Lot 1, Plan 90-7,

Fourth Street Station, Gettysburg, PA 17325

Property ID No.: (16) 008-0020C-000

SEIZED and taken into execution as the property of **Gettysburg Lodge No. 1045 of the Benevolent and Protective Order of Elks of the United States of America** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1029 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

Property Address: 344 Baltimore Street, Gettysburg, PA 17325

ALL that certain lot of ground with improvements thereon erected situate in the Borough of Gettysburg, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at corner of lands now or formerly of J.J. Tawney, running South along line of Baltimore Street, 30 feet to vacant lot now or formerly of B.J. Spangler; thence East along said vacant lot to public alley in rear, 146 feet; thence North along line of alley 30 feet to corner of lot now or formerly of J.J. Tawney; thence West by lot now or formerly of J.J. Tawney 146 feet to the place of BEGINNING.

BEING the same premises which Group Insurance Services, Inc., now known as Gettysburg Health Administrators, Inc., a Pennsylvania corporation, by their Deed dated March 7, 2007, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 4766 at Page 220, sold and conveyed unto Roger L. Sprague and Mary Sprague, husband and wife, and Debbie K. Moreton.

SEIZED and taken into execution as the property of **Roger L. Sprague & Mary Sprague & Debbie K. Moreton** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1188 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL her undivided one-half interest in and to that lots of ground, together with the improvements thereon erected, situate, lying and being in Littlestown Borough, Adams County, Pennsylvania, bounded and described as follows to wit:

BEGINNING at an appoint on the right-of-way line of Colonial Court; thence along the right-of-way line of Colonial Court, North forty-one (41) degrees thirty-eight (38) minutes zero (00) seconds West, fifty-five (55) feet to a point on the right-of-way line of South Columbus Avenue; by a curve to the right, having a radius of twenty (20) feet, an arc length of thirty-one and forty-two hundredths (31.42) feet and a long chord bearing and distance of North three (03) degrees twenty-two (22) minutes zero (00) seconds East, twenty-eight and twenty-eight hundredths (28.28) feet to a point on the right-of-way line of South Columbus Avenue; thence along the right-of-way line of South Columbus Avenue, North forty-eight (48) degrees twenty-two (22) minutes zero (00) seconds East, one hundred five and twenty hundredths (105.20) feet to a point on the right-of-way line of Shriver Well Lane; thence along the right-of-way line of Shriver Well Lane, South forty-two (42) degrees zero (00) seconds East, seventy-five (75) feet to a point at Lot No. 23 as shown on the hereinafter referenced subdivision plan, thence along said Lot No. 23, South forty-eight (48) degrees twenty-two (22) minutes zero (00) seconds West, one hundred twenty-five and sixty-eight hundredths (125.68) feet to a point, the point and place of BEGINNING.

Parcel# (27) 011-0140

Property address: 499 South Columbus Avenue, Littlestown, PA 17340

BEING the same premises which Jody Rote by Deed dated 02/27/06 and recorded 03/08/06 in the Office of the Recorder of Deeds in and for Adams County, in Deed Book 4338 Page 18 granted and conveyed unto Edward and Jody Rote, husband and wife.

SEIZED and taken into execution as the property of **Jody L. Rote & Edward R. Rote** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-805 issued out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN tract of land, with any improvements thereon erected, situate, lying and being in Reading Township, Adams County, Pennsylvania, being Lot No. 1 as shown on a Final Subdivision Plan for Larry R. and Celesta L. Stump, prepared by John R. Williams P.L.S., dated August 11, 2005 and recorded in Adams County Book 89, page 39, and described more fully as follows, to wit:

BEGINNING at a point in Fish & Game Road (S.R. 1013) at a corner of Lot No. 4 as shown on the aforesaid Subdivision Plan; thence along said Lot No. 4, South eighty-five (85) degrees forty-four (44) minutes ten (10) seconds West, eight hundred seven and zero hundredths (807.00) feet to a point; thence continuing along said Lot No. 4, and along Lots 5 and 6, South eleven (11) degrees fifty-five (55) minutes fifty (50) seconds East, six hundred six and zero hundredths (606.00) feet to a point at corner of Lot No. 7; thence along Lot No. 7, South seventy-one (71) degrees fifty-five (55) minutes forty-nine (49) seconds West, six hundred thirty-three and fourteen hundredths (633.14) feet to a point; thence continuing along said Lot No. 7, South eighty-six (86) degrees fifty (50) minutes zero (00) second West, one hundred fifty-five and zero hundredths (155.00) feet to a point at lands now or formerly of David K. Flanders; thence along lands now or formerly of David K. Flanders, North two (02) degrees eighteen (18) minutes forty (40) seconds East, two thousand seventy-four and ninety hundredths (2,074.90) feet to a point at Lot No. 9 as shown on the aforesaid Plan; thence along Lot No. 9, North thirty-two (32) degrees three (03) minutes thirty-three (33) seconds East, nine hundred eleven and fifty-two hundredths (911.52) feet to a point at Lot No. 8; thence along Lot No. 8, North sixty-three (63) degrees forty-two (42) minutes twenty-two (22) seconds East, four hundred forty-seven and fifty-six hundredths (447.56) feet to a point in the aforementioned Fish & Game Road (S.R. 1030); thence along, in and through said Fish & Game Road, South eleven (11) degrees forty-six (46) minutes forty-six (46) seconds East, four hundred thirty-three and fifty hundredths (433.50) feet to a point; thence continuing along same, South twelve (12) degrees thirty-two (32)

minutes zero (00) seconds East, seven hundred eighty and zero hundredths (780.00) feet to a point; thence along same, South eleven (11) degrees forty-eight (48) minutes seventeen (17) seconds East, seven hundred fifty-one and six hundredths (751.06) feet to a point; thence continuing along said road, South eleven (11) degrees fifty-five (55) minutes fifty (50) seconds East, two hundred seventy-one and fifteen hundredths (271.15) feet to a point, the place of Beginning. Containing 58.368 acres.

IT BEING a part of the same premises which Lillian K. Gosnell and Patricia A. Welsh, Coexecutrices of the Estate of Norman A. Trimmer, by their Deed dated July 2, 1992, and recorded in the Office of the Recorder of Deeds, in and for Adams County, Pennsylvania, in Book 634, page 948, granted and conveyed unto Larry R. Stump and Celesta L. Stump, his wife, the Grantors herein.

AND FURTHER BEING the same premises which Larry R. Stump and Celesta L. Stump, his wife, by their Deed dated November 7, 2001, and recorded in the Office of the Recorder of Deeds, in and for Adams County, Pennsylvania, in Book 2467, page 284, granted and conveyed unto Larry R. Stump and Celesta L. Stump, his wife, the Grantors herein.

Tax Parcel No.: 36-L05-0002.

Premises Being: 1396 Fish & Game Road, East Berlin, PA 17316

BEING THE SAME PREMISES which Larry R. Stump and Celesta L. Stump, his wife, by deed dated April 10, 2006 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Record Book 4379, Page 118, granted and conveyed unto Lavere A. Stump and Michelle L. Stump, his wife, their heirs and assigns.

AND BEING THE SAME PREMISES which Larry R. Stump and Celesta L. Stump, his wife, by Corrective Deed dated September 7, 2006 and recorded October 2, 2006 in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Record Book 4587, Page 215, remised, released and quit-claimed unto LaVere A. Stump and Michelle L. Stump, his wife, their heirs and assigns.

SEIZED IN EXECUTION as the property of Lavere A. Stump and Michelle L. Stump, on Judgment No. 09-S-805.

SEIZED and taken into execution as the property of **Lavere A. Stump & Michelle L. Stump** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in

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

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1003 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the certain lot of tract of land situate on the northerly right of way line of Abbotts Drive in the Borough of Abbottstown, Adams County, PA known and numbered as Lot No. 13 on a plan of lots for Abbotts Manor, Phase III, recorded in the Office of the Recorder of Deeds in and for Adams County, PA in Subdivision Plan Book 76 Page 99, more fully bounded and described as follows, to wit:

BEGINNING at a point on the northerly right of the way line of Abbotts Drive, at a corner of Lot No. 14 on said plan; thence extending along the said right of way line North 47 degrees 16 minutes 34 seconds West 85 feet to a point, at a corner of Lot No. 12 on said plan thence extending along the said Lot No. 12 North 42 degrees 43 minutes 26 seconds East 279.26 feet to a point; thence South 20 degrees 08 minutes 16 seconds East 95.52 feet to a point, at a corner of Lot No. 14 on said plan; thence extending along the said Lot No. 14 South 42 degrees 43 minutes 26 seconds West 235.70 feet to the point and place of BEGINNING.

PARCEL NO- (01)005-0065

PROPERTY ADDRESS: 62 Abbotts Drive, Abbottstown, PA 17301

BEING THE SAME PREMISES which Garland Construction, Inc., by Deed dated 06/23/00 and recorded 09/21/00 in the Office of the Recorder of Deeds in and for Adams County in Deed Book 2129 Page 282, granted and conveyed unto Herman Morris.

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

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-311 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a P.K. nail located in Legislative Route 01080 at corner of land of Robert Cole: thence in said Legislative Route, North 56 degrees 47 minutes 30 seconds East, 75.32 feet to a P.K. nail; thence in same, North 64 degrees 38 minutes 40 seconds East, 218.52 feet to a P.K. nail; thence in same, North 38 degrees 30 minutes 30 seconds East, 317.13 feet to a P.K. nail; thence in same North 51 degrees 37 minutes 00 seconds East, 160 feet to a railroad spike in said Legislative Route; thence by land of Charles Dettinburn and running through a reference pin located 29.80 feet from the beginning of this line, South 30 degrees 4 minutes 20 seconds East, 221.37 feet to an iron pin at Land of Herbert Arndt; thence by said land of Herbert Arndt, South 56 degrees 14 minutes 10 seconds West, 781.33 feet to an iron pin at land of Robert Cole; thence by said land of Robert Cole and running through a reference pin located 30 feet from the end of this line, North 17 degrees 16 minutes 40 seconds West, 150.33 feet to a P.K. nail in Legislative Route 01080, the place of BEGINNING. CONTAINING 2.808 Acres.

TAX PARCEL NO: 20-E-4-73

Property Address: 2280 Coon Road, Aspers, PA 17304

SEIZED and taken into execution as the property of **Mary F. Yohe & Tony M. Yohe** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless

exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

ESTATE NOTICES

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

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

Late of Franklin Township, Adams County, Pennsylvania

Executors: Scott R. Cook, 353 Pine Grove Road, Gardners, PA 17324; Mary E. Kane, 266 Buchanan Valley Road, Orrtanna, PA 17353; Donna M. Sanders, 1444 Green Ridge Road, Orrtanna, PA 17353; Sherry K. Hammett, 1945 Heidlersburg Road, Aspers, PA 17304

Attorney: Robert L. McQuaide, Esq., Suite 204, 18 Carlisle Street, Gettysburg, PA 17325

ESTATE OF BURTIS D. DUBBS, JR., DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executrix: Kathy A. Hare, 22 Blue Spruce Drive, Hanover, PA 17331

Attorney: David C. Smith, Esq., 754 Edgegrove Rd., Hanover, PA 17331

ESTATE OF REBA M. GEHRETT, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executors: Catherine Cresswell, 400 Miltonberger Road, Orrtanna, PA 17353; Betty Rye, 514 Buchanan Valley Road, Orrtanna, PA 17353

Attorney: Wendy Weikal-Beauchat, Esq., 63 West High St., Gettysburg, PA 17325

ESTATE OF BETTY M. GLASS, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executors: Kenneth F. X. Glass, 87 Peanut Drive, Hanover, PA 17331; Melvin A. Glass, 88 Peanut Drive, Hanover, PA 17331

Attorney: David C. Smith, Esq., 754 Edgegrove Rd., Hanover, PA 17331

ESTATE OF ERWIN B. NASE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Margaret A. Nase c/o Robert Clofine, Esq., Elder Law Firm of Robert Clofine, 120 Pine Grove Commons, York, PA 17403

Attorney: Robert Clofine, Esq., Elder Law Firm of Robert Clofine, 120 Pine Grove Commons, York, PA 17403

ESTATE OF LINDA T. RUTTER, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executrix: Patricia A. Gracik, 204 North Stephen's Place, Hanover, PA 17331

Attorney: David C. Smith, Esq., 754 Edgegrove Rd., Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF LEONA J. DEAL a/k/a LEONA JEAN DEAL, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executor: Dorothy J. Shaffer, 145 Cold Springs Road, Gettysburg, PA 17325

ESTATE OF THELMA JANE JOHNSON, DEC'D

Late of the Borough of Arendtsville, Adams County, Pennsylvania

Administrator: David A. Johnson, II, 854 Old Forge Road, New Cumberland, PA 17070

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

ESTATE OF LAWRENCE E. McGLAUGHLIN, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executrix: Dolores Juene McGlaughlin, c/o Law Offices of Craig A. Diehl, 3464 Trindle Road, Camp Hill, PA 17011

Attorney: Thomas L. McGlaughlin, Esq., CPA, Law Offices of Craig A. Diehl, 3464 Trindle Road, Camp Hill, PA 17011

ESTATE OF BEVERLEY B. PEREGOY, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Leslie Rae Chappell, 7138 Atlanta Circle, Seaford, DE 19973

Attorney: Amy E. W. Ehrhart, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF JAMES A. PIERCE, JR., DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Paula J. Pierce, 407 Nittany Lane, Abbottstown, PA 17301

Attorney: Stephen J. Barcavage, Esq., Owens Barcavage & McInroy, LLC, 2000 Linglestown Road, Suite 303, Harrisburg, PA 17110

THIRD PUBLICATION**ESTATE OF WILLIAM E. BROWN, DEC'D**

Late of Latimore Township, Adams County, Pennsylvania

Executors: William L. Brown, Donald J. Brown and Janet L. Brown, c/o Jane M. Alexander, Esq., 148 S. Baltimore St., Dillsburg, PA 17019

Attorney: Jane M. Alexander, Esq., 148 S. Baltimore St., Dillsburg, PA 17019

ESTATE OF EUGENE G. JURASINSKI, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Charlotte A. Jurasinski, 42 Battalion Lane, Gettysburg, PA 17325

Attorney: Wendy Weikal-Beauchat, Esq., 63 West High St., Gettysburg, PA 17325

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1210 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 8th day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a point at corner of lands now or formerly of Ralph M. Sangrey and on line of lands now or formerly of Frank S. Heideck, Jr.; thence along lands now or formerly of Ralph M. Sangrey and lands now or formerly of Ralph M. Newcomer, North 33 degrees 30 minutes West, 250 feet to a stake; thence along other lands now or formerly of Paul K. Rebert, North 58 degrees West, 100 feet to a stake and stones; thence continuing along same, South 33 degrees 30 minutes East, 250 feet to a point; thence continuing along same and along lands now or formerly of Frank S.

Heideck, Jr., South 58 degrees West, 100 feet to the point, the place of BEGINNING, CONTAINING 91 perches.

The above description was obtained from a draft of survey prepared by LeRoy H. Winebrenner, C.S., and dated April 12, 1967.

TOGETHER WITH a right-of-way 15 feet wide as contained in a certain deed dated May 23, 1967, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 268, Page 43.

ALSO TOGETHER WITH the rights as more fully set forth in an Easement Agreement dated March 17, 1992, which agreement is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 620, Page 124.

Parcel No. B9-121

Property Address: 385C Church Road, Orttanna, PA 17353

BEING the same premises which Robin L. Adams and Lori A. Adams, husband and wife, by their Deed dated September 15, 1998 and recorded on September 16, 1998 in the Office of the Recorder of Deeds in and for Adams

County, in Deed Book 1662, Page 298, granted and conveyed unto Kathleen R. Zemsky, husband and wife, and Ronald C. Zemsky, as tenants of an Estate by the entireties.

SEIZED and taken into execution as the property of **Ronald C. Zemsky & Kathleen R. Zemsky** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 29, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/4, 11 & 18

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