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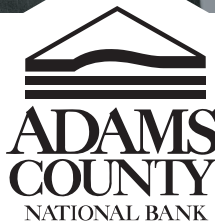
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-723 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 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 those two lots known as Lots 1167 and 1168 in Lake Meade, Latimore Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a 3/4 inch pipe on the Northeastern property line of McCandless Drive at corner of Lot No. 1166; thence along the Northeastern property line of McCandless Drive, North 62 degrees 23 minutes 19 seconds West, 150 feet to a 3/4 inch pipe at corner of Lot No. 1169; thence along Lot 1169, North 27 degrees 36 minutes 41 seconds East, 200 feet to a 3/4 inch pipe; thence South 62 degrees 23 minutes 19 seconds East, 150 feet to a 3/4 inch pipe at corner of Lot No. 1166; thence along Lot No. 1166, South 27 degrees 36 minutes 41 seconds West, 200 feet to the above described place of BEGINNING.

The above descriptions were taken from a subdivision plan of Lake Meade subdivision recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania in Miscellaneous Book 1 at Page 21.

TITLE TO SAID PREMISES IS VESTED IN Lisa L. Steele and Christopher D. Steele by deed from William E. Lanning, now joined by his wife, Ken Lanning, dated June 20, 2005 and recorded June 22, 2005 in Deed Book 4014, Page 190.

TAX ID. #: 24-009-0060

Being Known As: 70 McCandless Drive, East Berlin, PA 17316.

SEIZED and taken into execution as the property of **Lisa Steele & Christopher Steele** 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 December 4, 2009,

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

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

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

10/23, 30 & 11/6

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-565 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a point in the center of Rolling Lane (T-547) at corner of Lot 6 on the hereinafter referred to subdivision plan;

THENCE along Lot 6, South 43 degrees 38 minutes 42 seconds East, 172.20 feet to a concrete monument on line of land now or formerly of Dorothy E. Schlaline;

THENCE along said Schlaline land, and passing through a steel pin 21.78 feet from the end hereof, South 52 degrees 24 minutes 50 seconds West 286.95 feet to a point in the center of Woods Road (T-506);

THENCE in, along and through said Woods Road, North 38 degrees 32 minutes 28 seconds West, 142.48 feet to a point in the intersection of said Woods Road and Rolling Lane;

THENCE in, along and through said Rolling Lane, North 46 degrees 21 minutes 18 seconds East, 272.67 feet to the point and place of BEGINNING, CONTAINING 43,916.719 square feet or 1.008 acres.

FOR informational purposes only: the APN is shown by the County Assessor

as (17) L10-(11); source of title is Book 3649, Page 198 (recorded 07/26/04)

TITLE TO SAID PREMISES IS VESTED IN Tony J. Hippensteel and Debra A. Hippensteel, h/w, as tenants of an estate by the entireties, by Deed from Donald A. Hippensteel and Peggy A. Hippensteel, dated 07/19/2004, recorded 07/26/2004 in Book 3649, Page 198.

Tax Parcel: (17) L 10-0006D-000

Premises Being: 5 Rolling Lane, Abbottstown, PA 17301-9749

SEIZED and taken into execution as the property of **Debra Hippensteel & Tony Hippensteel** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/23, 30 & 11/6

COMMONWEALTH VS. MCDANIEL

1. Where an individual has been convicted of all the charges that have been filed against him in a particular complaint or information the Court has no authority to exercise equitable or inherent powers to grant expungement of an arrest record.

2. It is well settled in Pennsylvania that an individual has the right, as an adjunct of due process, to seek expungement of his criminal records. Due process requires that a hearing be held to effectuate that right.

3. Factors to consider at such hearings include, but are not limited to 1) the strength of the Commonwealth's case against the defendant, 2) the reasons the Commonwealth gives for wishing to retain the records, 3) the defendant's age, criminal record, and employment history, 4) the length of time that has elapsed between the arrest and the petition to expunge, and 5) the specific adverse consequences the defendant may endure should expungement not be granted.

4. Where a defendant has been acquitted of all charges brought against him expungement should automatically be granted.

5. Where a suspect was charged but not convicted and the court is presented with a petition to expunge, the Commonwealth bears the burden of justifying retention of the arrest record.

6. In instances of arrests which are terminated by means of nolle pros or ARD, courts are to engage in a balancing test as outlined.

7. The dismissal of some charges in exchange for a guilty plea to related charges represents a common scenario yet poses a thorny state of affairs when the defendant later seeks to expunge the dismissed charges. In the absence of an agreement as to expungement, Appellant stands to receive more than he bargained for in the plea agreement if the dismissed charges are later expunged. Thus, we agree the better resolution is to deny expungement of the charges dismissed as part of Appellant's plea agreement, particularly where Appellant has already been bound over for trial on all charges, the Commonwealth is fully prepared to proceed against Appellant on all charges at trial, and Appellant admits to acts that could essentially constitute culpability for the dismissed charges.

8. A petitioner is entitled to expungement of the arrest record upon acquittal, or in the alternative, a *Wexler* hearing on charges that have been either withdrawn or nolle prossed. Dismissal of charges due to a plea agreement should not have the same implications as acquittals or *Nolle Prosequi* situations.

In the Court of Common Pleas of Adams County, Pennsylvania,
Criminal, No. CR-695-1996, COMMONWEALTH OF PENNSYLVANIA VS. JASON H. McDANIEL, A.K.A. JAMES H. McDANIEL.

Shawn C. Wagner, Esq., for Commonwealth

David R. Breschi, Esq., for Defendant

Kuhn, P.J., December 17, 2008

ORDER

AND NOW, this 17th day of December, 2008 in consideration of Defendant's Petition for Hearing For Expungement Pursuant To 18 Pa.C.S. §9122(a) filed September 22, 2008, the Court enters the following:

FACTUAL BACKGROUND

1. On June 20, 1995, Trooper Dennis Kern of the Pennsylvania State Police filed a criminal complaint charging Defendant with one count of Statutory Sexual Assault¹, two counts of Indecent Assault², and one count of Corruption of Minors.³
2. On February 10, 1997, Defendant appeared before then President Judge Oscar F. Spicer and pled nolo contendere to the Corruption of Minors charge.
3. The February 10th plea order does not specifically indicate the disposition of the remaining three charges, however, it does indicate that "[a] plea has been entered pursuant to an arrangement that his sentence will be 36 months of probation."
4. On February 24, 1997 Defendant was sentenced pursuant to that agreement.
5. By Order of the Court on February 29, 2000, the probation was terminated and ended.
6. The Docketing Transcript indicates the remaining three charges were "nolle prossed/withdrawn." (Def. Ex. 4).
7. The Criminal History Report from the Pennsylvania State Police Central Repository also indicates the remaining three charges were "nolle prossed/withdrawn." (Def. Ex. 5).
8. The record does not reveal that the charges were ever formally nolle prossed. It also does not indicate whether they were dismissed pursuant to the plea agreement.
9. On September 17, 2008 Defendant filed a Petition For Hearing For Expungement Pursuant To 18 Pa.C.S. § 9122(a) seeking expungement of the three charges for which he was not convicted.
10. Defendant alleges his criminal record prevents him from redeploying to Iraq with his Army Reserve Unit and citizen soldier employment at Letterkenny Army Depot in Chambersburg.

¹ 18 Pa.C.S.A. § 3122.

² 18 Pa.C.S.A. § 3126(a)(1) & (6).

³ 18 Pa.C.S.A. § 6301(a).

11. A hearing was held on that Petition on November 10, 2008. The Commonwealth contends that Defendant is not entitled to a hearing. That issue was taken under advisement by the Court.
12. The Defendant filed a Brief in support of his motion on November 17, 2008. The Commonwealth responded on November 25, 2008.

ISSUE

1. Whether Defendant is entitled to a hearing to determine whether the record of the three charges he was not convicted of should be expunged.

CONCLUSIONS OF LAW

1. This Court has jurisdiction.
2. Defendant is entitled to a hearing to determine whether the record of the three charges he was not convicted of should be expunged.

DISCUSSION

Pursuant to Section 9122(a) of the Pennsylvania Crimes Code, “[c]riminal history record information shall be expunged in a specific criminal proceeding when:”

- (1) no disposition has been received or, upon request for criminal history record information, no disposition has been recorded in the repository within 18 months after the date of arrest and the court of proper jurisdiction certifies to the director of the repository that no disposition is available and no action is pending. Expungement shall not occur until the certification from the court is received and the director of the repository authorizes such expungement.

18 Pa.C.S.A. § 9122(a)(1).

Where an individual has been convicted of all the charges that have been filed against him in a particular complaint or information the Court has no authority to exercise equitable or inherent powers to grant expungement of an arrest record. *Com. v. Wolfe*, 749 A.2d 507, 509 (Pa. Super. 2000). Instead, where conviction has resulted the statute limits expungement to circumstances where 1) the defendant reaches age 70 and has been free from arrest for 10 years and 2) the defendant has been dead for 3 years. 18 Pa.C.S.A. § 9122(b).

However, other situations exist where expungement is appropriate. As noted in *Commonwealth v. Wexler*, 431 A.2d 877, 879 (Pa. 1981)

In certain circumstances substantive due process guarantees an individual the right to have his or her arrest record expunged. In determining whether justice requires expungement, the Court, in each particular case, must balance the individual's right to be free from the harm attendant to maintenance of the arrest record against the Commonwealth's interest in preserving such records.

"It is well settled in Pennsylvania that an individual has the right, as an adjunct of due process, to seek expungement of his criminal records." *In the Matter of Pflaum*, 451 A.2d 1038, 1041 (Pa. Super. 1982). "Due process requires that a hearing be held to effectuate that right." *Id.* at 1042. Factors to consider at such hearings include, but are not limited to 1) the strength of the Commonwealth's case against the defendant, 2) the reasons the Commonwealth gives for wishing to retain the records, 3) the defendant's age, criminal record, and employment history, 4) the length of time that has elapsed between the arrest and the petition to expunge, and 5) the specific adverse consequences the defendant may endure should expungement not be granted. *Wexler*, 431 A.2d at 879. *Wexler* requires the Commonwealth to bear the burden of affirmatively justifying why the arrest record should not be expunged. *Id.* at 880.

Where a defendant has been acquitted of all charges brought against him expungement should automatically be granted. *Commonwealth v. D.M.*, 695 A.3d 770 (Pa. 1997),⁴ *Commonwealth v. Lutz*, 788 A.2d 993 (Pa. Super. 2001); *Commonwealth v. Maxwell*, 737 A.2d 1243 (Pa. Super. 1999).

The charges for which Defendant seeks expungement sub judice involve neither conviction nor acquittal. Rather, the issue addresses the right of an individual to a hearing on charges brought in an information for which there was neither conviction nor acquittal. "[W]here a suspect was charged but not convicted and the court is

⁴Our Supreme Court stated in *D.M.* that "a defendant enters a trial cloaked in the presumption of innocence and when the fact-finder reaches a verdict of acquittal, there is no justification to search for reasons to undermine the verdict. Such a defendant has achieved the strongest vindication possible under our criminal tradition, laws and procedures; we hold that he is entitled to expunction of the arrest record." *D.M.*, 695 A.2d at 773.

presented with a petition to expunge, the Commonwealth bears the burden of justifying retention of the arrest record.” *Maxwell*, 737 A.2d at 1244. Resolution of this case is dependent upon whether when the Defendant entered his plea of nolo contendere to Corruption of Minors the remaining charges were dismissed or nolle prossed and whether such withdraw was part of a plea agreement.

In *Pflaum*, the defendant was charged with Burglary, Criminal Trespass, Theft and Disorderly Conduct. *Pflaum*, 451 A.2d at 1039. At the preliminary hearing all charges were “dropped” by the Commonwealth and Pflaum entered a plea of guilty to Disorderly Conduct as a summary offense. *Id.* Subsequently, Pflaum requested expungement of those charges which had been dropped. *Id.* After a hearing the trial court denied the request but Superior Court reversed. *Id.* at 1041.

In *Maxwell*, the defendant was charged with a number of sexual offenses. *Maxwell*, 737 A.2d at 1243. He entered pleas of guilty to Simple Assault and Indecent Assault and the other charges were nolle prossed. *Id.* Maxwell sought expungement of the charges which were nolle prossed. *Id.* at 1244. The Court reasoned that in instances of arrests which are terminated by means of nolle pros or ARD, courts are to engage in a balancing test as outlined in *Wexler*. *Id.* Superior Court concluded that Maxwell was entitled to a *Wexler* hearing where the burden would be placed on the Commonwealth to present compelling evidence justifying retention of the arrest record. *Id.*

Commonwealth argues that Defendant is not entitled to a hearing in this matter in light of the decision in *Lutz*. There, the defendant was charged with Criminal Attempt to Commit Homicide, Aggravated Assault, Simple Assault, Recklessly Endangering Another Person and Possessing An Instrument of Crime. *Lutz*, 788 A.2d at 995. On the day of trial Lutz entered a plea of guilty to Aggravated Assault for an agreed upon sentence. *Id.* As part of the plea agreement the remaining counts were dismissed by the Commonwealth. *Id.* Lutz sought expungement of the dismissed charges. The trial court denied his request without a hearing. *Id.* at 996. On appeal Lutz’s claim that he was entitled to a hearing was rejected. Superior Court stated,

We admit further that the dismissal of some charges in exchange for a guilty plea to related charges represents a

common scenario yet poses a thorny state of affairs when the defendant later seeks to expunge the dismissed charges. In the absence of an agreement as to expungement, Appellant stands to receive more than he bargained for in the plea agreement if the dismissed charges are later expunged. Thus, we agree with the trial court that the better resolution is to deny expungement of the charges dismissed as part of Appellant's plea agreement, particularly where Appellant has already been bound over for trial on all charges, the Commonwealth is fully prepared to proceed against Appellant on all charges at trial, and Appellant admits to facts that could essentially constitute culpability for the dismissed charges.

Based upon the foregoing, we hold that the trial court properly denied Appellant's motion for expungement, under the circumstances of this case, where the Commonwealth agreed to dismiss, as part of a negotiated plea bargain, certain charges in exchange for Appellant's guilty plea to the remaining charge... Accordingly, we affirm the court's order denying Appellant the relief he requested.

Id. at 1001.

Superior Court further opined that a petitioner is entitled to expungement of the arrest record upon acquittal or, in the alternative, a *Wexler* hearing on charges that have been either withdrawn or nolle prossed.⁵ *Id.* at 999. The Court recognized a difference between charges that are nolle prossed and those dismissed. Superior Court reasoned that a trial court could order a nolle prosequi upon motion of the Commonwealth but the record did not reflect that the Commonwealth had ever requested or received a nolle prosequi. *Id.* The Court concluded that "dismissal of charges due to a plea agreement should not [have the same implications] as acquittals or *Nolle Prosequi* situations." *Id.* at 1001.

⁵In *Com. v. A.M.R.*, 887 A.2d 1266 (Pa. Super. 2005), the Court also held that "when a charge is withdrawn or *nolle prosequied*, the burden is always upon the Commonwealth to demonstrate why an arrest record should be retained. *Id.* at 1269 (citing *Maxwell*, 737 A.2d at 1244). Further, the Court stated "where the Commonwealth has dropped the charges against a petitioner or otherwise has failed to carry its burden of proof beyond a reasonable doubt, the Commonwealth must bear the burden of showing why an arrest record should not be expunged." *Id.* at 1268.

At first blush it would appear that the reasoning in *Lutz* precludes further hearing in this matter. However, more recently in *Commonwealth v. Rodland*, 871 A.2d 216 (Pa. Super. 2005) the defendant was seeking expungement and argued, pursuant to *Maxwell*, he was entitled to a hearing. *Id.* at 220. Commonwealth relied upon *Lutz* and contended that the request should be dismissed without a hearing. *Id.* Superior Court remanded for further hearing stating,

We cannot conclude, on the record before us, that *Lutz* is controlling. In the instant matter, both parties assert in their briefs that there was a plea agreement between the Commonwealth and Appellant. The instant matter involves a plea of *nolo contendere* and *nolle prosequi* of the charges, whereas *Lutz* involved a guilty plea and dismissal of the charges. In addition, the particulars of the agreement between Appellant and the Commonwealth are not clear from the record.

Maxwell makes clear that Appellant is at least entitled to a hearing. On remand, the trial court may consider the discussion in *Lutz* instructive in discerning the intent of the parties regarding the plea agreement. *See, 788 A.2d at 999.*⁶ The trial court is to engage in fact finding to determine whether expungement of the *nolle prosequi* charges pursuant to a *nolo contendere* plea agreement is appropriate pursuant to *Maxwell*, *Lutz*, and *Wexler*.

Rodland, 871 A.2d at 221.

In the present matter, Defendant pled *nolo contendere* to one count and the other counts were disposed of by an unclear method. Both the docketing transcript and the criminal history report indicate

⁶ Here Superior Court was referring to language cited in *Lutz* from the trial court's opinion wherein the lower court wrote, "A *nolle prosequi* is a voluntary withdrawal by the prosecuting attorney of proceedings on a particular bill or information, which can at any time be retracted to permit revival of proceedings on the original bill or information...In this instance, the record does not reflect that the Commonwealth ever requested or received a *nolle prosequi* for [defendant]. In the instant case, the charges were dismissed, and the understanding of all parties was apparently that the charges could never be revived, which is quite a different situation than a *nolle prosequi*...[F]rom our experience as both a criminal court and a prosecutor...*nolle prosequi* has traditionally only been used in situations in which the Commonwealth finds it has insufficient evidence to proceed with prosecution. There is no such claim in this instance."

those charges were either nolle prossed or withdrawn. Although it is possible that those charges were dismissed pursuant to the plea agreement, as they were in *Lutz*, that is not entirely clear from the record. It is clear that there is no formal record for a nolle pros of the charges at issue. In *Lutz* and *A.M.R.*, Superior Court stated that a petitioner is entitled to a *Wexler* hearing where the charges have been either nolle prossed or withdrawn. *Lutz*, 788 A.2d at 999; *A.M.R.*, 887 A.2d at 1269. The record reveals that the three charges in question were either withdrawn or nolle prossed. Therefore Defendant is entitled to a *Wexler* hearing and the burden will be placed upon the Commonwealth to show that the record should be retained.

Hearing will be held on January 5, 2009 at 9:00 a.m. in Courtroom 1 of the Adams County Courthouse.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-785 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 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.:

PARCEL NO. 18 C 15-0083-000

TRACT ROAD/LR 01001

ALL that tract of land situate, lying and being partly in the Borough of Fairfield and partly in Hamiltonban Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the center of State Highway Legislative Route 01001, sometimes known as Lower Tract Road running between Fairfield and Emmitsburg, said point being at the southwest corner of land now or formerly of Robert D. Creighton and wife (Deed Book 257 at Page 885); thence by land now or formerly of Robert D. Creighton and wife, North 66 degrees 32 minutes East, 200 feet, more or less, to an iron pin; thence by same, North 13 degrees 28 minutes West, 76.89 feet, more or less, to an iron pin; thence by land now or formerly of Rickie Alan Sanders and wife (Deed Book 330 at Page 981), North 88 degrees 13 minutes 30 seconds East, 376.54 feet, more or less, to a post at tree; thence by same, North 78 degrees 32 minutes 50 Seconds East, 361.2 feet, more or less, to an iron pin; thence by same, and near the end of this course by land now or formerly of William Brent, South 16 degrees 45 minutes East, 1194.06 feet, more or less, to a pipe at an original corner; thence by land now or formerly of the Elsa Crum Estate, South 81 degrees 14 minutes West, 184.90 feet to an original pipe corner; thence by same, South 56 degrees 42 minutes West, 542.60 feet, more or less, to a point at corner of land now or formerly of Guy M. Sanders and wife; thence by land now or formerly of Guy M. Sanders and wife (Deed Book 251 at Page 646), North 41 degrees 27 minutes West, 457.05 feet, more or less, to an iron pin; thence by same, South 87 degrees 45 minutes West, 534 feet, more or less, to an iron pin; thence by land now or formerly of St Mary's Catholic Church and running along the western side of the right of way now or formerly of Guy M. Sanders and wife, North 12 degrees 15 minutes West, 306.9 feet, more or less, to an iron pin; thence continuing by said Church land and along the western side of said right of way, North 31 degrees 45 minutes West, 351.45 feet, more or less, to a point; thence by said right of way, North 14 degrees 55 minutes West, 17.53 feet,

more or less, to a point; thence continuing by said Church land and along the southern side of said right of way, South 84 degrees 22 minutes West, 363.95 feet, more or less, to a point in the center of State Highway Legislative Route 01001; thence in the center of said State Highway, North 16 degrees 28 minutes West, 33.6 feet, more or less, to a point in the center of said State Highway and at the southwest corner of land now or formerly of Larry James Lynn and wife (Deed Book 302 at Page 76); thence by land now or formerly of Larry James Lynn and wife, North 84 degrees 22 minutes East, 150 feet, more or less, to a point; thence by same, North 16 degrees 28 minutes West, 100 feet, more or less, to a point; thence by the same, South 84 degrees 22 minutes West, 150 feet, more or less, to a point in the center of the aforesaid State Highway; thence in the center of said State Highway, North 16 degrees 28 minutes West, 401.55 feet, more or less, to a spike in the center of said State Highway; thence in the center of said State Highway, North 13 degrees 28 minutes West, 621.45 feet, more or less, to a point, the place of BEGINNING. CONTAINING 68.9235 Acres, more or less.

The above description was taken in part from a draft of survey made by Wilbur V. Redding, Registered Surveyor, dated August 7-11, 1969, as revised October 13, 1969.

LESS, HOWEVER, AND EXCEPTING THEREFROM, Lot 2 as contained on a Plan of Lots recorded in Adams County Plat Book 81 at Page 57.

BEING PART OF THE SAME which Carl R. Sturges, an unmarried man, by deed dated December 23, 2002, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 2932 at Page 80, sold and conveyed unto Carl R. Sturges Family Trust, the GRANTOR herein.

TOGETHER WITH AND SUBJECT TO the rights of way and easements, limitations, reservations, provisions and restrictions as set forth in the deed recorded in Deed Book 335 at Page 1094.

PARCEL NO. (18) C 15-0083---000.

ALL the following three (3) tracts of land:

TRACT NO. 1:

ALL that tract of land situate partly in the Borough of Fairfield and partly in Hamiltonban Township, more particularly bounded and described as follows:

BEGINNING at a point in the Fairfield-Gettysburg State Highway on line of land now or formerly of Gerry R. Reamer (described in Deed Book 307 at Page 194); thence by land now or formerly of Gerry R. Reamer, North 85 degrees East, 29.9 perches, more or less, to a

point; thence by land now or formerly of George A. Flenner (described in Deed Book 205 at Page 48), North 85 degrees East, 6.6 perches, more or less, to a point; thence by same, North 76.5 degrees East, 22.75 perches, more or less, to a point; thence by land now or formerly of Teeter Stone, Inc. (described in Deed Book 247 at Page 198) and crossing Middle Creek, South 63 degrees East, 45.9 perches, more or less, to a point; thence by Tract No. 3 described in the within deed, South 5 degrees West, 94 perches, more or less, to a post; thence in or along Legislative Route 01072, North 80 degrees West, 36.6 perches, more or less, to a point; thence in or along an alley, North 11.75 degrees East, 16 perches, more or less, to a point; thence in or along an alley, North 80 degrees West, 34.5 perches, more or less, to a point; thence by Tract No. 2 described in the within deed, North 10 degrees East, 48.48 perches, more or less, to a point; thence by same, North 51 degrees West, 12.8 perches, more or less, to a point; thence North 52 degrees West, 28.5 perches, more or less, to a point in the aforesaid Fairfield-Gettysburg State Highway; thence in said last mentioned state highway, North 43 degrees East, 4.5 perches, more or less, to a point, the place of BEGINNING. CONTAINING 43 Acres and 7 Perches, more or less.

The foregoing description of Tract No. 1 hereby conveyed was obtained in part from the draft dated November 12, 1973, prepared by LeRoy H. Winebrenner, Registered Surveyor, of Gettysburg, Pennsylvania.

TRACT NO. 2:

ALL that tract of land situate partly in the Borough of Fairfield and in Hamiltonban Township, more particularly bounded and described as follows:

BEGINNING at a point on the boundary line of Tract No. 1 conveyed by the within deed, said point of beginning being located at the beginning of the next to the last course (which is labeled "North 52 degrees West, 28.5 perches") of the description of said Tract No. 1; thence by said Tract No. 1, South 51 degrees East, 12.8 perches, more or less, to a point; thence by said Tract No. 1, South 12.25 degrees West, 48.48 perches, more or less, to a point; thence in or along an alley, North 56 degrees West, 30.79 perches, more or less, to a point; thence in or along an alley, North 34.25 degrees East, 46 perches, more or less, to a point, the place of BEGINNING. CONTAINING 6 Acres and 30 Perches, more or less.

The foregoing description of Tract No. 2 is based upon the draft of survey thereof made by LeRoy H. Winebrenner, County Surveyor, dated February 25, 1936.

(continued on page 4)

TRACT NO. 3:

ALL that tract of land situate in Hamiltonban Township, more particularly bounded and described as follows:

BEGINNING at a point located at the northeast corner of Tract No. 1 as described in the within deed; thence by land now or formerly of Teeter Stone, Inc. (described in Deed Book 247 at Page 198), South 62 degrees East, 40.6 perches, more or less, to a point; thence by same, South 40 degrees East, 16 perches, more or less, to a point; thence by same, South 60 degrees East, 27 perches, more or less, to a point; thence by land now or formerly of Stephen W. Jacobs, South 3.75 degrees East, 37.6 perches, more or less, to a point; thence by land now or formerly of Teeter Stone, Inc. (described in Deed Book 226 at Page 280), South 82.5 degrees West, 8.5 perches, more or less, to a point; thence by same, South 40 degrees West, 34.7 perches, more or less, to a point; thence by the same, South 70.5 degrees West, 24.2 perches, more or less, to a point; thence in or along Legislative Route 01072, North 32.5 degrees West, 48.4 perches, more or less, to a point; thence by Tract No. 1 as described in the within deed, North 5 degrees East, 94 perches, more or less, to a point, the place of BEGINNING. CONTAINING 41 Acres and 61 Perches, more or less.

The foregoing description of Tract No. 3 being obtained in part from the draft of survey dated November 12, 1973, prepared by LeRoy H. Winebrenner, Registered Surveyor, of Gettysburg, Pennsylvania.

LESS, HOWEVER, from the aforesaid tract containing 41 Acres and 61 Perches, the following two portions thereof, herein referred to as EXCLUDED PORTION A and EXCLUDED PORTION B, which have heretofore been deducted therefrom, and which excluded portions are not conveyed by the within deed, viz;

EXCLUDED PORTION A: The tract of land containing 1.54 Acres which was conveyed by Floyd E. Brown and wife and Harold E. Brown and wife to Teeter Stone, Inc. by Deed dated May 5, 1964, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Deed Book 247 at Page 591.

EXCLUDED PORTION B: The tract of land containing 1.84 Acres which was conveyed by Harold D. Brown and wife and Floyd E. Brown and wife to Fairfield Municipal Authority by deed dated September 19, 1966, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Deed Book 259 at Page 549.

By the deduction of the aforesaid two excluded portions from such tract

containing 41 Acres and 61 Perches, the residue, which is designated as Tract No. 3 herein, has an area of 38 Acres, more or less.

LESS, HOWEVER, AND EXCEPTING THEREFROM, Lot 2 and Lot 3 as contained on a Plan of Lots recorded in Adams County Plat Book 56 at Page 79.

BEING PART OF THE SAME which Carl R. Sturges, an unmarried man, by deed dated December 23, 2002, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 2932 at Page 80, sold and conveyed unto Carl R. Sturges Family Trust, the GRANTOR herein.

PARCEL NO. (18)C 15-0057-000.

PARCEL NO. 11006-0094-000

WATER STREET/LR 1072

ALL those six (6) tracts of land situate, lying and being partly in the Borough of Fairfield and partly in Hamiltonban Township, Adams County, Pennsylvania, as described in the following live deeds which are incorporated herein by reference:

1. A deed from Gettysburg National Bank, Executor of the Last Will and Testament of Floyd B. Brown, conveying a one-half undivided interest to Ronald L. Brown and Thomas A. Brown, Co-Partners trading as Brown Brothers, dated June 19, 1981, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 357 at page 966.

2. A deed from Harold D. Brown and Elizabeth C. Brown, husband and wife, to Ronald L. Brown and Thomas A. Brown, Co-Partners, trading as Brown Brothers, of an undivided one-quarter interest dated November 1, 1985, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 413 at page 120.

3. A deed from Harold D. Brown and Elizabeth C. Brown, husband and wife, to Ronald L. Brown and Thomas A. Brown, Co-Partners, trading as Brown Brothers, of an undivided one-quarter interest dated November 1, 1985, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 413 at page 125.

4. A deed from Ronald L. Brown, dated January 23, 1998, to Thomas A. Brown, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 1509 at page 299. This deed conveyed Ronald L. Brown's half interest in the real estate described above thereby vesting full ownership in Thomas A. Brown, grantor herein.

5. A deed from Fairfield Municipal Authority to Thomas A. Brown, dated January 13, 2004, containing 950 square feet, and recorded in the Office of the Recorder of Deeds of Adams County,

Pennsylvania, in Record Book 3493 at page 208.

LESS, HOWEVER, the following 4 tracts of land previously conveyed:

1. A tract of land containing 2.011 acres, more or less, sold and conveyed by Ronald L. Brown and Thomas A. Brown, co-partners, by their deed of correction dated April 7, 1987 to the Most Reverend William H. Keeler, Bishop of Harrisburg, in Trust for Immaculate Conception of Blessed Virgin Mary Church, which deed is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 454 at page 26.

2. A tract of land containing .29 acre, more or less, as shown in Plat Book 57 at page 40, sold and conveyed by Ronald L. Brown and Thomas A. Brown, co-partners, by their deed dated June 9, 1994, to A.R. Barnes, t/d/b/a HB & H Contractors which deed is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 900 at page 100.

3. All of those six (6) tracts of land sold and conveyed by Ronald L. Brown and Thomas A. Brown, co-partners, by their deed dated November 7, 1997, to S&A Custom Built Homes, Inc., which deed is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 1477 at page 94.

4. All that certain ten acre tract which Grantor, Thomas A. Brown, separately conveyed to himself by deed dated April 17, 2002, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 2626 at page 184.

SUBJECT TO AND TOGETHER WITH the rights, duties and obligations as contained in the Surface Water Easement Agreement between Ronald L. Brown and Thomas A. Brown, co-partners, and S&A Custom Built Homes, Inc., dated November 7, 1997, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 1185 at page 61.

This conveyance is subject to any existing easements, restrictions, or applicable land use restrictions.

This conveyance is subject to the following land use restrictions which shall run with the land:

1. The existing farm home and barn shall be maintained and restored to the extent necessary for use as community facilities to the extent necessary and feasible once Grantee received final approvals for development of the land into a new house community.

2. No home construction shall occur within any portion of the property designated as flood plain as delineated on FEMA flood plain maps.

(continued on page 5)

3. No construction or improvements of any kind other than buffering that may be required by applicable regulations such as zoning or land development/subdivision ordinances shall be permitted within 124 feet from the property line of Grantor as described in Record Book 2626 at page 184. All development plans for the property shall show such buffer and a copy thereof provided to Thomas A. Brown.

PARCEL NO. 1 1006-0094---000.

SEIZED and taken into execution as the property of **Fairham Development LLC, Empire Homes LLC, Empire Holdings LLC & Jeffrey B. Kozero** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/23, 30 & 11/6

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN a certificate was or will be filed under the Fictitious Name Act approved May 24, 1945, with the Department of State, Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, setting forth that John Z. Millar, Jr., 991 Brickcrafters Road, New Oxford, PA 17350, is the only person owning or interested in a business, the character of which is automobile restoration and that the name, style and designation under which said business is and will be conducted is MILLAR'S AUTOMOTIVE RESTORATION SERVICE with its principal office or place of business is 991 Brickcrafters Road, New Oxford, PA 17350.

Larry W. Wolf, Esq.
Solicitor

11/6

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-994 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 or piece of ground situate in Fairfield Borough, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pin on a corner located on the North side of a public alley at land now or formerly of The Fairfield Shoe Company; thence running by land of the said Fairfield Shoe Company North 30.5 degrees West 112 feet to an iron pin; thence running by land now or formerly of Lorraine S. Berghaus North 59.75 degrees East 44 feet to a pin; thence running by land now or formerly of Joseph Harbaugh South 30.5 degrees East 112 feet to an iron pin on the North side of a public alley; thence running on the North side of said public alley South 59.75 degrees West 44 feet to an iron pin; the place of BEGINNING, CONTAINING 18 perches and 144 square feet.

BEING THE SAME PREMISES which Maria Poulson, widow, by Deed dated August 28, 1998 and recorded August 31, 1998, in the Office for the Recorder of Deeds in and for the County of Adams, in Deed Book 1652 Page 98, granted and conveyed unto the Edward L. Gray, Jr., in fee.

PARCEL NO. (11) 005-0049

Premises Being: 135 Steelman Street, Fairfield, PA 17320

SEIZED and taken into execution as the property of **Edward L. Gray, Jr.** 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.

11/6, 13 & 20

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1022 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 or piece of ground situate in Carroll Valley Borough, formerly Liberty Township, County of Adams, Commonwealth of Pennsylvania, being Lot No. 65 in Section R1, more particularly bounded and described as follows:

BEGINNING at a point in the center of McGlaughlin Trail Lot No. 64; thence by said lot, South 02 degrees 37 minutes 20 seconds West, 225 feet to the other lands, now or formerly of Charnita, Inc.; thence by said lands, North 87 degrees 22 minutes 49 seconds West, 100 feet to Lot No. 66; thence by said lot, North 02 degrees 37 minutes 20 seconds East 225 feet to a point in the center of said McGlaughlin Trail; thence in said McGlaughlin Trail, South 87 degrees 22 minutes 40 seconds East, 100 feet to the place of BEGINNING.

The above description was taken from a plan of lots labeled Section R 1 of Charnita, Inc. dated May 29, 1970, Prepared by Gordon L. Brown, R.S., recorded in Adams County Plat Book I Pages 83 and 84.

BEING THE SAME PREMISES which Timothy N. Fraley and Carolyn D. Fraley, husband and wife, by Deed dated July 5, 2006 and recorded July 8, 2006, in the Office for the Recorder of Deeds in and for the County of Adams, in Deed Book 4-180 Page 64, granted and conveyed unto the Edward L. Gray, Jr., in fee.

SEIZED and taken into execution as the property of **Edward L. Gray, Jr.** 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.

11/6, 13 & 20

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-583 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 those three (3) tracts of land situate, lying and being in Germany Township, Adams County, Pennsylvania, bounded and described as follows:

TRACT NO. 1:

BEGINNING at a point in the center of the State Highway running between Littlestown, Pennsylvania, and Taneytown, Maryland, on line of lands of Clayton Harget, said point of beginning being North sixty-five (65) degrees thirty (30) minutes West, three hundred five and twenty-five hundredths (305.25) feet from a stone corner of the original tract of which the lot hereby conveyed was prior to this deed a part; thence along said lands of Clayton Harget, North sixty-seven (67) degrees thirty (30) minutes West, one hundred sixty (160) feet to an iron pin on line of the aforesaid original tract; thence along the original tract of the Grantors, North thirty-one (31) degrees thirty-nine (39) minutes East, sixty (60) feet to an iron pin on line of the original tract; thence continuing along same, and running through an iron pin on the West side of the State Highway aforesaid, South sixty-seven (67) degrees thirty (30) minutes East, one hundred sixty (160) feet to a point in the center of the Littlestown-Taneytown State Highway aforesaid; thence running in and along the center of said State Highway, South thirty-one (31) degrees thirty-nine (39) minutes West, sixty (60) feet to a point in the center of said Highway, the place of BEGINNING. CONTAINING 35 perches.

The above description was taken from a draft of survey made by LeRoy H. Winebrenner, Registered Surveyor, dated November 14, 1949, for the use of the Grantors, and to be conveyed to Kingsdale Volunteer Fire Company.

IT BEING THE SAME TRACT OF LAND which Walter F. Crouse and Laura M. Crouse, husband and wife, by their deed dated January 2, 1950, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 190 at Page 90, sold and conveyed unto Kingsdale Volunteer Fire Company, a Pennsylvania nonprofit corporation, the MORTGAGOR herein.

TRACT NO. 2:

BEGINNING at a point in the center of Pennsylvania State Highway Route No.

194 running between Littlestown, Pennsylvania, and Taneytown, Maryland, at corner or on line of land now or formerly of H. Snyder; thence running along said Snyder land, through a steel pin twenty-five (25) feet from the beginning of this course, and by land of Harold Study, South eighty-nine (89) degrees forty-six (46) minutes five (5) seconds West, one thousand ninety-nine and fifty-one hundredths (1,099.51) feet to a steel pin at the Southeast edge of a twelve inch cedar tree; thence along land of Marvin Wolfe, North thirteen (13) degrees three (3) minutes East, one thousand fifty-three (1,053) feet to a steel pin; thence by land now or formerly of Walter F. Crouse, and by land of the Grantee herein, South seventy-three (73) degrees thirty (30) minutes East, one thousand ninety-eight and sixty-two hundredths (1,098.62) feet to a point in the center of said State Highway Route 194; thence running for the next three courses in the center of said Highway, South twenty-six (26) degrees eighteen (18) minutes thirty (30) seconds West, thirty-three and five hundredths (33.05) feet to a point; thence with a curve to the left with a radius of one thousand two hundred thirty-two and fifty-seven (1,232.57) feet with an arc length of three hundred twenty-eight and six hundredths (328.06) feet, the long chord of which is South eighteen (18) degrees forty-one (41) minutes West, three hundred twenty-seven and ten hundredths (327.10) feet; thence South eleven (11) degrees three (3) minutes thirty (30) seconds West, three hundred seventy-six and eighty-five hundredths (376.85) feet to a point in the center of said State Highway, the place of BEGINNING. CONTAINING 21.9016 Acres, neat measure.

IT BEING THE SAME TRACT OF LAND which Glenn E. Crouse and Patricia K. Crouse, husband and wife, by Deed dated August 29, 1967 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 263 at Page 536, sold and conveyed unto Kingsdale Volunteer Fire Company, a Pennsylvania nonprofit corporation, the MORTGAGOR herein.

LESS, HOWEVER, all that tract of land which Kingsdale Volunteer Fire Company by Deed, dated December 3, 1970 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 288 at Page 949, sold and conveyed unto Clyde P. Leferre and Margaret L. Leferre. The tract of land contains 2.3567 Acres.

LESS, HOWEVER, all that tract of land which Kingsdale Volunteer Fire Company by Deed dated June 6, 1975 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 322 at Page 1035, sold and conveyed unto Walter F.

Crouse and Laura M. Crouse. The tract of land contains 17,471 feet.

TRACT NO. 3:

BEGINNING at a point in the center line of State Route #194, at the Southwest corner of other land now owned by Kingsdale Volunteer Fire Company; thence by said other land of Kingsdale Fire Company, North sixty-nine (69) degrees fourteen (14) minutes fifty-nine (59) seconds West, one hundred sixty and zero hundredths (160.00) feet to a point; thence through the original land of Grantors, Walter F. Crouse and wife, North thirty (30) degrees fifty-eight (58) minutes one (01) second East, fifty and zero hundredths (50.00) feet to a point at land of Walter F. Crouse; thence along said land of Walter F. Crouse and the Northern side of a twenty-five (25) foot wide right of way, and running through a steel pin set back along the line eighteen and fifty hundredths (18.50) feet from the end of this course, South sixty-nine (69) degrees fourteen (14) minutes fifty-nine (59) seconds East, one hundred sixty and zero hundredths (160.00) feet to a P. K. nail in the center of Penna. State Route #194; thence in the center line of said State Highway, South thirty (30) degrees fifty-eight (58) minutes one (01) second West, fifty and zero hundredths (50.00) feet to a point in the center of said Road, at the Southwest corner of land presently owned by Kingsdale Fire Company, the place of BEGINNING, CONTAINING 7,873 square feet, neat measure.

This description was taken from a draft of survey dated December 14, 1972, by J. H. Rife, Reg. Engr.

IT BEING THE SAME TRACT OF LAND which Walter F. Crouse and Laura M. Crouse, husband and wife, by Deed dated June 16, 1975 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 322 at Page 1037, sold and conveyed unto Kingsdale Volunteer Fire Company, a Pennsylvania nonprofit corporation, the MORTGAGOR herein.

BEING THE SAME PREMISES which Walter F. Crouse and Laura M. Crouse, husband and wife, by deed dated January 2, 1950 and recorded April 12, 1950 in the Recorder of Deeds Office, in and for Adams County, Pennsylvania in Deed Book 190, Page 90, granted and conveyed unto Kingsdale Volunteer Fire Company, a Pennsylvania nonprofit corporation.

BEING THE SAME PREMISES which Glenn E. Crouse and Patricia K. Crouse, husband and wife, by deed dated August 29, 1967 and recorded August 29, 1967 in the Recorder of Deeds Office, in and for Adams County, Pennsylvania in Deed Book 263, Page 536, granted and conveyed unto Kingsdale Volunteer Fire

(continued on page 8)

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 VIVIAN S. HOLMES, DEC'D**

Late of Hamiltonban Township, Adams County, Pennsylvania

Executor: William Kelly, 3220 Fallstown Road, Falston, MD 21047

Attorney: Matthew R. Battersby, Esq., Battersby Law Office, P.O. Box 215, Fairfield, PA 17320

ESTATE OF GRACE A. KERRIGAN, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Co-Executors: Ronald C. Kerrigan, 276 Studebaker Lane, New Oxford, PA 17350; Sharon E. Shaffer, 255 New Chester Road, New Oxford, PA 17350; Joyce A. Funk, 8 Locust Lane, Gettysburg, PA 17325

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

ESTATE OF GEORGE P. KRAMER, DEC'D

Late of Liberty Township, Adams County, Pennsylvania

Executrix: Mary A. Kramer, c/o Appel & Yost, LLP, 33 N. Duke Street, Lancaster, PA 17602

Attorney: Peter B. Astorino, Esq., Appel & Yost, LLP, 33 N. Duke Street, Lancaster, PA 17602

ESTATE OF SHIRLEY M. NACE, DEC'D

Late of Highland Township, Adams County, Pennsylvania

Executor: Andrew P. Nace, 6670 Pigeon Hill Rd., Hanover, PA 17331-7982

ESTATE OF JEAN PACE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Charles C. Pace III and Sandra R. Pace, c/o Matthew L. Guthrie, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

ESTATE OF ANNA C. WILSON, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Co-Executors: Richard G. Wilson and Brian P. Wilson, c/o Patricia Carey Zucker, Esq., Daley Zucker Meilton Miner & Gingrich, LLC, 1035 Mumma Road, Suite 101, Wormleysburg, PA 17043

Attorney: Patricia Carey Zucker, Esq., Daley Zucker Meilton Miner & Gingrich, LLC, 1035 Mumma Road, Suite 101, Wormleysburg, PA 17043

SECOND PUBLICATION**ESTATE OF HENRY CHARLES BARBERIS, III, DEC'D**

Late of Butler Township, Adams County, Pennsylvania

Administrator: Henry Charles Barberis, Jr., 2385 Table Rock Rd., Biglerville, PA 17307

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

ESTATE OF THOMAS JOHN HARRISON, SR., DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

James Michael Harrison, 11704 Tumbrel Court, Fairfax, VA 22030

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

ESTATE OF PEARL J. SHUYLER, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Co-Executors: Lucille Pearl Sanders, 180 Knoxlyn Road, Gettysburg, PA 17325; Sterling M. Shuyler, 429 Poplar Springs Road, Orrtanna, PA 17353

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

ESTATE OF JASON M. SMITH, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Yvonne Kilmer, 160 Winding Brook Road, Biglerville, PA 17307

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

THIRD PUBLICATION**ESTATE OF FREDERICK T. BODENBERG, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Cathy A. Thompson, 302 Schoolhouse Rd., New Providence, PA 17560

Attorney: Jan L. Brown, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109

ESTATE OF NANCY K. CUSHING-DANIELS, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Administrator: Mark A. Cushing, 106 Hubbell Drive, Ithaca, NY 14850

Attorney: John J. Murphy, III, Esq., Patrono & Associates, LLC, 28 West Middle Street, Gettysburg, PA 17325

ESTATE OF PAUL B. FOX, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executrix: Shirley F. Nyland, 1311 Olde Saybrook Road, Lancaster, PA 17601

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

ESTATE OF JEANNE E. LEHMAN, DEC'D

Late of Latimore Township, Adams County, Pennsylvania

Executor: Wendell L. Lehman, P.O. Box 4, York Springs, PA 17372

ESTATE OF KEITH E. ORNDORFF, DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Leslie Bechtel, 164 Wheatland Drive, Gettysburg, PA 17325

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

ESTATE OF MAX ALBERT RICE, DEC'D

Late of the Borough of Abbottstown, Adams County, Pennsylvania

Administrators: Robert L. Rice, 11 Andes Dr., Mechanicsburg, PA 17055; Margaret A. Stiles, 225 Kennedy Ct., Hanover, PA 17331

Company, a Pennsylvania nonprofit corporation.

EXCEPTING THEREFROM, premises which Kingsdale Volunteer Fire Company conveyed to Clyde P. Leferre and Margaret L. Leferre, by deed dated December 3, 1970 and recorded in Deed Book 288, Page 949.

EXCEPTING THEREFROM, premises which Kingsdale Volunteer Fire Company conveyed to Walter F. Crouse and Laura M. Crouse by deed dated June 6, 1975 and recorded in Deed Book 322, Page 1035.

BEING THE SAME PREMISES which Walter F. Crouse and Laura M. Crouse, husband and wife, by deed dated June 16, 1975 and recorded February 9, 1976 in the Recorder of Deeds Office, in and for Adams County, Pennsylvania in Deed Book 322, Page 1037, granted and conveyed unto Kingsdale Volunteer Fire Company, its successors and assigns.

Premise Being: 1787 – 1789 Frederick Pike, Littlestown PA 17340

Parcel No. (15) I – 18 – 0044 - 000

SEIZED and taken into execution as the property of **Kingsdale Volunteer Fire Company, Inc.** 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.

11/6, 13 & 20

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on or about July 29, 2009 for the incorporation of 3524 YORK ROAD, INC., under the Pennsylvania Corporation Law of 1988. The initial registered office of the corporation is 126 Baltimore Street, Gettysburg, PA 17325.

Bernard A. Yannetti, Jr., Esq.
Hartman & Yannetti
Solicitors

11/6

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

No.: 09-SU-1579 (CIVIL)

JASON B. ROBERTS

vs.

MARY A. McKINNEY, ROSE McKINNEY
and JOSEPH McKINNEY

ORDER OF COURT

You, MARY A. McKINNEY, Defendant, have been sued in court to obtain custody of the child, NATALIE CRYSTAL ROBERTS. You are ordered to appear in person at the Adams County Courthouse, Courtroom No. 3, 2nd Floor, 117 Baltimore Street, Gettysburg, Pennsylvania on November 17, 2009, at 11:30 o'clock A.M. for:

- ☒ a conciliation or mediation conference.
- ☒ a pretrial conference.
- ☒ A Hearing before the court.
- ☐ The presence of the child(ren) is not required.
- ☐ The presence of the child(ren) is required.

If you fail to appear as provided by this Order to bring the child(ren), if so ordered, an Order for custody, partial custody or visitation may be entered against you or the Court may issue a warrant for your arrest. **YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, CONTACT THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

COURT ADMINISTRATOR
ADAMS COUNTY COURTHOUSE
GETTYSBURG, PA 17325
(717) 337-9846 FAX (717) 334-8817

11/6

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