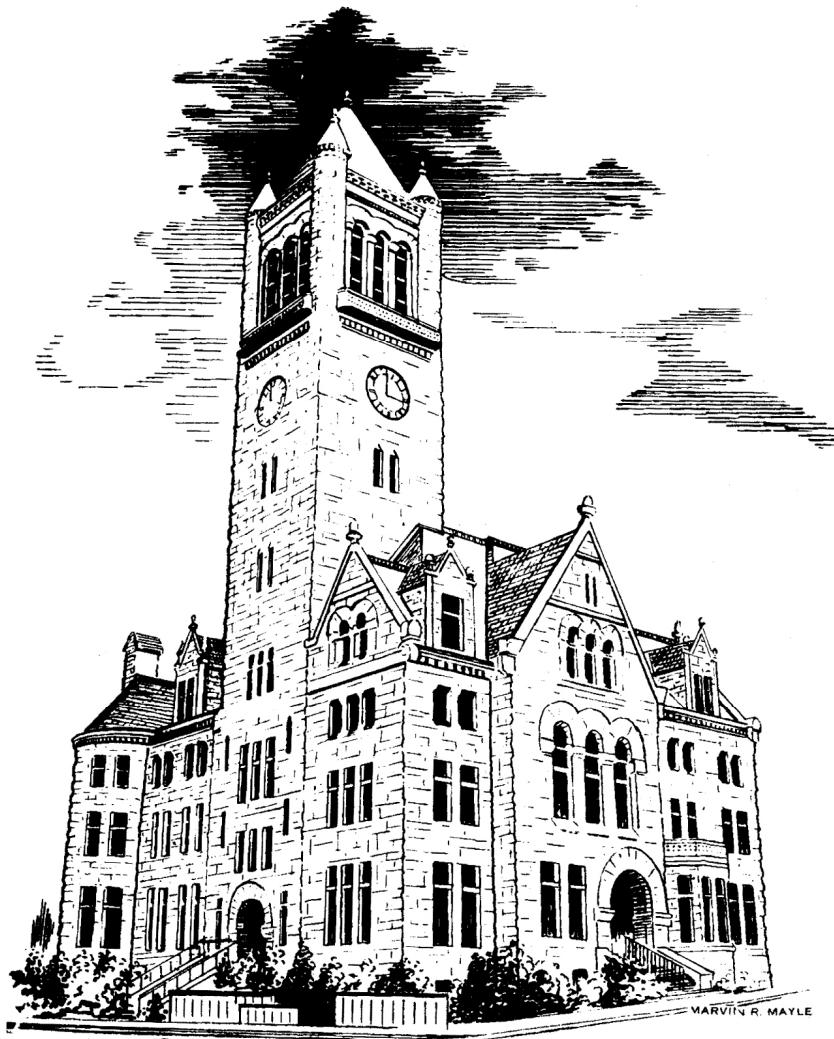


FAYETTE LEGAL JOURNAL

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FAYETTE LEGAL JOURNAL

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

SHARON FARKAS, late of Perry Township, Fayette County, PA (3)

Executor: Jack Farkas
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401

Attorney: James E. Higinbotham, Jr.

SARAH E. HUDAQ, a/k/a SALLY HUDAQ, late of Uniontown, Fayette County, PA (3)

Administratrix: Suzanne Jones
c/o Tiberi Law Office
84 East Main Street
Uniontown, PA 15401

Attorney: Vincent M. Tiberi

MARGARET KALP, a/k/a MARGARET LOUISE KALP, late of Bullskin Township, Fayette County, PA (3)

Co-Executors: Darren E. Kalp and
Brett G. Kalp
749 North Church Street
Mt. Pleasant, PA 15666

Attorney: Michael Johnson

SHEILA RAE WILSON, late of Georges Township, Fayette County, PA (3)

Personal Representative:
Richard Franklin Wilson
76 East Main Street
Uniontown, PA 15401

Attorney: Douglas S. Sholtis

Second Publication

KIMBERLY ANN HILEMAN, a/k/a

KIMBERLY A. HILEMAN, late of Washington Township, Fayette County, PA (2)

Executrix: Heather A. Hileman
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401

Attorney: Christian E. Seseck

ANNA MARIE HORVATH, a/k/a ANNIE HORVATH, late of Dunbar Township, Fayette County, PA (2)

Executrix: Lee Ann Park
135 Knox Avenue
Brownsville, PA 15417

WILLIAM T. RYAN, late of Brownsville Borough, Fayette County, PA (2)

Executor: Keith F. Ryan
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401

Attorney: Robert L. Webster, Jr.

ROBERT STERBUTZEL, a/k/a ROBERT LEO STERBUTZEL, JR., late of McClellandtown, Fayette County, PA (2)

Administratrix: Patricia Sterbutzel
c/o Conti Law
7880 Steubenville Pike
Oakdale, PA 15071

Attorney: Blake Birchmeier

WILLIAM WADDELL, late of Uniontown City, Fayette County, PA (2)

Executrix: Barbara Keefer
c/o Rowan Law Office
890 Vanderbilt Road
Connellsville, PA 15425

Attorney: Mark Rowan

First Publication

SHARON KLAY, a/k/a SHARON M. KLAY, late of Wharton Township, Fayette County, PA

Personal Representative: (1)

Christian W. Klay

c/o Mithcell Law Office

P.O. Box 122

Hiller, PA 15444

Attorney: Herbert G. Mitchell, III

ELLA REESE, late of Saltlick Township, Fayette County, PA (1)

Administrator: James L. Reese and

Richard Reese

615A Memorial Boulevard

Connellsville, PA 15425

Attorney: Margaret Zylka House

COURT OF COMMON PLEAS OF INDIANA
COUNTY, PENNSYLVANIA
ORPHAN'S COURT DIVISION

NOTICE OF HEARING ON PETITION TO
INVOLUNTARILY TERMINATE
PARENTAL RIGHTS

IN RE: Child S. LEHMAN, No 32-25-0410

To: MALORIE ADAMS, biological mother of Child S. LEHMAN, born on February 3, 2012. A Petition has been filed asking the Court to put an end to all the rights that you may have to your child, Child S. LEHMAN, and the Court has set a hearing to consider ending your rights to your child. **That hearing will be held in the Indiana County Courthouse, Courtroom No. 2, on the 12th day of February 2026, at 8:30 A.M., before the Honorable Michael Clark.** You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you, and any rights that you have to the child may be ended without your being present. **YOU HAVE THE RIGHT TO BE REPRESENTED AT THE HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN RECEIVE LEGAL REPRESENTATION.**

FICTITIOUS NAME ADVERTISEMENT

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act of December 16, 1982, P.L. 1309, No. 295, as amended, 54 Pa.C.S.A. 311, that on January 16, 2026, an application for the conduct of a business in Fayette County, Pennsylvania, under an assumed or fictitious name was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the conduct of a business in Fayette County, Pennsylvania, under the assumed or fictitious name, style or designation of PineCreek Storage, with its principal place of business at 1121 National Pike, Uniontown, Fayette County, Pennsylvania 15401. The name and address of the only entity interested in said business is Coolspring Street Realty LLC, 1121 National Pike, Uniontown, Pennsylvania 15401.

G.T. George, Esq.
Goodwin Como, P.C.
92 E. Main Street
Suite One
Uniontown, PA 15401

Office of the Court Administrator Second
Floor—Indiana County Courthouse
825 Philadelphia Street
Indiana, Pennsylvania 15701
Telephone: (724) 465-3955

Erica D. Dussault, Esquire,
Attorney for Petitioner
1175 Barr Slope Road,
Clymer, Pennsylvania 15728
Telephone: (724) 464-4809

Articles of Incorporation

NOTICE is hereby given that Birdsong Raptor and Wildlife Center, Inc. located at 145 E Lake Rd, Acme, PA 15610, was incorporated under the Pennsylvania Nonprofit Corporation Law of 1988 on July 1, 2025 for the purpose of wildlife education and conservation.

**COMPLAINT IN MORTGAGE
FORECLOSURE**

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA

Somerset Trust Company vs. Jasper J. Hawker
No. 2798 of 2025, G.D.

You have been named as the Defendant in a civil action instituted by Somerset Trust Company in this Court. The action has been instituted to foreclose on a Mortgage dated April 24, 2019, and recorded in the Recorder's Office of Fayette County, Pennsylvania on April 24, 2019, at Record Book Volume 3400, Page 627.

NOTICE

You are hereby notified that you are required to answer the Complaint filed in said action within twenty (20) days from the date of this publication and in default of an Answer, a final Order will be entered against you, whereby you will be forever barred from asserting any lien, right, title, interest or claim to the described premises inconsistent with the interest or claim of the Plaintiff.

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defense or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the Complaint or for any other claim for relief requested by the Plaintiff. You may lose money or property or other rights important to you.

**YOU SHOULD TAKE THIS PAPER
TO YOUR LAWYER AT ONCE. IF YOU
DO NOT HAVE A LAWYER, GO TO OR
TELEPHONE THE OFFICE SET FORTH
BELOW. THIS OFFICE CAN PROVIDE YOU
WITH INFORMATION ABOUT HIRING A
LAWYER.**

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

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Harrisburg, PA 17108
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SPENCE, CUSTER, SAYLOR, WOLFE &
ROSE, LLC
1067 Menoher Boulevard
Johnstown, Pennsylvania 15905

SHERIFF'S SALE

Date of Sale: March 19, 2026

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday March 19, 2026, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Real auction on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Real auction via wire transfer or ACH per Real auction requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder.

(3 of 3)

James Custer
Sheriff of Fayette County

PARKER McCAY P.A.
By: Daniel J. Capecci, Esquire
Attorney ID# 319193
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, NJ 08054-1539

No. 940 of 2024 G.D.
No. 284 of 2025 E.D.

**Valley Strong Credit Union
c/o NewRez LLC d/b/a Shellpoint Mortgage
Servicing**
**75 Beattie Place, Ste. 300
Greenville, SC 29601**
Plaintiff,
vs
**Avery Beamish and
Jennifer Lynn Beamish
605 Maple Street
Brownsville, PA 15417**
Defendants

By virtue of a Writ of Execution, No. 940 of 2024 GD, Valley Strong Credit Union vs. Avery Beamish and Jennifer Lynn Beamish, owner of property situated in Luzerne Township, Fayette County, Pennsylvania
605 Maple St, Brownsville, PA 15417
Parcel No. 19-29-0061
Improvements thereon: Residential Single-Family Dwelling

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 976 of 2025 G.D.
No. 285 of 2025 E.D.

**ROCKET MORTGAGE, LLC F/K/A
QUICKEN LOANS, LLC F/K/A QUICKEN
LOANS INC.**
**1050 Woodward Ave
Detroit, Michigan 48226-1906**
Plaintiff
vs.
**C J A MINOR AKA C J J, A MINOR, Solely
in His/Her Capacity as Heir of Curtis L.
Johnson, Deceased AKA Curtis James
Johnson**
**CYNTHIA L. JOHNSON Solely in Her
Capacity as Heir of Curtis L. Johnson,
Deceased**
**The Unknown Heirs of Curtis L. Johnson
Deceased**

**1003 Wharton Furnace Road Farmington,
PA 15437**
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN WHARTON TOWNSHIP,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 1003 WHARTON
FURNACE ROAD, FARMINGTON, PA 15437
TAX PARCEL #42-20-000901

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF: C J A
MINOR AKA C J J, A MINOR, SOLELY IN
HIS/HER CAPACITY AS HEIR OF CURTIS
L. JOHNSON, DECEASED AKA CURTIS
JAMES JOHNSON, CYNTHIA L. JOHNSON
SOLELY IN HER CAPACITY AS HEIR OF
CURTIS L. JOHNSON, DECEASED AND
THE UNKNOWN HEIRS OF CURTIS L.
JOHNSON DECEASED

Brock & Scott, PLLC

No. 1311 of 2025 G.D.
No. 289 of 2025 E.D.

**ROCKET MORTGAGE, LLC F/K/A
QUICKEN LOANS, LLC**
v.
CALEB COCKRELL

By virtue of a Writ of Execution No. 2025-01311, ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC v. CALEB COCKRELL, owner(s) of property situate in the TOWNSHIP OF BULLSKIN, FAYETTE County, Pennsylvania, being 219 EVERSON VALLEY ROAD, CONNELLSVILLE, PA 15425

Tax ID No. 04240008 a/k/a 04-24-0008
Improvements thereon: RESIDENTIAL
DWELLING
Judgment Amount: \$94,676.96

1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 2000 of 2025 G.D.
No. 302 of 2025 E.D.

LSF9 Master Participation Trust

v.
**Jenny R. Dean, Jeffrey K. Dean A/K/A
Jefferey L. Dean**

By virtue of Writ of Execution No. 302 of 2025, E.D.

LSF9 Master Participation Trust v Jenny R. Dean, Jeffrey K. Dean A/K/A Jefferey L. Dean Docket Number: 2000 of 2025GD

Property to be sold is situated in the Township of Stewart, County of Fayette and Commonwealth of Pennsylvania.

Commonly known as: 380 Burnworth Road, Mill Run, PA 15464

Parcel Number: 37-13-0014-06
Improvements thereon of the residential dwelling or lot (if applicable):
Judgment Amount: \$75,494.50

Brock & Scott, PLLC

No. 1317 of 2025 G.D.
No. 272 of 2025 E.D.

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR GSAMP
TRUST 2006-SEAL, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2006-
SEAL**

v.
**ROBERT DICE; KIM MARCINKO A/K/A
KIMBERLY MARCINKO**

By virtue of a Writ of Execution No. 1317 of 2025 GD, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR GSAMP TRUST 2006-SEAL, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-SEAL v. ROBERT DICE; KIM MARCINKO A/K/A KIMBERLY MARCINKO, owner(s) of property situate in the GEORGES TOWNSHIP, FAYETTE County, Pennsylvania, being 103 COOLEY ESTATE RD, SMITHFIELD, PA 15478

Tax ID No. 14360127 a/k/a 14-36-0127
a/k/a 14-36-127

Improvements thereon: RESIDENTIAL
DWELLING
Judgment Amount: \$51,467.43

Brock & Scott, PLLC

No. 1393 of 2025 G.D.
No. 297 of 2025 E.D.

**ROCKET MORTGAGE, LLC F/K/A
QUICKEN LOANS, LLC**

v.

LISA EBERLE, KNOWN HEIR OF DENNIS PRITTS, DECEASED; CORY PRITTS A/K/A DENNIS CORY PRITTS, KNOWN HEIR OF DENNIS PRITTS, DECEASED; CARRIE PRITTS, KNOWN HEIR OF DENNIS PRITTS, DECEASED; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE, OR INTEREST FROM OR UNDER DENNIS PRITTS, DECEASED

By virtue of a Writ of Execution No. 1393 OF 2025 GD

ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC v. LISA EBERLE, KNOWN HEIR OF DENNIS PRITTS, DECEASED; CORY PRITTS A/K/A DENNIS CORY PRITTS, KNOWN HEIR OF DENNIS PRITTS, DECEASED; CARRIE PRITTS, KNOWN HEIR OF DENNIS PRITTS, DECEASED; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE, OR INTEREST FROM OR UNDER DENNIS PRITTS, DECEASED, owner(s) of property situate in the TOWNSHIP OF NORTH UNION, FAYETTE County, Pennsylvania, being 228 HOPWOOD COOLSPRING ROAD, HOPWOOD, PA 15445

Tax ID No. 25460172 a/k/a 25-46-0172

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$153,828.35

Padgett Law Group

HAYDN MELTON, ESQUIRE (335430)
700 Darby Road, Suite 100
Havertown, PA 19083
(850) 422-2520

No. 1824 of 2025 G.D.
No. 311 of 2025 E.D.

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, FOR MANUFACTURED HOUSING CONTRACT SENIOR/ SUBORDINATE PASS-THROUGH CERTIFICATE TRUST 1997-7

v.

ESTATE OF KAREN HLATKY, DECEASED, SAMUEL T. HLATKY, AS ADMINISTRATOR AND KNOWN HEIR OF THE ESTATE OF KAREN HLATKY, DECEASED.

By virtue of Writ of Execution No. 2025-01824

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, FOR MANUFACTURED HOUSING CONTRACT SENIOR/ SUBORDINATE PASS-THROUGH CERTIFICATE TRUST 1997-7 v. ESTATE OF KAREN HLATKY, DECEASED, SAMUEL T. HLATKY, AS ADMINISTRATOR AND KNOWN HEIR OF THE ESTATE OF KAREN HLATKY, DECEASED.

Property Address: 819 Smithfield New Geneva Road, Smithfield, PA 15478

Township of Nicholson, County of Fayette, Commonwealth of Pennsylvania

Tax Parcel Number: 24190006

Improvements thereon: Single family residential dwelling

Judgment Amount: \$30,484.20

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 1419 of 2025 G.D.
No. 288 of 2025 E.D.

LAKEVIEW LOAN SERVICING, LLC
4425 Ponce De Leon Blvd
Mail Stop Ms5/251
Coral Gables, FL 33146

Plaintiff

vs.

CLIFFORD FISHER AKA
CLIFFORD E. FISHER
TIFFANY FISHER AKA
TIFFANY L. FISHER
Mortagor(s) and Record Owner(s)
212 214 North Jefferson Street
Connellsville, PA 15425

Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN CITY OF CONNELLSVILLE,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 212 214 NORTH
JEFFERSON STREET, CONNELLSVILLE,
PA 15425

TAX PARCEL #05-09-0097

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
CLIFFORD FISHER AKA CLIFFORD E.
FISHER AND TIFFANY FISHER AKA
TIFFANY L. FISHER

1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 397 of 2025 G.D.
No. 300 of 2025 E.D.

**U.S. Bank Trust Company, National
Association, not in its individual capacity but
solely as Indenture Trustee of CIM Trust
2023-R2**

Vs.

**Robert C. Grimes, Known Heir of Andrea E.
Frey A/K/A Andrea Frey Grimes, Deceased;
Damian Frey, Known Heir of Andrea E. Frey
A/K/A Andrea Frey Grimes, Deceased;
Caitlyn Grimes, Known Heir of Andrea E.
Frey A/K/A Andrea Frey Grimes, Deceased;
Unknown Heirs, Successors, Assigns and All**

**Persons, Firms or Associations Claiming
Right, Title or Interest from or under Andrea
E. Frey A/K/A Andrea Frey Grimes,
Deceased**

By virtue of Writ of Execution No. 300 of
2025 ED, U.S. Bank Trust Company, National
Association, not in its individual capacity but
solely as Indenture Trustee of CIM Trust 2023-
R2 Vs. Robert C. Grimes, Known Heir of
Andrea E. Frey A/K/A Andrea Frey Grimes,
Deceased; Damian Frey, Known Heir of Andrea
E. Frey A/K/A Andrea Frey Grimes, Deceased;
Caitlyn Grimes, Known Heir of Andrea E. Frey
A/K/A Andrea Frey Grimes, Deceased;
Unknown Heirs, Successors, Assigns and All
Persons, Firms or Associations Claiming Right,
Title or Interest from or under Andrea E. Frey
A/K/A Andrea Frey Grimes, Deceased

Docket Number: 397 of 2025 GD

Property to be sold is situated in the
Township of North Union, County of Fayette
and Commonwealth of Pennsylvania.

Commonly known as: 133 Ruskin Street,
Uniontown, PA 15401

Parcel Number: 25-38-0053

Improvements thereon of the residential
dwelling or lot (if applicable): Residential
Dwelling

Judgment Amount: \$63,542.30

Brock & Scott, PLLC

No. 2300 of 2025 G.D.
No. 291 of 2025 E.D.

FREEDOM MORTGAGE CORPORATION

v.

JOSH HAJDUK

By virtue of a Writ of Execution No. 2300
of 2025 GD, FREEDOM MORTGAGE
CORPORATION v. JOSH HAJDUK, owner(s)
of property situate in the BOROUGH OF
MASONTOWN, FAYETTE County,
Pennsylvania, being 118 DEBOLT AVENUE.
MASONTOWN, PA 15461

Tax ID No. 2108013602 A/K/A 21-08-
0136-02 A/K/A 21-08-013602

Improvements thereon: RESIDENTIAL
DWELLING

Judgment Amount: \$148,571.44

Orlans Law Group PLLC
No. 2000 of 2017 G.D.
No. 312 of 2025 E.D.

637 Stone Church Road
New Salem, PA 15468
Defendant(s)

Anthium, LLC
v.

Lenora S. Harford,
Thomas E. Wingard, in his capacity as Heir
of Wilma Jean Wingard, Deceased,
Tammy M. Lynch, in her capacity as Heir of
Wilma Jean Wingard, Deceased,
Richard A. Wingard, in his capacity as Heir of
Wilma Jean Wingard, Deceased and
Unknown Heirs, Successors, Assigns, and all
Persons, Firms, or Associations Claiming
Right, Title or Interest from or Under Wilma
Jean Wingard, Deceased

By virtue of a Writ of Execution No. 2000-OF-2017-GD, Anthium, LLC v. Lenora S. Harford, Thomas E. Wingard, in his capacity as Heir of Wilma Jean Wingard, Deceased, Tammy M. Lynch, in her capacity as Heir of Wilma Jean Wingard, Deceased, Richard A. Wingard, in his capacity as Heir of Wilma Jean Wingard, Deceased and Unknown Heirs, Successors, Assigns, and all Persons, Firms, or Associations Claiming Right, Title or Interest from or Under Wilma Jean Wingard, Deceased, owner(s) of property situate in the Township of LUZERNE, Fayette County, Pennsylvania, being 636 Palmer Adah Road, Adah, PA 15410

Parcel No. 19320017
Improvements thereon: RESIDENTIAL DWELLING
Judgment Amount: \$105,872.67

ALL THAT CERTAIN LOT OF LAND SITUATE IN TOWNSHIP OF REDSTONE, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 637 STONE CHURCH ROAD, NEW SALEM, PA 15468
TAX PARCEL #30-31-003001
IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: JASON HARVEY AND ELLIE PINARDI AKA ELEANOR PINARDI

Jill M. Fein, Esquire
Hill Wallack LLP

1000 Floral Vale Blvd., Suite 300
Yardley, PA 19067
(215) 579-7700

No. 2009 of 2023 G.D.
No. 281 of 2025 E.D.

Plaintiff: Wilmington Savings Fund Society, FSB, as trustee of Upland Mortgage Loan Trust A

v.
Defendant: Phyllis E. Kimmel

By virtue of a writ of execution case number: 2023-02009, Plaintiff: Wilmington Savings Fund Society, FSB, as trustee of Upland Mortgage Loan Trust A v. Defendant: Phyllis E. Kimmel, owners of property situate in the Borough of South Connellsville, Fayette County, Pennsylvania, being pin number 33-03-0090.

Property being known as: 1419 East Gibson Ave, Connellsville, PA 15425
Improvements thereon: Residential Property

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2473 of 2025 G.D.
No. 309 of 2025 E.D.

ROCKET MORTGAGE, LLC F/K/A
QUICKEN LOANS, LLC F/K/A QUICKEN
LOANS INC.
1050 Woodward Avenue
Detroit, MI 48226-1906
Plaintiff
vs.
JASON HARVEY
ELLIE PINARDI AKA
ELEANOR PINARDI
Mortgagor(s) and Record Owner(s)

Padgett Law Group
 WILLIAM MILLER, ESQUIRE (308951)
 700 Darby Road, Suite 100
 Havertown, PA 19083
 (850) 422-2520

No. 1731 of 2025 G.D.
 No. 313 of 2025 E.D.

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR GSAMP TRUST 2004-WF, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-WF

v.
**NANCY J. KNOPSNIDER,
 JESSE R. KNOPSNIDER, JR.**

By virtue of Writ of Execution No. 2025-01731, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR GSAMP TRUST 2004-WF, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-WF v. NANCY J. KNOPSNIDER, JESSE R. KNOPSNIDER, JR.

Property Address: 191 Connor Road, Indian Head, PA 15446

Township of Saltlick, County of Fayette, Commonwealth of Pennsylvania

Tax Parcel Number: 31-15-0175

Improvements thereon: Single family residential dwelling

Judgment Amount: \$39,093.56

Brock & Scott, PLLC

No. 2147 of 2023 G.D.
 No. 312 of 2023 E.D.

FREEDOM MORTGAGE CORPORATION

v.
PAUL WILSON LONG III

By virtue of a Writ of Execution No. 2023-02147, FREEDOM MORTGAGE CORPORATION v. PAUL WILSON LONG III, owner(s) of property situate in the BOROUGH OF POINT MARION, FAYETTE County, Pennsylvania, being 1093 MORGANTOWN RD, POINT MARION, PA 15474

Tax ID No. 29030104 aka 29-03-0104

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$167,124.53

Brock & Scott, PLLC

No. 2166 of 2025 G.D.
 No. 263 of 2025 E.D.

STOCKTON MORTGAGE CORPORATION
 v.
MEGAN RACHELLE MCCARTY

By virtue of a Writ of Execution No. 2025-02166, STOCKTON MORTGAGE CORPORATION v. MEGAN RACHELLE MCCARTY, owner(s) of property situate in the NORTH UNION TOWNSHIP, FAYETTE County, Pennsylvania, being 201 PARK AVE, UNIONTOWN, PA 15401

Tax ID No. 25430076 AKA 25-43-0076

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$68,042.20

Brock & Scott, PLLC

No. 2361 of 2025 G.D.
 No. 290 of 2025 E.D.

DEUTSCHE BANK TRUST COMPANY AMERICAS AS INDENTURE TRUSTEE FOR THE REGISTERED HOLDERS OF SAXON ASSET SECURITIES TRUST 2004-1 MORTGAGE LOAN ASSET BACKED NOTES AND CERTIFICATES, SERIES 2004-1

v.

**FREDRICK R. MOLLARD A/K/A
 FREDERICK R. MOLLARD**

By virtue of a Writ of Execution No. 2361 of 2025 G.D., DEUTSCHE BANK TRUST COMPANY AMERICAS AS INDENTURE TRUSTEE FOR THE REGISTERED HOLDERS OF SAXON ASSET SECURITIES TRUST 2004-1 MORTGAGE LOAN ASSET BACKED NOTES AND CERTIFICATES, SERIES 2004-1 v. FREDRICK R. MOLLARD A/K/A FREDERICK R. MOLLARD, owner(s) of property situate in the WASIDNGTON TOWNSIDP, FAYETTE County, Pennsylvania, being 209 REDSTONE CHURCH RD, PERRYOPOLIS, PA 15473

Tax ID No. 41200037 a/k/a 41-20-0037 a/k/a 41-20-37

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$33,832.50

1325 Franklin Avenue, Suite 160
 Garden City, NY 11530
 (212) 471-5100

No. 2285 of 2025 G.D.
 No. 301 of 2025 E.D.

U.S. Bank Trust Company, National Association, as Trustee, as successor-in-interest to U.S. Bank National Association, not in its individual capacity but solely as indenture trustee, for the holders of the CIM Trust 2021-RI, Mortgage-Backed Notes, Series 2021-RI

v

Gary L. Murray

By virtue of Writ of Execution No. 301 of 2025 ED, U.S. Bank Trust Company, National Association, as Trustee, as successor-in-interest to U.S. Bank National Association, not in its individual capacity but solely as indenture trustee, for the holders of the CIM Trust 2021-RI, Mortgage-Backed Notes, Series 2021-RI v Gary L. Murray

Docket Number: 2285 of 2025 GD

Property to be sold is situated in the Township of North Union, County of Fayette and Commonwealth of Pennsylvania.

Commonly known as: 140 Victoria Avenue, Hopwood, PA 15445

Parcel Number: 25-46-013710

Improvements thereon of the residential dwelling or lot (if applicable):

Judgment Amount: \$57,751.86

KML LAW GROUP, P.C.
 Suite 5000
 701 Market Street
 Philadelphia, PA 19106-1532
 (215) 627-1322

No. 2564 of 2025 G.D.
 No. 308 of 2025 E.D.

M&T BANK
 One Fountain Plaza
 Buffalo, NY 14203

Plaintiff

vs.

**RACHAEL REAM AKA
 RACHAEL A. REAM**

Mortgagor(s) and Record Owner(s)
 545 East Main Street
 Uniontown, PA 15401

Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN NORTH UNION TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 545 EAST MAIN STREET, UNIONTOWN, PA 15401

TAX PARCEL #25-43-0155

IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF:
 RACHAEL REAM AKA RACHAEL A. REAM

ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC

A Florida professional limited liability company ATTORNEYS FOR PLAINTIFF

133 Gaither Drive, Suite F

Mt. Laurel, NJ 08054

(855)225-6906

No. 2179 of 2025 G.D.

No. 278 of 2025 E.D.

FIFTH THIRD BANK, N.A.

Plaintiff

v.

**JEREMY COLE RICE A/K/A
 JEREMY C. RICE; LYNDSAY RICE**
Defendant(s)

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN WHARTON TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 37 CANAAN CHURCH RD FARMINGTON, PA 15437

BEING PARCEL NUMBER: 42-31-0010

IMPROVEMENTS: RESIDENTIAL PROPERTY

McCalla Raymer Leibert Pierce, LLP

485F Route 1 South, Suite 300

Iselin, NJ 08830-3072

No. 2178 of 2025 G.D.

No. 276 of 2025 E.D.

LAKEVIEW LOAN SERVICING, LLC

v.

TADD RICHTER

By virtue of a Writ of Execution No. 2025-02178, LAKEVIEW LOAN SERVICING, LLC v. TADD RICHTER, ALL THAT CERTAIN TRACT OF LAND SITUATE IN DUNBAR TOWNSHIP, FAYETTE COUNTY,

COMMONWEALTH OF Pennsylvania.
 Parcel ID: 09-31-0200
 Property Address: 542 High St, Dunbar,
 PA 15431
 Improvements thereon: Residential
 Dwelling
 Judgment Amount: \$108,160.07

No. 2306 of 2025 G.D.
 No. 294 of 2025 E.D.

**NewRez LLC dba Shellpoint Mortgage
 Servicing**

Plaintiff,
 vs.
**Robin A. Royer, as Executor to the Estate of
 Donald P Shrum**
Defendant.

ALL that certain parcel of land lying and
 being situate in the Township of Bullskin,
 County of Fayette, and Commonwealth of
 Pennsylvania, known as 164 Rock Pool Road,
 Acme, PA 15610 having erected thereon a
 dwelling house.

Being known and designated as Tax ID
 No.: 04120093

BEING the same premises which James
 Boggs and Brenda Lee Boggs, his wife, by Deed
 dated May 20, 1994 and recorded in and for
 Fayette County, Pennsylvania in Deed Book
 1371, Page 53, granted and conveyed unto
 Donald P. Shrum and Patricia J. Shrum, his
 wife.

ROBERTSON, ANSCHUTZ, SCHNEID,
 CRANE & PARTNERS, PLLC
 A Florida professional limited liability company
ATTORNEYS FOR PLAINTIFF
 133 GAITHER DRIVE, SUITE F
 MT. LAUREL, NJ 08054
 855-225-6906

No. 948 of 2024 G.D.
 No. 262 of 2025 E.D.

**U.S. BANK TRUST NATIONAL
 ASSOCIATION, NOT IN ITS INDIVIDUAL
 CAPACITY BUT SOLELY AS OWNER
 TRUSTEE FOR RCF 2 ACQUISITION
 TRUST,**

Plaintiff
 vs.
CANDY S. SCOTT; ROBERT H. SCOTT
Defendant(s)

ALL THOSE CERTAIN LOTS OR

PIECES OF GROUND SITUATE IN THE
 NORTH UNION TOWNSHIP, FAYETTE
 COUNTY, PENNSYLVANIA:
 BEING KNOWN AS: 232 MADISON
 AVENUE HOPWOOD, PA 15445
 BEING PARCEL NUMBER: 25530066
 IMPROVEMENTS: RESIDENTIAL
 PROPERTY

Padgett Law Group
WILLIAM MILLER, ESQURE (308951)
 700 Darby Road, Suite 100
 Havertown, PA 19083
 (850) 422-2520

No. 2454 of 2025 G.D.
 No. 314 of 2025 E.D.

MARLIN MORTGAGE CAPITAL, LLC

vs.
**ADAM J. SHAFFER SR AKA
 ADAM J. SHAFFER**

By virtue of Writ of Execution No. 2025-
 ,02454, MARLIN MORTGAGE CAPITAL,
 LLC v. ADAM J. SHAFFER SR AKA ADAM
 J. SHAFFER

Property Address: 365 Melcroft Road,
 White, PA

Township of Saltlick, County of Fayette,
 Commonwealth of Pennsylvania

Tax Parcel Number: 31-08-0112-01
 Improvements thereon: Single family
 residential dwelling

Judgment Amount: \$113,378.69

No. 332 of 2025 G.D.
 No. 296 of 2025 E.D.

**FIRST NATIONAL BANK OF
 PENNSYLVANIA,**

Plaintiff,
 vs.
**DUANE SMITH and CYNTHIA WANDELL
 a/k/a CYNTHIA A. SMITH,
 Defendants.**

ALL THAT CERTAIN PIECE, PARCEL
 OR TRACT OF LAND BEING SITUATE AND
 LAYING IN THE BOROUGH OF
 BROWNSVILLE, FORMERLY BOROUGH
 OF SOUTH BROWNSVILLE, COUNTY OF
 FAYETTE AND COMMONWEALTH OF
 PENNSYLVANIA, AS MORE FULLY
 DESCRIBED IN A CERTAIN DEED DATED
 MAY 6, 2013 FROM DELMAR SMITH AND
 LORAIN SMITH, TO DUANE SMITH,

UNMARRIED AND CYNTHIA WANDELL, UNMARRIED, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF FAYETTE COUNTY, PA ON MAY 15, 2013 IN DBV 3219, PG 1191.

IMPROVEMENT THEREON: A RESIDENTIAL DWELLING

BEING COMMONLY KNOWN AS 441 High Street, Brownsville, PA 15417.

BEING KNOWN AND DESIGNATED AS TAX PARCEL NO.: 02-10

No. 1197 of 2023 G.D.

No. 295 of 2025 E.D.

Nationstar Mortgage LLC

PLAINTIFF

VS.

Kenneth S. Whitlock, Administrator of the Estate of Margaret J. Hibbs, deceased and DEFENDANT

ALL that certain parcel of land situate in the situate in the Township of Luzerne, County of Fayette, Commonwealth of Pennsylvania, located in a plan of Lots prepared by AM. Shaffer, Registered Engineer, dated November 26, 1955, and more particularly bounded and described as follows:

COMMONLY KNOWN AS: 215 Telegraph Road, Brownsville, PA 15417

TAX PARCEL NO. 19-06-0076

TOGETHER with such rights and SUBJECT to any exceptions, restrictions, reservations and conditions as exist by virtue of prior recorded instruments, deeds or conveyances.

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

A Florida Professional Limited Liability Company

ATTORNEYS FOR PLAINTIFF

Danielle A. Coleman, Esquire,
PA ID No. 323583

133 Gaither Drive, Suite F
Mount Laurel, NJ 08054
(855) 225-6906

No. 2715 of 2018 G.D.

No. 283 of 2025 E.D.

BANK OF AMERICA N.A.,

Plaintiff

v.

RICHARD E. WOLFE
Defendant(s)

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE GEORGES TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 19 KIGER STREET SMITHFIELD, PA 15478

BEING PARCEL NUMBER: 32-07-0011

IMPROVEMENTS: RESIDENTIAL PROPERTY

No. 286 of 2024 G.D.

No. 307 of 2025 E.D.

AMOS FINANCIAL LLC

Plaintiff,

vs.

LEIGH YATSKO

Defendant(s).

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND BEING SITUATE AND LAYING IN THE TOWNSHIP OF MENALLEN, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN A CERTAIN DEED DATED MAY 29, 2015 FROM ROBERT C. YATSKO AND JUNE E. YATSKO TO ROBERT C. YATSKO AND LEIGH YATSKO, HIS WIFE, RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF FAYETTE COUNTY ON JUNE 1, 2015, IN DEED BOOK VOLUME 3278, PAGE 1714. ROBERT C. YATSKO DIED ON JULY 8, 2022 AND UPON HIS DEATH TITLE VESTED IN LEIGH YATSKO AS SURVIVING OWNER BY OPERATION OF LAW.

IMPROVEMENT THEREON: A frame residential dwelling being known and numbered 130 Carr Street, New Salem, PA 15468.

TAX PARCEL NUMBER: 22-10-0046.

Property seized and taken in Execution as the property of LEIGH YATSKO.

*** END SHERIFF'S SALE***

Registers' Notice

Notice by JEFFREY L. REDMAN, Register of Wills and
Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday, February 2, 2026 at 9:30 A.M.

<u>Estate Number</u>	<u>Trust Name</u>	<u>Representative</u>
2623-0348	VIOLET B. PAUL	Allan F. Paul, Administrator

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Tuesday, February 17, 2026, at 9:30 A.M.

in Courtroom No. 1 of the **Honorable President Judge Steve P. Leskinen** or his chambers, Second Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN
Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (2 of 2)

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE E&O INSURED WILL TRAVEL ACCEPTING NEW CLIENTS



DiBella Weinheimer
Geer McAllister Best Coco Lloyd Whalen



Holly Whalen ♀ Amy Coco ♀ Bethann Lloyd

INSIST UPON OUR EXPERIENCED TEAM

LAWYERS DEFENDING LAWYERS

- Disciplinary Board
- Legal Malpractice
- Security Fund / IOLTA
- Ethics & Conflict Analysis
- Subpoena Assistance
- Licensure
- Conflict Resolution

WWW.DIBELLA-WEINHEIMER.COM 412 261-2900

JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA CIVIL DIVISION

BRADLEY T. FIKE,	:
Petitioner,	:
vs.	:
FAYETTE COUNTY TAX	:
CLAIM BUREAU,	:
Respondent,	:
And	:
VENTURE RENTALS a/k/a	:
VENTURE RENTALS, LLC,	:
Intervenor.	: No. 2332 of 2025, G.D.
	: Honorable Nancy D. Vernon

OPINION PURSUANT TO 1925(a)

VERNON, J.

January 20, 2026

Before the Court is the appeal of Intervenor, Venture Rentals a/k/a Venture Rentals, LLC {1} to this Court's Order dated October 21, 2025, recorded October 23, 2025, wherein the Petition of Bradley T. Fike, Petitioner, to Set Aside Tax Sale of June 16, 2025, as to Parcel No. 25-21-0057 was granted.

At Case Number 813 of 2025, G.D., The Fayette County Tax Claim Bureau filed a Petition to Sell Free and Clear tax delinquent properties which were previously exposed at public Upset Sale on September 21, 2023, but were not sold. Petitioner Fike's property, Parcel No. 25-21-0057, was included in that Petition to Sell Free and Clear. By Order dated April 16, 2025, this Court issued a Rule to show cause upon all parties shown to be interested in the properties to file Exceptions why a Decree should not be entered and the properties be sold, freed and cleared of their respective claims, lines, mortgage and ground rents. The Rule was returnable by hearing on June 16, 2025. Petitioner Fike did not file Exceptions and did not appear at the time set for hearing to challenge the Petition to Sell Free and Clear. By further Order, dated June 11, 2025, upon no objections, this Court ordered the properties to be sold, free and clear. On August 10, 2025, the County of Fayette conveyed Parcel No. 25-21-0057 by Tax Claim Bureau Deed to Venture Rentals.

On September 30, 2025, Petitioner Fike a pro se Petition to Set Aside Tax Sale contending that he did not receive proper notice of the tax sale and requesting this Court to set aside and vacate the sale. Venture Rentals filed a Petition to Intervene which the Court granted.

As a preliminary matter, the Court notes that Appellant/Intervenor did not request or pay for a transcript of the October 21, 2025, hearing, as required by Pa.R.A.P. 1911(a), thereby hampering the Court's ability to prepare its Opinion. This Court presided over the October 21, 2025 evidentiary hearing, and the summation of the evidence is derived from the Court's contemporaneous notes and recollection of the proceedings.

At the hearing on the Petition to Set Aside Tax Sale, Petitioner Fike testified on his own behalf that he received no notice of a tax sale until a representative of Venture Rentals told him it bought his property. Petitioner Fike testified that he initially filed the Petition on July

{1} Intervenor filed its Petition to Intervene identifying itself as "Ventures Rentals"; its Motion to Stay as "Venture Rental"; and its Concise Statement as "Venture Rent Al."

11, 2025, by submitting it to the Prothonotary of Fayette County. The Prothonotary had no record of the Petition on that date. Petitioner Fike testified that he returned to the Prothonotary in September 2025 and learned the Petition was not filed resulting in his then delinquent filing on September 30, 2025.

Fayette County Tax Claim Bureau Director Rebecca Cieszynski testified as to the Bureau's general procedures on tax sale but when questioned as to specific information as to this tax parcel, Ms. Cieszynski replied, "I do not have it with me."

Intervenor Venture Rentals presented the testimony of Prothonotary Chief Deputy Samantha Campbell who testified that the Office of the Prothonotary accepted the Petition to Set Aside Tax Sale for filing on September 30, 2025, from Petitioner Fike and the Prothonotary had no record of the Petition being filed in July 2025.

Upon the Fayette County Tax Claim Bureau's failure to present any evidence that notice was provided to Petitioner Fike, the Court granted his Petition to Set Aside Tax Sale. Appellant/Intervenor Venture Rentals alleges the following eight issues of error with this Court's ruling.

Issue "a." Petitioner's filed Petition to Set Aside the Tax Sale of June 16, 2025, was legally deficient and inadequately pled as a matter of law for mistaking the Tax Sale as an Upset Tax Sale and not a Judicial Free and Clear Sale which does not implicate strict compliance of personal notice of the date/time of the sale, notice by posting of the property and notice by publication of the Judicial Free and Clear Sale.

Appellant/Intervenor raises this issue for the first time on appeal, having failed to object to the nature of the notice requirements at the time of evidentiary hearing before this Court. Accordingly, the issue is waived pursuant to Pa.R.A.P. 302(a). Even if the issue were not waived, it is nevertheless moot.

"For judicial tax sales, the rule to show cause must be served by the sheriff, who must 'attach his return, the return receipts, and if the person named in the rule ... cannot be found at his last known address' evidence thereof." *In re Sale of Real Est. by Lackawanna Cnty. Tax Claim Bureau*, 255 A.3d 619, 632 (Pa. Commw. Ct. 2021) quoting 72 P.S. § 5860.611. At the time set for hearing, Fayette County Tax Claim Bureau Director Rebecca Cieszynski was unable to produce evidence of any service of the Free and Clear Sale of Petitioner Fike's property, whether by personal service, publication, or posting. Thus, any alleged "mistake" of notice requirements between an Upset Tax Sale and a Judicial Free and Clear Sale is moot when the Fayette County Tax Claim Bureau failed to establish that Petitioner Fike received any type of notice of any tax sale.

Issue "b." Notice of the actual date and time of the Judicial Free and Clear Sale, held on June 16, 2025, was not required by the Law. 72 P.S. § 5860.612. What was required, however, was that Petitioner be personally served either by certified mail and/or by the Sheriff with the Rule to Show Cause why his property should not be sold at a Judicial Free and Clear Tax Sale which the Trial Court failed to conduct an independent inquiry at the hearing held on October 21, 2025, with the Fayette County Tax Bureau and Petitioner that the Rule To Show Cause was personally served on the Petitioner either by certified mail or Sheriff and all "reasonable efforts" were undertaken to secure personal service.

The Trial Court has no duty to "conduct an independent inquiry" into whether a Rule to Show Cause was properly served. Rather, in all tax sale proceedings, the tax claim bureau "has the burden of proving compliance with the statutory notice provisions." *In re Sale of Tax Delinq. Prop. on Oct. 19, 2020*, 308 A.3d 890, 898 (Pa. Commw. Ct. 2024). Here, the Fayette County Tax Claim Bureau wholly failed to meet that burden when it produced no evidence establishing the Rule to Show Cause was served upon Petitioner Fike. In the ab-

sence of such proof, the Trial Court properly declined to authorize a judicial sale free and clear of all liens.

Issue “c.” The Honorable Court erred in its Order, dated October 21, 2025, by concluding that the Petitioner was not given personal service of the actual date/time of the Judicial Free and Clear Sale and his property was not posted and published. No such requirements are mandated by law for notice purposes of the Judicial Free and Clear Sale which was held on June 16, 2025.

Appellant/Intervenor again raises this issue for the first time on appeal. As discussed above, the method of service is immaterial where the record is devoid of evidence that any service was ever accomplished.

Issue “d.” The Petitioner failed to offer one iota of evidence that he did not receive personal service by certified mail and/or the Sheriff of Fayette County of the Rule To Show Cause why his property should not be sold at a Judicial Free and Clear Tax Sale.

The burden in a tax sale proceeding rests entirely on the Tax Claim Bureau. Petitioner Fike is not obligated to prove the negative, namely, that service was not effectuated.

Issue “e.” The Fayette County Tax Claim Bureau sustained its burden of proof by affording Petitioner his due process rights of actual notice through a Rule To Show Cause Order after his property went unsold at the September Upset Tax Sale.

Appellant/Intervenor’s argument misstates the law and the record. The record is devoid of any actual notice given to Petitioner Fike. Actual notice, even if it were proven, does not relieve the Tax Claim Bureau of its obligation to prove strict compliance with the statutory notice requirements of the Real Estate Tax Sale Law. See, *In re Tax Sale of 2003 Upset*, 860 A.2d 1184, 1190 (Pa. Commw. Ct. 2004); *Gutierrez v. Washington County Tax Claim Bureau*, 260 A.3d 291 (Pa. Commw. Ct. 2021).

Here, the Fayette County Tax Claim Bureau failed to produce any competent evidence that the Rule to Show Cause was served upon Petitioner Fike in the manner required by 72 P.S. § 5860.611 and § 5860.612. Even if notice of an earlier upset tax sale had been established, which it was not, that service would not substitute for the mandatory service requirements applicable to a judicial free and clear sale. Appellant/Intervenor’s due process argument lacks merit.

Issue “f.” The Deed to the Intervenor dated August 10, 2025, and recorded at Record Book 3619, page 1029 was/is presumptively valid, and Petitioner failed to sustain his burden of proof by advancing any clear and convincing evidence at the hearing on October 21, 2025, that the conveyance was procured by fraud or want of authority.

Appellant/Intervenor’s argument again improperly shifts the burden of proof. The validity of Intervenor’s deed is wholly derived from the validity of the judicial tax sale itself. Where a tax sale is conducted without strict compliance with the notice provisions of the Real Estate Tax Sale Law, the sale is void, and no valid title passes to the purchaser. *Estate of Marra v. Tax Claim Bureau of Lackawanna County*, 95 A.3d 951 (Pa. Commw. Ct. 2014).

Petitioner Fike was not required to prove fraud, want of authority, or any other defect in the deed. Once the Fayette County Tax Claim Bureau failed to establish proper service of the Rule to Show Cause, the judicial sale could not stand as a matter of law. The presumption of validity afforded to recorded deeds does not attach where the underlying tax sale is void for lack of statutory notice.

Issue “g.” The Honorable Trial Court erred in failing to vacate the Court’s Order of October 21, 2025, for the Petitioner’s willful disobedience and contemptuous failure to pay the

back taxes of \$1984.43 within thirty (30) days of said order.

The record is silent as to whether Petitioner Fike paid the delinquent taxes as directed by this Court's Order dated October 21, 2025. No Petition for Contempt was filed alleging his nonpayment of taxes. Nonetheless, failure to tender delinquent taxes does not cure defects in a tax sale. Failure to pay also does not obligate the trial court to vacate an order setting aside a judicial sale conducted without proper notice. The Real Estate Tax Sale Law conditions the validity of a judicial sale on strict compliance with notice requirements without regard for the payment of taxes. Absent a valid sale, there was no basis upon which to compel Petitioner Fike's compliance through contempt or to vacate the Court's Order for his disobedience.

Issue “h.” The Honorable Trial Court erred in not granting Intervenor's Motion To Dismiss Petitioner's Petition To Set Aside Tax Sale for his failure to file any objections or exceptions per 72 P.S. §5860.607(a.1)(1) within thirty (30) days from the date of the Decree Nisi signed on July 10, 2025, by the Honorable Judge Linda Cordaro making the June 16, 2025 Tax Sale absolute. Petitioner did not file his Petition To Set Aside the Tax Sale until September 30, 2025, over forty (40) days beyond the permitted date for filing any exceptions or objections to the Tax Sale.

Initially, Appellant/Intervenor's reliance on 72 P.S. § 5860.607(a.1)(1) is misplaced. That provision governs objections and exceptions to an upset tax sale. The sale at issue here was a Judicial Free and Clear Sale, which is governed by §§ 5860.610–5860.612. The statutory exception period applicable to upset sales does not bar a challenge to a judicial sale predicated on defective service of the Rule to Show Cause.

Further, where a judicial tax sale is void for lack of statutory notice, it may be challenged notwithstanding procedural time limits. Pennsylvania courts have consistently held that a sale conducted without strict compliance with notice requirements is void ab initio and cannot be rendered valid by the passage of time.

The Law, which incorporates the principles of due process, requires that notice of judicial sales be provided to a property's owner, among others, and the Law sets forth what notice is reasonably required prior to the sale of a property at judicial sale. Where, as here, a tax sale requires prior court approval, the Court has repeatedly and consistently applied the principles that the notice requirements are jurisdictional, that noncompliance with those requirements leaves the approving court without jurisdiction, and that a sale directed under these circumstances is void ab initio. Here, the Bureau did not comply with its obligations under the Law's notice requirements, leaving common pleas without jurisdiction to direct the judicial sale of the Property, and that sale must be set aside.

In re Sale of Real Est. by Lackawanna Cnty. Tax Claim Bureau, 255 A.3d 619, 634–35 (Pa. Commw. Ct. 2021)

Accordingly, the denial of Intervenor's Motion to Dismiss was proper as this Court was without jurisdiction.

Wherefore, it is respectfully submitted that this appeal is without merit and should be denied.

BY THE COURT:
NANCY D. VERNON, JUDGE

ATTEST:
Prothonotary