

Adams County Legal Journal

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IN THIS ISSUE

CALVARY CHRISTIAN CENTER VS. SHULTZ

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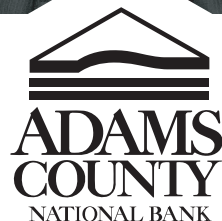
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-266 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of May, 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 Franklin Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the centerline of Chambersburg Road at corner of Lot No. 3 on the hereinafter referred to Plan of Lots, thence by said Lot No. 3 and passing through a reference steel rod set back 25.01 feet from the last mentioned point, and also passing through a point set back 117.10 feet from the next mentioned point, North 36 degrees 39 minutes 25 seconds East 304, 10 feet to a steel rod on the Southern edge of the Sun Gas Line right of way at corner of other land now or formerly of Allen W. Beckett, thence by said other land of Allen W. Beckett, South 62 degrees 18 minutes 25 seconds East 192.35 feet to a steel rod, thence continuing by said land of Allen W. Beckett and passing through a reference steel rod set back 25.00 feet from the next mentioned point, South 36 degrees 39 minutes 25 seconds West 334.07 feet to a point in the centerline of said Chambersburg Road, thence in said Chambersburg Road and passing through a point set back 90.00 feet from the last mentioned point North 53 degrees 20 minutes 35 seconds West, 190.00 feet to a point in the centerline of Chambersburg Road, the point and place of BEGINNING.

CONTAINING 1.301 acres, more or less.

The above description was taken from a Plan of Lots prepared by Adams County Surveyors, dated June 21, 2003, recorded in Plat Book 85 at page 58 (erroneously designated as page 85 in the prior Deed), designating the above as Record Book 3000 at page 46 and Lot A Addition.

Tax ID #: D11-103

SEIZED and taken into execution as the property of **Heather Ann Thomas & Richard Howard Thomas** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on May 28, 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.

4/9, 16 & 22

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-2026 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of May, 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, situate, lying and being in Reading Township, Adams County, Pennsylvania, bounded, limited and described as follows, to wit:

BEGINNING at a stake for a corner at Lot No. 42 and a 20 feet wide driveway; thence by said driveway North 1 degrees 22 minutes East 100 feet to a stake at Lot No. 45; thence by said Lot No. 45 South 83 degrees 43 minutes East 244.8 feet through a stake on the bank of the Conewago Creek to a point in said Creek; thence by said Creek South 15 degrees 40 minutes West 100 feet to a point in said Conewago Creek at Lot No. 42 North 83 degrees 58 minutes West, through a stake on the bank of said creek 219.8 feet to a stake and the place of BEGINNING.

It being known as Lots Nos. 43 and 44, Block No. 1A, on the plan of lots surveyed September 3, 1960, by George M. Wildasin for Harry A. Lauchman and Gertie R. Lauchman.

Parcel No. 36 L08-8

Property Address: 120 Conewago Drive, East Berlin, PA 17316

BEING the same premises which Debris A. Hunt, and Unmarried Widow, by her Deed dated May 3, 2006 and recorded on May 26, 2006 in the Office of the Recorder of Deeds in and for Adams County, in Deed Book 4431, Page 41, granted and conveyed unto Joseph Miller a/k/a Joseph L. Miller, a single man.

SEIZED and taken into execution as the property of **Joseph L. Miller a/k/a Joseph Miller** 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 May 28, 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.

4/1, 9 & 16

CALVARY CHRISTIAN CENTER VS. SHULTZ

1. Pennsylvania courts have endorsed and followed the procedure of allowing a party to file an amendment to cure a defective verification.

2. An indispensable party is one whose rights or interests are so pervasively connected with the claims of the litigants that no relief can be granted without infringing on those rights or interests.

3. When a court determines whether or not a party is indispensable in an action, the court makes at least the following inquiries: Do absent parties have a right or interest related to the claim?; If so, what is the nature of that right or interest?; Is that right or interest essential to the merits of the issue?; Can justice be afforded without violating the due process rights of absent parties?

4. A party against whom no redress is sought need not be joined.

In the Court of Common Pleas of Adams County, Pennsylvania,
Civil, No. 09-S-948, CAVALRY CHRISTIAN CENTER OF
HANOVER, PA. VS. DWAYNE R. SHULTZ AND PEGGY L.
SHULTZ.

John J. Mooney, III, Esq., for Plaintiff

Christina M. Simpson, Esq., for Defendant

Bigham, J., September 22, 2009

OPINION

STATEMENT OF FACTS

Plaintiff, Calvary Christian Center of Hanover, PA (Calvary), owns property in Berwick Township, Abbottstown, Adams County, Pennsylvania. The property is situated directly north of property owned by the Defendants, Dwayne and Peggy Shultz (the Shultzes). When Calvary purchased the property, the Shultzes' property contained one commercial building and a water retention pond. Since that time, the Shultzes have constructed additional commercial structures, including a barn and a garage.

On June 19, 2009, Calvary filed a Complaint against the Shultzes alleging the Shultzes neglected to receive approval from Berwick Township to build the additional structures and also neglected to accommodate the increased storm water runoff resulting from the new structures. Calvary alleges that storm water runs onto its property from the Shultzes' property and that the rear of the Shultz property has become overgrown with small trees and shrubbery, which has diverted additional water onto the Calvary property.

Calvary alleged Storm Water Trespass, Nuisance, and Negligence on the part of the Shultzes. Calvary requested the Shultzes provide the following relief for all counts:

- a. “Employ an engineer to do a thorough evaluation of the storm water runoff trends on the Defendant’s land.
- b. Follow the storm water management plan created by said engineer, and
- c. Take whatever other steps may be necessary to stop the damage which is being caused to Plaintiff’s land by the storm water runoff from Defendant’s land.”

Complaint ¶¶ 28, 33, 39.

On July 9, 2009, the Shultzes filed Preliminary Objections to Calvary’s Complaint and also a Brief in Support. The Preliminary Objections raised are: Defective Complaint and Verification, and Failure to Join an Indispensable Party.

Calvary filed an Answer and Brief in Response on July 29, 2009. Neither party requested oral argument. On July 29, 2009, Calvary filed a Praecipe to Attach, requesting that an Affidavit, signed by Tony W. Eline, President of Calvary Christian Center of Hanover, PA, be attached to the Complaint. In the Affidavit, Mr. Eline swears he is an authorized agent for Calvary.

DISCUSSION

When considering preliminary objections, all material facts set forth in the challenged pleadings, as well as any inferences reasonably deducible therefrom, are admitted as true. *Hykes v. Hughes*, 835 A.2d 382, 383 (Pa. Super. 2003). Preliminary objections that assert a pleading is legally insufficient may only be sustained where “it appears with certainty that the law permits no recovery under the allegations pleaded.” *Green v. Mizner*, 692 A.2d 169, 172 (Pa. Super. 1997).

I. DEFECTIVE COMPLAINT AND VERIFICATION

The Shultzes argue that, in its Complaint, Calvary failed to state the relationship between it and Tony W. Eline, the individual who signed the Verification, and whether Mr. Eline was authorized to sign on behalf of Calvary.

“A petition or an answer containing an allegation of fact which does not appear of record shall be verified.” Pa.R.C.P. 206.3 (2009). “Verified” means “supported by oath or affirmation or made subject

to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.” Pa.R.C.P. 76 (2009). Pennsylvania Rule of Civil Procedure 1024 sets forth the requirements for Verification as follows:

“(a) Every pleading containing an averment of fact not appearing of record in the action or containing a denial of fact shall state that the averment or denial is true upon the signer’s personal knowledge or information and belief and shall be verified. The signer need not aver the source of the information or expectation of ability to prove the averment or denial at the trial. A pleading may be verified upon personal knowledge as to a part and upon information and belief as to the remainder. . .

(b) . . .

(c) The verification shall be made by one or more of the parties filing the pleading unless all the parties (1) lack sufficient knowledge of information, or (2) are outside the jurisdiction of the court and the verification of none of them can be obtained within the time allowed for filing the pleading. In such cases, the verification may be made by any person having sufficient knowledge or information and belief and shall set forth the source of the person’s information as to matters not stated upon his or her own knowledge and the reason why the verification is not made by a party.”

Pa.R.C.P. 1024 (2009).

“[A] defective verification must be attacked promptly by preliminary objection. . . If the party affected does not object to the defects in a verification, the objection is waived.” *Estate of Carvalho v. Kasak*, 70 Pa. D. & C. 4th 569, 573 (C.P. Monroe 2004). However, Pennsylvania law allows amendments to be filed liberally, as long as they do not violate the law “by introducing a new cause of action after the statute of limitations had run or prejudicing the rights of opposing parties.” *Id.* (citing *Miners Savings Bank of Pittston v. Naylor*, 342 Pa. 273, 279, 20 A.2d 287, 291 (1941); see *George A. Althof, Inc. v. Spartan Inns of America, Inc.*, 295 Pa. Super. 287, 292, 441 A.2d 1236, 1238 (1982)). Pennsylvania courts have endorsed and followed the procedure of allowing a party to file an amendment

to cure a defective verification. *Atlantic Credit and Finance, Inc. v. Giuliana*, 2003 Pa. Super. 259, 829 A.2d 340, 344 (2003) (citing *George A. Althof, Inc. v. Spartan Inns of America, Inc.*, 295 Pa. Super. 287, 441 A.2d 1236 (1982); *Monroe Contract Corp. v. Harrison Square, Inc.*, 266 Pa. Super. 549, 405 A.2d 954 (1979)); *Sandy Creek Forest, Inc. v. Covington Township*, 30 Pa. D. & C. 3d 242, 246 (C.P. Lackawanna 1984); See also *Dallmeyer v. Giroux*, 65 Pa. D. & C. 2d 250 (C.P. Adams 1974).

In *Sandy Creek Forest, Inc.*, the plaintiff corporation failed to indicate that the complaint was verified by an authorized representative of the corporation. The court reasoned that the defect in the verification “could readily be cured by the filing of an amended affidavit.” *Sandy Creek Forest, Inc.*, 30 Pa. D. & C. 3d at 246. The facts in the case *sub judice* are strikingly similar. After being informed of the defect in its verification, Calvary filed a Praeceptum to Attach an affidavit wherein Mr. Eline indicated his relationship to Calvary, as its President, and affirmed his authority to act on its behalf. *Praeceptum and Affidavit*, July 29, 2009. The relationship and authority averred by Calvary and Mr. Eline comports with the requirements of Pennsylvania Rule of Civil Procedure 1024. This action on the part of Calvary equates to an amendment curing the defective verification. This objection is overruled.

II. FAILURE TO JOIN BERWICK TOWNSHIP AS AN INDISPENSABLE PARTY

The Shultzes maintain that Berwick Township is an indispensable party and allege that the township has an interest related to Calvary’s claims, since the township governs the land development process, including storm water management plans.

The Declaratory Judgment Act provides that “all persons shall be made parties who have or claim any interest which would be affected by the declaration,” that prejudice shall not result from the declaration to a party not joined, and that “[i]n any proceeding which involves the validity of a municipal ordinance or franchise, such municipality shall be made a party and shall be entitled to be heard.” 42 Pa.C.S.A. § 7540 (2009). Joining an indispensable party is compulsory. *Sandy Creek Forest, Inc.*, 30 Pa. D. & C. 3d at 246 (citing *Allegheny County v. Commonwealth of Pennsylvania*, 71 Pa. Commw. 32, 453 A.2d 1085 (1983); *Mid-Centre County Authority v.*

The Township of Boggs et al., 34 Pa. Commw. 494, 384 A.2d 1008 (1978)). The absence of an indispensable party renders any decree or order in the matter void for lack of jurisdiction. *Hubert v. Greenwald*, 743 A.2d 977, 979 (Pa. Super. 1999); *Church of the Lord Jesus Christ of the Apostolic Faith, Inc. v. Shelton*, 740 A.2d 751, 755 (Pa.Cmwlth. 1999). Whenever the court lacks jurisdiction, it shall transfer the action to a court with jurisdiction or it shall dismiss the action. Pa.R.C.P. 1032(b) (2009).

An indispensable party is one whose rights or interests are so pervasively connected with the claims of the litigants that no relief can be granted without infringing on those rights or interests. *Mechanicsburg Area School District v. Kline*, 431 A.2d 953, 956 (Pa. 1981); *Hubert*, 743 A.2d at 979; *Church of the Lord Jesus Christ*, 740 A.2d at 755; *Sprague v. Casey*, 520 Pa. 38, 48, 550 A.2d 184, 189 (1988) (citing *Tigue v. Basalyga*, 451 Pa. 436, 304 A.2d 119 (1973); *Powell v. Shepard*, 381 Pa. 405, 113 A.2d 261 (1955)). It follows then “that a party against whom no redress is sought need not be joined.” *Sprague*, 520 Pa. at 48, 550 A.2d 184, 189 (citing *Kern v. Duquesne Brewing Co.*, 396 Pa. 279, 152 A.2d 682 (1959); *In re Culbertson’s Estate*, 301 Pa. 438, 152 A. 540 (1930)).

The test for determining whether a party is indispensable is a facts and circumstances test. *City of Philadelphia v. Commonwealth*, 575 Pa. 542, 572, 838 A.2d 566, 584 (2003). When a court determines whether or not a party is indispensable in an action, the court makes at least the following inquiries: “Do absent parties have a right or interest related to the claim?; If so, what is the nature of that right or interest?; Is that right or interest essential to the merits of the issue?; Can justice be afforded without violating the due process rights of absent parties?” *Mechanicsburg Area School District*, 431 A.2d at 956.

First, the Court must address whether the township ordinance is being directly challenged by petitioner. If there is a direct challenge to the ordinance, then Berwick Township is an indispensable party and must be joined. *Sandy Creek Forest, Inc.*, 30 Pa. D. & C. 3d at 246 (citing *Allegheny County v. Commonwealth of Pennsylvania*, 71 Pa. Commw. 32, 453 A.2d 1085 (1983); *Mid-Centre County Authority v. The Township of Boggs et al.*, 34 Pa. Commw. 494, 384 A.2d 1008 (1978)). Petitioner in this case is not challenging the validity of any Berwick Township ordinance directly because the

allegation is that noncompliance with the ordinance caused Calvary's injury, not that the ordinance caused any injury. Since petitioner has not challenged the ordinance itself, joinder of Berwick Township as an indispensable party is not compulsory.

Despite the fact that the ordinance is not being directly challenged, the storm water management ordinance must be scrutinized to determine to what extent, if any, Berwick Township's rights or interests may be affected by a decree in this action. The purposes and policies underlying the Storm Water Management Act are enumerated within the act itself, and include: encouraging planning and management of storm water runoff, preserving and restoring the land's natural capacity to drain and retain storm water, protecting and conserving groundwater, and encouraging local administration of these laws in accordance with the State's ideals. 32 P.S. § 680.3 (2009).

The statutory definitions of "storm water," "watershed," and "watershed storm water plan" are relevant to the question of indispensability, in that these terms set the limits of Berwick Township's interest in the matter. "Storm water" is defined as "drainage runoff from the surface of the land resulting from precipitation or snow or ice melt." 32 P.S. § 680.4 (2009). "Watershed" is "the entire region or area drained by a river or other body of water, whether natural or artificial." *Id.* "Watershed storm water plan" is defined as "a plan for storm water management adopted by a county in accordance with section 5 [32 P.S. § 680.5]." *Id.* The Act goes on to instruct counties and municipalities in the creation and adoption of watershed storm water plans. 32 P.S. § 680.5 . . . 680.10 (2009).

Further, the following duties and responsibilities of individual landowners are clearly set forth within the act:

"Any landowner and any person engaged in the alteration or development of land which may affect storm water runoff characteristics shall implement such measures consistent with the provisions of the applicable watershed storm water plan as are reasonably necessary to prevent injury to health, safety, or other property. Such measures shall include such actions as are required:

- (1) to assure that the maximum rate of storm water runoff is no greater after development than prior to development activities; or

(2) to manage the quantity, velocity and direction of resulting storm water runoff in a manner which otherwise adequately protects health and property from possible injury.”

32 P.S. § 680.13 (2009). In other words, individual landowners are to comply with the overall watershed storm water plan set forth by the county and local municipality. Since the Shultzes are individual landowners within the confines of Berwick Township, they were under a duty to comply with Berwick Township’s watershed storm water plan when they developed their land. Berwick Township did not act, and its ordinance is unaffected by the Shultzes’ land development.

Calvary is requesting the following relief from the Shultzes:

- a. “Employ an engineer to do a thorough evaluation of the storm water runoff trends on the Defendant’s land.
- b. Follow the storm water management plan created by said engineer, and
- c. Take whatever other steps may be necessary to stop the damage which is being caused to Plaintiff’s land by the storm water runoff from Defendants’ land.”

Complaint ¶¶ 28, 33, 39. Nowhere in the sought after relief is any action required on the part of Berwick Township. As stated above “a party against whom no redress is sought need not be joined.” *Sprague*, 520 Pa. at 48, 550 A.2d 184, 189. Thus, Berwick Township would not be an indispensable party to this action.

Even when addressing the *Mechanicsburg* inquiries, Berwick Township does not have any right or interest so connected to the claims in the case that injustice would be done by not joining the township. Berwick Township’s right or interest involved in this situation is simply its interest in promoting the watershed storm water plan *in toto*. The Township’s right or interest does not arise with respect to a single property within the watershed, unless that single property has a substantial effect on the watershed as a whole. Such a substantial effect would bring the entire storm water management scheme into question. Berwick Township cannot have an interest in this litigation if its ordinance is not challenged and no remedy would involve particular action by the township.

On the other hand, if Berwick Township's interest arises whenever an individual landowner is noncompliant with the watershed storm water plan, then perhaps Berwick Township may have an inconsequential interest here. The nature of that interest is unrelated to Calvary's claims in this case. Berwick Township may levy a fine or impose some other sanction against a noncompliant landowner, but such action is within its sole discretion to undertake. This case and these claims deal with injury to a single property within the watershed. It is alleged only that the Shultzes' actions, in failing to consult and comply with the Township's watershed storm water plan prior to commencing various construction projects and in allowing the overgrowth of shrubbery to divert water onto Calvary's property, caused injury to Calvary's property. *Complaint* ¶¶ 7-15, 17-25. Nowhere is it alleged that Berwick Township is in any way responsible for such injury. Further, no remedy is being sought from the township.

Berwick Township's due process rights remain unaffected by any decree in this action because if Calvary succeeds on its claims, the Shultzes will hire an engineer and follow the engineer's plan, which must comply with the watershed storm water plan. Berwick Township will have to do nothing, save approve or deny the engineer's proposal. Approving and denying proposals is ordinary business for townships and is not essential to the merits of this case.

Prior to any further action being taken on the Shultzes' property, Berwick Township will have an opportunity to state its position regarding proposed action. Such opportunity may be exercised at the whim of the Township. Thus, the Township's due process rights will not be infringed upon by any decree in this matter.

In consideration of the foregoing reasons, Berwick Township is not an indispensable party to this action. Therefore, no joinder is necessary, this Court has jurisdiction over the matter, and the case may proceed. Objection overruled.

Accordingly, the attached Order is entered.

ORDER OF COURT

AND NOW, this 22nd day of September, 2009, in consideration of Defendant's Preliminary Objections to Plaintiff's Complaint, IT IS ORDERED THAT Defendant's Preliminary Objections are overruled.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1534 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of May, 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 Mount Pleasant Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pipe on the edge of a 50 foot wide right of way known as County Drive, at corner of Lot No. 75, as shown on the hereinafter identified survey; thence by Lot No. 75, South 70 degrees 35 minutes 46 seconds East, 200.00 feet to an iron pipe along line of other lands now or formerly of Thomas P. Gebhart; thence along said other lands now or formerly of Thomas P. Gebhart South 19 degrees 24 minutes 14 seconds West, 96.00 feet to an iron pipe at corner of Lot No. 77; thence by Lot No. 77, north 70 degrees 35 minutes 46 seconds West, 200.00 feet to an iron pipe on the edge of a 50 foot wide right of way known as Country Drive, at corner of Lot No. 76; thence continuing along the right of way of County Drive, North 19 degrees 24 minutes 14 seconds East, 96.00 feet to an iron pipe of the edge of a 50 foot wide right of way known as Country Drive, at corner of Lot No. 75, the point and place of BEGINNING. CONTAINING 19,200 square feet.

The above description for Lot No. 76 was taken from a subdivision plan entitled "Wheatland Acres," dated April 7, 1987, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 51 at page 15.

SUBJECT, NEVERTHELESS, to the following covenants, conditions and restrictions:

1. The lot hereby conveyed shall be used for residential purposes only.

2. No building shall be erected, built or maintained upon any part of the lot of the land hereby conveyed except a single family private dwelling house and private garage for the use of the owner, tenant and occupier of the same. The garage shall conform with the architectural design of the dwelling, and be attached to the dwelling.

3. No trailer or mobile home, tent, ham or garage other than item 2 above, or other outbuildings, except a dog house, shall be erected or permitted to remain on this lot, temporarily or permanently, nor shall any residence of a temporary character be permitted.

4. No dogs or cats shall be kept or maintained on the premises except as household pets and dogs shall be kept on the premises.

5. The lot hereby conveyed shall not be dedicated as, or permitted to be used or opened as a right of way for the purpose of ingress, egress or regress between other land and the proposed road or streets upon which the lot hereby conveyed fronts; and no utility rights of way other than those presently existing or for service to the dwelling on this lot shall be given or granted.

6. No part of this lot or the structure erected thereon shall be used at any time for the carrying on of any trade or business and no shop or store shall be kept thereon.

7. No driveway of any other lot, thus forming a thruway from one to another.

8. This lot shall not be re-subdivided into lots or parts thereof.

9. If the grantees, their heirs, executors, administrators or assigns, shall violate or attempt to violate any of the covenants, restrictions or reservations herein contained, it shall be lawful for the grantors or any other person or persons claiming under them, residing in said neighborhood, to prosecute at law or in equity, against the person or persons violating or attempting to violate any such covenants or restrictions in order to prevent him, her or them from so doing, or to recover damages for such violation.

10. No junk of any sort, including junked automobiles, rubbish, trash, garbage or other waste, shall be placed on said lot or be permitted to accumulate thereon.

11. On the availability of municipal sewer and/or water service to the within described lot, owner of the lot must utilize said services.

12. A residence built on this tract must contain a minimum of 1,100 square feet of living space, exclusive of porches and garage, and must be finished with an outer surface which is at least one-half (1/2) brick or stone.

TITLE TO SAID PREMISES IS VESTED IN Timothy Rife and Kristina Krumrine, as joint tenants with the right of survivorship, by Deed from Thomas P. Gebhart and Mary L. Gebhart, h/w, dated 04/19/2007, recorded 04/25/2007 in Book 4816, Page 11.

Tax Parcel: (32) 4-105

Premises Being: 72 Country Drive, Gettysburg, PA 17325-7774

SEIZED and taken into execution as the property of **Timothy Rife a/k/a Timothy L. Rife & Kristina D. Rife a/k/a Kristina Krumrine** 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 May 28, 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.

4/1, 9 & 16

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 16th day of February, 2010, for the purpose of obtaining a Certificate of Incorporation of a proposed corporation to be organized under the provisions of the Pennsylvania Business Law of 1988, P.L. 1444, No. 177, as amended. The name of the corporation is THE CENTRAL PENNSYLVANIA CHAPTER OF CONCERNS OF POLICE SURVIVORS, INC. with a registered office of the corporation being 59 Ruppert Road, East Berlin, Pennsylvania 17316.

Greg Lam, Esq.
Copilevitz & Canter, LLC
310 W. 20th Street, Suite 300
Kansas City, Missouri 64108

4/16

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed with the Department of State on February 26, 2010, under the Pennsylvania Business Corporation Law for **FILTREXX MID-ATLANTIC**, owned by Hunt Ventures, LLC. The address for both entities is 53 Cannon Lane, Gettysburg, PA 17325.

Skarlatos Zonarich
Attorneys at Law, LLP
17 South Second Street, 6th Floor
Harrisburg, PA 17101-2039

4/16

LEGAL NOTICE

NOTICE OF INTENTION OF THE
FAIRFIELD BOROUGH COUNCIL
TO APPROVE AND ADOPT AN
AMENDMENT TO THE ARTICLES
OF INCORPORATION OF THE
FAIRFIELD MUNICIPAL AUTHORITY
ITS TERM OF EXISTENCE

NOTICE IS HEREBY GIVEN that the Borough of Fairfield, Adams County, Pennsylvania, by the Fairfield Borough Council, intends to enact at their regular meeting on Tuesday, April 27, 2010, a Resolution authorizing the term of existence of the Fairfield Municipal Authority for an additional fifty (50) years from the date of enactment.

The Fairfield Borough Council will receive and consider any written or verbal public input relative to the enactment of the Resolution as aforesaid at said Council's regularly-scheduled public meeting on Tuesday, April 27, 2010, commencing at 7:00 o'clock p.m., prevailing time, in the Borough Council Meeting Room of the Fairfield Borough Office, 108 West Main Street, Fairfield, Adams County, Pennsylvania 17320. Phone: (717) 642-5640. The Fairfield Borough Council intends to take official action thereon at said April 27, 2010 public meeting.

Borough of Fairfield
Fairfield Borough Council

Matthew R. Battersby
Fairfield Borough Solicitor

4/16

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act of Assembly, No. 295, effective March 16, 1983, of the filing in the office of the Department of State, of the Commonwealth of Pennsylvania, at Harrisburg, PA on March 30, 2010, for an Application for the conduct of business in Adams County, Pennsylvania, under the assumed or fictitious name, style or designation of GARY LOWENTHAL 2010 PARTNERSHIP – NUMBER ONE with the principal place of business at 1198 Bullfrog Road, Fairfield, PA 17320.

The name and address of the individual and trust interested in said business are: Gary Lowenthal & Gary Lowenthal 2010 Retained Annuity Trust – Number One (Trust), 1198 Bullfrog Road, Fairfield, PA 17320

Cozen O'Connor P.C., Solicitors
200 Four Falls, Ste. 400
West Conshohocken, PA 19428-0800

4/16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1716 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of May, 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 situate in the Borough of Biglerville, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pin at the northern edge of Maple Avenue at land now or formerly of McDonnell and Gorman; thence along the northern edge of Maple Avenue North 89 degrees west, 80 feet to an iron pin at lands now or formerly of McDonnell and Gorman; thence by the same North 1 degrees 14 minutes West 18.19 feet to an iron pin at the southern edge of said 14 foot proposed alley, South 88 degrees 52 minutes East 80 feet to an iron pin along the southern edge of said 14 foot proposed alley at land now or formerly of McDonnell and Gorman; thence by the same South 1 degrees 14 minutes East 18137 feet to an iron pin at the northern edge of Maple Avenue, the place of BEGINNING.

TAX PARCEL NO: 5-3-20

BEING KNOWN AS: 23 Maple Avenue, Biglerville, PA 17307

SEIZED and taken into execution as the property of **Jeremy M. Pyers** 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 May 28, 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.

4/1, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-2039 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of May, 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.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-2039

NATIONSTAR MORTGAGE LLC

vs.

LESLIE E. ABENDSCHOEN

49 APPLE JACK LANE
LITTLESTOWN, PA 17340-1149

Parcel No.: 27-004-0012-011

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$109,994.15

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Leslie E. Abendschoen** 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 June 11, 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.

4/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-769 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of May, 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.:

By virtue of Writ of Execution
No. 09-S-769

THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK AS
TRUSTEE FOR THE CERTIFICATE-
HOLDERS CWALT, INC. ALTERNATIVE
LOAN TRUST 2005-63 MORTGAGE
PASSTHROUGH CERTIFICATES,
SERIES 2005-63
VS.

JEVON E. DOLAN

109 HEMLOCK DRIVE
HANOVER PA 17331

Parcel No. (08) 021-0073---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$197,112.63

Attorneys for Plaintiff
Goldbeck, McCafferty & McKeever

SEIZED and taken into execution as
the property of **Jevon E. Dolan** 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 June 11, 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.

4/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1979 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of May, 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.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1979

CHASE HOME FINANCE LLC
vs.

WILLIAM BEALL, SR a/k/a WILLIAM E.
BEALL, SR
JEAN M. BEALL

122 CONEWAGO DRIVE
HANOVER PA 17331-8775

Parcel No.: 08-K14-224
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$223,405.61

Attorneys for Plaintiff
Phelan Hallinan & Schmiegl, LLP

SEIZED and taken into execution as
the property of **William Beall, Sr. a/k/a**
William E. Beall, Sr. & Jean M. Beall
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 June 11, 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.

4/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1974 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of May, 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.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1974

BAC HOME LOANS SERVICING, L.P.
vs.

LINDA A. EDMONDS

190 MAPLE DRIVE
HANOVER PA 17331-8941

Parcel No.: (08) 024-0028---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$207,452.77

Attorneys for Plaintiff
Phelan Hallinan & Schmiegl, LLP

SEIZED and taken into execution as
the property of **Linda A. Edmonds** 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 June 11, 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.

4/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1862 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of May, 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.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1862

ADAMS COUNTY NATIONAL BANK
vs.

GETTYSBURG ECONOMIC
DEVELOPMENT CORPORATION

108 NORTH STRATTON STREET
GETTYSBURG PA 17325

Parcel No.: (16) 007-0125---000
(Acreage or street address)

IMPROVEMENTS THEREON

JUDGMENT AMOUNT: \$2,075,800.67

Attorneys for Plaintiff
CGA LAW FIRM, P.C.

SEIZED and taken into execution as the property of **Gettysburg Economic Development Corporation** 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 June 11, 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.

4/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-500 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of May, 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.:

By virtue of Writ of Execution
No. 08-S-500

US BANK NA
VS.

KEVIN M. GASPIN
SHARI ELLEN GASPIN

59 STEELMAN MARKER ROAD
FAIRFIELD PA 17320

Parcel No. (25) C18-0011A---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$279,296.82

Attorneys for Plaintiff
Daniel Mancini & Associates

SEIZED and taken into execution as the property of **Kevin M. Gaspin & Shari Ellen Gaspin** 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 June 11, 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.

4/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1145 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 21st day of May, 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.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1145

WELLS FARGO BANK, NA
VS.

IVY D. GRIFFIE

345 OXFORD ROAD
NEW OXFORD. PA 17350-9701

Parcel No: (35) 001-0129---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$184,526.77

Attorneys for Plaintiff
Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Ivy D. Griffie** 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 June 11, 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.

4/16, 23 & 30

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 ELIZABETH B. FEESER, DEC'D**

Late of Union Township, Adams County, Pennsylvania

Executor: Steven W. Hawks, 78 Rondout Harbor, Port Ewen, NY 12466

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

ESTATE OF DOROTHY K. HECKMAN, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Co-Executors: Donald C. Heckman, 14 Slate Hill Rd., Camp Hill, PA 17011; Nancy H. Costella, 3255 Biglerville Rd., Biglerville, PA 17307

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

ESTATE OF MARY CATHERINE MARSHALL, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Sterling Douglas Leach, Jr., 511 Westview Road, Needmore, PA 17238

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

ESTATE OF ALLEN I. McDONNELL, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Co-Executors: Nesa J. Mudd, 324 Victor Street, Gettysburg, PA 17325; Dennis A. McDonnell, 10 End Street, Savannah, GA 31419

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

ESTATE OF MARY KATHERINE McGLAUGHLIN, DEC'D

Late of Hamiltonban Township, Adams County, Pennsylvania

Co-Executors: George C. Harbaugh, 20 Gin Trail, Fairfield, PA 17320; Steve E. McGlaughlin, 15 Mill Drive, Dillsburg, PA 17019

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

ESTATE OF DOLORES M. WOLF, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executors: Trina M. Vain, 2061 Stoverstown Road, Spring Grove, PA 17362; Elaine M. Breighner, 23 Center Street, Hanover, PA 17331

Attorney: Larry W. Wolf, P.C., 215 Broadway, Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF WILLIAM C. GARDE a/k/a WILLIAM CRAIG GARDE, DEC'D**

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Barbara L. Garde, 14 Ski Run Trail, Fairfield, PA 17320

Attorney: Phillips & Phillips, 101 W. Middle St., Gettysburg, PA 17325

ESTATE OF GERALD C. MCCARTHY, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executors: Joseph R. Zeigler and Marilyn W. Zeigler, 1030 Beecherstown Road, Biglerville, PA 17307

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

ESTATE OF MARY J. MYERS, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrices: Judy Mae Myers-Moore & Patricia L. Myers a/k/a Patricia Lee Weitkamp, 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 RICKY O. STALEY, DEC'D

Late of Hamiltonban Township, Adams County, Pennsylvania

Executor: Scott C. Baker, 10942 Coral Ridge Road, Fayetteville, PA 17222

Attorney: Timothy W. Misner, Esq., 39 South Broad Street, Waynesboro, PA 17268-1610

ESTATE OF DOLORES M. STAMETS, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: Steven B. Stamets, 701 Smallwood Rd., Rockville, MD 20850

ESTATE OF KATHRYN L. SWISHER, DEC'D

Late of Hamiltonban Township, Adams County, Pennsylvania

Deborah Shockey, 1241 Iron Springs Road, Fairfield, PA 17320; Shirley Scott, 285 Cold Springs Road, Gettysburg, PA 17325

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

THIRD PUBLICATION**ESTATE OF CHARLES PETER FRIEDEL, DEC'D**

Late of the Borough of Littlestown, Adams County, Pennsylvania

Administrator: Janice R. Friedel, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

ESTATE OF GERTRUDE D. HERMAN a/k/a GERTRUDE DAISY HERMAN, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executrix: Judy A. Day a/k/a Judy Ann Herman, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, 106 Harrisburg St., P.O. Box 606, East Berlin, PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, 106 Harrisburg St., P.O. Box 606, East Berlin, PA 17316

ESTATE OF JOYCE P. HULL, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: George F. Kimble, 704 Wright Ave., Gettysburg, PA 17325

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

ESTATE OF EVELYN G. JACOBY, DEC'D

Late of Tyrone Township, Adams County, Pennsylvania

Executrices: Deborah D. Grim, 320 W. Guernsey Road, Biglerville, PA 17307; Naomi V. Warren, 4885 Old Harrisburg Road, Gettysburg, PA 17325

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

(continued on page 8)

THIRD PUBLICATION (CONTINUED)

ESTATE OF RUTH O. NOBLE a/k/a
RUTH TERESA NOBLE, DEC'D

Late of Hamilton Township, Adams
County, Pennsylvania

Executors: David C. Noble, 266 Dicks
Dam Road, New Oxford, PA 17350;
Lori A. Noble a/k/a Laure A. Noble,
119 Vegas Drive, Hanover, PA
17331

Attorney: Ronald J. Hagarman, Esq.,
110 Baltimore Street, Gettysburg,
PA 17325

ESTATE OF ROSA M. ROBINSON,
DEC'D

Late of the Borough of Fairfield,
Adams County, Pennsylvania

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

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

ESTATE OF BETTY L. ROGERS, DEC'D

Late of Mt. Pleasant Township, Adams
County, Pennsylvania

Executrix: Connie Healy, 341 Pegram
Street, Gettysburg, PA 17325

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

ESTATE OF JOSEPH A. VECHINI,
DEC'D

Late of Hamilton Township, Adams
County, Pennsylvania

Vanessa Baker, 805 Dick's Dam Rd.,
New Oxford, PA 17350

Attorney: Ralph D. Oyler, Esq., 31 S.
Washington Street, Gettysburg, PA
17325

ESTATE OF PEGGY WOODFIELD
WATKINS a/k/a PEGGY W. WATKINS,
DEC'D

Late of Cumberland Township, Adams
County, Pennsylvania

Co-Executors: Steven E. Watkins, 475
Epping Forest Rd., Annapolis, MD
21401; Dennis W. Watkins, 529
Hessel Ct., Viera, FL 32955

SHERIFF'S SALE

IN PURSUANCE of a Writ of
Execution, Judgment No. 09-S-1904
issuing out of Court of Common Pleas
Adams County, and to me directed, will
be exposed to Public Sale on Friday, the
21st day of May, 2010, at 10:00 o'clock in
the forenoon at the Sheriff's Office locat-
ed in the Courthouse, Borough of
Gettysburg, Adams County, PA, the fol-
lowing Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1904

CITIMORTGAGE INC S/B/M ABN
AMRO MORTGAGE GROUP INC.

vs.

BRUCE KIDWELL

2902 HANOVER PIKE
HANOVER, PA 17331-8843

Parcel No.: 08-K15-0028-000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$202,354.97

Attorneys for Plaintiff
Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Bruce Kidwell** 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 June 11, 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 prop-
erty 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.

4/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of
Execution, Judgment No. 09-S-1777
issuing out of Court of Common Pleas
Adams County, and to me directed, will
be exposed to Public Sale on Friday, the
21st day of May, 2010, at 10:00 o'clock in
the forenoon at the Sheriff's Office locat-
ed in the Courthouse, Borough of
Gettysburg, Adams County, PA, the fol-
lowing Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1777

HSBC BANK USA NA
VS.

RANDY M. KNOX
JOYCE A. KNOX

361 B SHIPPENSBURG ROAD
BIGLERVILLE PA 17307

Parcel No: (29) C07-0004---000.01
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$205,921.32

Attorneys for Plaintiff
Udren Law Offices, P.C.

SEIZED and taken into execution as
the property of **Randy M. Knox & Joyce
A. Knox** 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 June 11, 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 prop-
erty 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.

4/16, 23 & 30