

Adams County Legal Journal

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IN THIS ISSUE

FOX VS. CEDAR RIDGE ET AL

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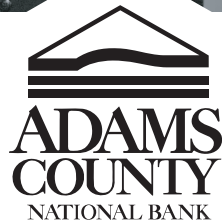
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1325 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described tract of mountain land situate, lying and being in both Tyrone and Menallen Townships, County of Adams, and State of Pennsylvania, bounded and limited as follows, to wit:

BEGINNING at a p.k. nail set six (6) feet North of the center line of Township Road T-651 (Reservoir Road) at corner of lands now or formerly of David P. Nelson; thence continuing by lands now or formerly of David P. Nelson and through an existing rebar set 76.16 feet back from the beginning of this course, South 00 degrees 09 minutes 02 seconds West, 1,518 feet to a rebar set at existing planted stone and oak stump along line of lands now or formerly of Ray H. Flint; thence continuing by lands now or formerly of Ray H. Flint and proceeding out of Tyrone Township and into Menallen Township, North 82 degrees 44 minutes 22 seconds West, 381.88 feet to a rebar set in existing stones at corner of lands now or formerly of Lenore S. Rex; thence continuing by lands now or formerly of Lenore S. Rex and proceeding out of Menallen Township and back into Tyrone Township, North 00 degrees 31 minutes 42 seconds West, 1,013.23 feet to a rebar set in existing stones along line of lands now or formerly of Albert F. Hinkle; thence continuing by lands now or formerly of Albert E. Hinkle and through a reference rebar set 40 feet back from the next reference point, North 40 degrees 39 minutes 40 seconds East, 601.85 feet to Ap.k. nail set six (6) feet North of the centerline of Township Road 1-651, (Reservoir Road) at corner of lands now or formerly of David P. Nelson, the place of BEGINNING. CONTAINING 11.212 Acres.

The above description was taken from a draft of survey prepared by Mark A. Kuntz, Surveyor, dated October 24, 1994.

TITLE TO SAID PREMISES IS VESTED

IN Edger L. Wetzel and Kristina A. Wetzel, h/w, by Deed from Hildred Sowers, widow, dated 12/21/1999, recorded 03/08/2000 in Book 2011, Page 110.

Tax Parcel: (40) F 04 - 0021

Premises Being: 670 Reservoir Road, Gardners, PA 17324

SEIZED and taken into execution as the property of **Edgar L. Wetzel & Kristina A. Wetzel** 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 February 12, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

12/23, 31 & 1/8

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1031 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN tract of land, situate, lying and being in Franklin Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a mark in the center of the New Lincoln Highway at other lands of Lamont Kane on the East and at corner of land of Victor Re on the North; thence by lands of Lamont Kane South 01 degree East, 280.5 feet to a mark in the center of the Old Lincoln Highway; thence by same North 87 degrees West, 351.8 feet to mark in the center of the Old Lincoln Highway at the southeast corner of lands of Philip A. Haler; thence

by said Haler lands North 03 degrees 05 minutes East, 224.7 feet to a mark in the center of said highway; thence by other lands of Victor Re North 83 degrees 30 minutes East, 336.3 feet to a mark in the center of the highway, the place of BEGINNING.

CONTAINING 1 acre and 159 perches.

UNDER AND SUBJECT to covenants, conditions, reservations, restrictions, easements and right of ways of record.

TITLE TO SAID PREMISES IS VESTED IN Stephen B. Shank and Holly M. Shank, h/w, by Deed from Frances M. Hallmayer Topper, unmarried, dated 03/01/2006, recorded 03/08/2006 in Book 4337, Page 309.

Tax Parcel: 12, B09-0142-000

Premises Being: 3145 Old Route 30, Orttanna, PA 17353

SEIZED and taken into execution as the property of **Stephen B. Shank & Holly M. Shank** 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 February 12, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

12/23, 31 & 1/8

FOX VS. CEDAR RIDGE ET AL

1. Plaintiff raises the precise legal issue of whether a non-licensee under the Liquor Code is subject to the provisions of the Dram Shop Act when the non-licensee serves alcohol in exchange for remuneration.

2. Only licensed persons engaged in the sale of intoxicants have been held to be civilly liable to injured parties.

3. This issue is one of first impression in the Commonwealth as there is no direct appellate authority addressing it. Common Pleas courts confronting this question have been split.

4. A careful and thorough reading of the Liquor Code fails to reveal any category wherein an individual can obtain a license to sell alcohol at a residential party. I have difficulty, therefore, granting the fiction of "licensee status" to one who cannot, under any circumstance, be licensed under the Code.

5. The decision herein is expressly limited to a determination that 47 P.S. § 4-493 does not impose liability on a non-licensed person who sells alcohol to an intoxicated individual.

6. Pennsylvania courts have long held that a social host, i.e. one furnishing alcohol to his guests, is not civilly responsible for the subsequent actions of an intoxicated guest.

In the Court of Common Pleas of Adams County, Pennsylvania,
Civil, No. 08-S-662, MARGARET E. FOX AND WAYNE FOX VS.
CEDAR RIDGE GOLF COURSE AND MICHAEL SMITH.

Brian P. Strong, Esq., for Plaintiffs

W. Darren Powell, Esq., for Cedar Ridge Golf Course

Kevin D. Rauch, Esq., for Michael Smith

George, J., March 17, 2009

OPINION

This litigation involves a fatal accident on February 16, 2008 wherein the Plaintiffs, Margaret E. Fox and Wayne Fox (collectively "Fox"), were seriously injured as a result of a head-on collision with a vehicle driven by the decedent, Wade Schroyer ("Schroyer"). Shortly after the accident, a test of Schroyer's blood alcohol level revealed a blood alcohol concentration of .802 percent.¹ Prior to the accident, Schroyer had been consuming alcohol at the Cedar Ridge Golf Course ("Cedar Ridge") and the residence of Michael Smith

¹The factual background is ascertained from Fox's Complaint as the Court, in considering a request for the entry of judgment on the pleadings, must consider all of the non-moving parties' well-pleaded allegations as true. *Pa. Dep't of Banking v. NCAS of Del., LLC*, 948 A.2d 752, 759 (Pa. 2008). The reference to the blood alcohol content is taken directly from the Complaint. The Court questions whether a typographical error exists as it is this Court's understanding that a B.A.C. above .30 percent can be fatal in and of itself.

(“Smith”). In the Complaint, Fox brings a course of action under the Pennsylvania Dram Shop Act, 47 P.S. § 4-493(a),² alleging that both Cedar Ridge and Smith served Schroyer alcohol even though he was manifestly intoxicated. In support of his cause of action, Fox further alleges that both Cedar Ridge and Smith received remuneration from Schroyer in exchange for the alcohol which they provided to him.

After close of the pleadings, Smith has filed a Motion for Judgment on the Pleadings seeking dismissal of the Complaint against him on the basis that the Complaint does not allege, nor can allege, that he is a licensee under the Pennsylvania Liquor Code. Accordingly, he claims that Fox has failed to allege a proper cause of action as the Dram Shop Act is inapplicable to him.

In considering a motion for judgment on the pleadings, all material facts averred in the complaint, as well as the inferences reasonably deductable therefrom, are admitted as true and the question presented is whether, on the facts averred, the law says with certainty that no recovery is possible. *Emerich v. Philadelphia Ctr. for Human Dev.*, 720 A.2d 1032, 1034 (Pa. 1998). For purposes of his Motion, Smith has conceded the allegations in the Complaint. However, he raises the precise legal issue of whether a non-licensee under the Liquor Code is subject to the provisions of the Dram Shop Act when the non-licensee serves alcohol in exchange for remuneration.

Fox argues that an actual license under the Liquor Code is not necessary to subject a party to liability under the Dram Shop Act. Fox claims that the Dram Shop Act applies to any person regardless of license status. Fox further suggests that a non-licensed person, by charging remuneration, acquires “licensee status” under the Liquor Code thereby imposing liability. In advocating the latter, Fox suggests that it is against public policy to permit one whom the law requires to have a liquor license to avoid liability under the Dram Shop Act because they failed to comply with their legal obligation to obtain a license. Smith, on the other hand, suggests that a literal reading of the Dram Shop Act requires that a party actually be a

²The Pennsylvania Dram Shop Act makes licensees under the Pennsylvania Liquor Code, 47 P.S. § 4-493(1) civilly liable for damages resulting from serving alcohol to an intoxicated individual. *Holpp v. Fez, Inc.*, 656 A.2d 147, 150 (Pa.Super. 1995). Absent application of the Dram Shop Act, Pennsylvania courts have generally declined to hold a “social host” liable for damages caused by an intoxicated person leaving their premises. *Alumni Ass’n v. Sullivan*, 572 A.2d 1209, 1211 (Pa. 1990).

“licensed establishment” before the Act becomes applicable. There is no dispute that Smith was not licensed under the Liquor Code at the time of the accident.

The Pennsylvania Dram Shop Act, 47 P.S. § 4-493, provides, in relevant part, that it shall be unlawful for:

“.....any licensee or the Board, or any employee, servant, or agent of such licensee or of the Board, or any other person, to sell, furnish, or give any liquor or malt or brewed beverage or to permit any liquor or malt or brewed beverages to be sold, furnished, or given, to any person visibly intoxicated,

Id.

As mentioned, Fox initially suggests that the language “or any other person” is intended to impose liability under the Dram Shop Act to all individuals who serve alcohol to intoxicated persons in exchange for remuneration regardless of whether they possess a license under the Liquor Code. Fox advocates a broad reading of the provisions of the Liquor Code which, by implication, extends liability to any person furnishing alcohol to an intoxicated person. This implication, however, lacks merit as the Pennsylvania Supreme Court has specifically rejected it. In *Manning v. Andy*, 310 A.2d 75 (Pa. 1973), the Supreme Court expressly declined to interpret the language “any other person” as being a social host within the provisions of the Dram Shop Act. In refusing to accept such an expansive reading of the Liquor Code, the Court stated:

“We find no error in the trial court’s dismissal of appellant’s complaint. Only licensed persons engaged in the sale of intoxicants have been held to be civilly liable to injured parties. *Jardine v. Upper Darby Lodge No. 1973*, 198 A.2d 550 (Pa. 1964). Appellant asks us to impose civil liability on nonlicensed persons like appellees, who furnish intoxicants for no remuneration. We decline to do so.”

Id. 310 A.2d at 76. Although *Manning* did not specifically address circumstances where remuneration is exchanged, the Court clearly declined to adopt a broad reading of the language “any other person.” I turn, therefore, to Fox’s suggestion that the sale of alcohol moves this case beyond the reasoning of the *Manning* Court under the

theory that Smith's actions placed him within the fictional category of possessing "licensee status."

Under Fox's theory of "licensee status," a person becomes subject to the Dram Shop provisions if they act as one who is required to be licensed under the Liquor Code regardless of whether they go through the legal licensing procedure. Fox points out that Smith, although not licensed, is accused of providing alcohol in exchange for remuneration. As the sale of alcohol in Pennsylvania is clearly an act which requires a license, Fox argues that Smith has brought himself within the provisions of the Dram Shop Act.

This issue is one of first impression in the Commonwealth as there is no direct appellate authority addressing it. Interestingly, common pleas courts confronting this question have been split. Compare *Harry v. Brown*, 8 Pa. D&C 4th 628 (C.P. Greene 1991) (demurrer granted in favor of non-licensee alleged to have provided alcohol in exchange for a "door fee") with *Hinebaugh v. Pennsylvania Snow Seekers Snowmobile Club*, 63 D&C 4th 140 (C.P. Lawrence 2003) (a non-licensee acquires "licensee status" and is liable under the Dram Shop Act where remuneration is received in exchange for furnishing alcohol). Nevertheless, the reasoning of a Supreme Court decision provides some insight.

In *Kapres v. Heller*, 640 A.2d. 888 (Pa. 1994), the Supreme Court confronted the issue of whether a minor can be held liable as social host for furnishing alcohol to another minor. Despite a factual pattern indicating the payment of remuneration in exchange for entry to the party wherein the alcohol was furnished, the Court nevertheless resolved the issue through applying principles of law related to social host negligence. Certainly, *Kapres* has limited application to the current issue as the litigation involved general issues of negligence rather than a Dram Shop cause of action. It is revealing, however, that the Court did not comment on the fact that a non-licensee under the Liquor Code provided alcohol in exchange for remuneration. Despite an opportunity to do so, the Court did not carve out an exception to long-standing principles related to social host negligence in instances where alcohol is furnished in exchange for remuneration. Compare *Congini v. Portersville Valve Co.*, 470 A.2d 515 (Pa. 1983) (the Supreme Court carved out an exception to the general rule by permitting social host's liability against those knowingly furnishing intoxicants to a minor).

Importantly, appellate authority extending civil liability under the Liquor Code to non-licensees is nonexistent. To the contrary, as mentioned, the *Manning* Court specifically rejected efforts to extend the Liquor Code to unlicensed individuals. Nevertheless, Fox argues that public policy works against permitting one who is required to be licensed under the Code to be immune from Dram Shop liability for failure to comply with their obligation to obtain a license. I find this argument unpersuasive for two reasons.

Initially, I note that the statutory section pursuant to which Fox seeks to impose liability on Smith specifically defines licensees as “those persons licensed under the provisions of the Code.” 47 P.S. § 4-493. Had the legislature intended to include within the provisions of the Dram Shop Act to those not licensed, but required to be licensed, they had the ability to do so. I may not, by judicial fiat, supply omissions in a statute. *Kusza v. Maximonis*, 70 A.2d 329, 331 (Pa. 1950). Therefore, I decline Fox’s invitation to legislate into the Dram Shop Act, under the guise of public policy, the fiction of “licensee status.”

Perhaps the more compelling reason I find Fox’s current argument unpersuasive is that the pleadings are completely void of any suggestion that Smith is capable of obtaining licensee status under the Liquor Code. A careful and thorough reading of the Liquor Code fails to reveal any category wherein an individual can obtain a license to sell alcohol at a residential party. There is no indication in the Complaint that Smith is an association, club, distributor, eating place, fraternal benefit society, golf course, hotel, importing distributor, limited winery, manufacturer, race track, restaurant, or retail dispenser as defined under the Code. Even if I presume Smith was illegally selling alcohol, this does categorize him as a permitted or possible licensee under the Code. I have difficulty, therefore, granting the fiction of “licensee status” to one who cannot, under any circumstance, be licensed under the Code.³

³The Code defines “retail dispenser” as “any person licensed to engage in the retail sale of malt or brewed beverages for consumption on the premises of such licensee,” 47 P.S. § 1-102. Arguably, Smith could obtain a license as a retail dispenser. It is difficult to fathom, however, that a person exchanging remuneration for alcohol on a single occasion at a private residence is contemplated to be a retail dispenser. In fact, the Liquor Code expressly removes this factual scenario from underneath the umbrella of “retail dispenser” as a retail dispenser must sell alcohol at a premises open to the general public as compared to a private residence. 47 P.S. § 4-442 (b).

It is evident that Fox's concept of "licensee status" confuses the liability imposed on a licensee for a violation of the Dram Shop Act, 47 P.S. § 4-493, with potential violations of the Act under other sections, i.e. see 47 P.S. § 4-491(1) (it shall be unlawful for any person to sell alcohol without a license). While the latter individual may face criminal ramifications for their illegal acts, they cannot be required to be held responsible under standards which are clearly limited to licensees.

The decision herein is expressly limited to a determination that 47 P.S. § 4-493 does not impose liability on a non-licensed person who sells alcohol to an intoxicated individual. In reaching this limited ruling, I find the concurring opinion of Justice Pomeroy in *Manning v. Andy*, *supra*, as persuasive:

The Liquor Code is primarily concerned with the regulation of licensees of the Liquor Control Board and others connected in one way or another with the liquor industry. In my view, it is appropriate to hold persons in that class strictly liable in tort law for a violation of the statute as this Court has done in the case cited above That standard of liability, however, is not appropriate for every violation of the criminal statute and, in my view, it is not appropriate where, as here, the defendant is a private individual in no way part of the liquor industry. To my knowledge, no court has created civil liability with respect to such persons.

Manning v. Andy, *supra* 310 A.2d at 77, (Pomeroy concurring) (citations omitted).

Pennsylvania courts have long held that a social host, i.e. one furnishing alcohol to his guests, is not civilly responsible for the subsequent actions of an intoxicated guest. This rule of law developed from the belief that "in the case of an ordinary able-bodied man," it is the consumption of the alcohol, rather than the furnishing of the alcohol, which is the proximate cause of any subsequent occurrence. *Klein v. Raysinger*, 470 A.2d 507, 510 (Pa. 1983). While the legislative purpose behind our Commonwealth's Driving Under the Influence Statute is to protect others from the potential hazards of intoxicated drivers, if the person is an adult, it is his choice, not that of the host, to consume alcohol and drive. *Brandjord v. Hopper*, 688

A.2d 721, 726 (Pa.Super. 1997). Despite numerous invitations to do so, our appellate courts have not deviated from this enunciated concept. It is not necessary for me to determine whether, under the specific factual pattern before the Court, an exception to the long-standing Social Host Doctrine should be carved out in situations where the social host receives remuneration for the alcohol provided to guests as the sole cause of action under Fox's Complaint is brought pursuant to the Dram Shop Act.

Accordingly, I conclude that the Dram Shop Act, 47 P.S. § 4-493, applies only to licensees under the Liquor Code. While Fox's public policy argument may have merit, a decision of such monumental nature is best left to legislature.

For the foregoing reasons, the attached Order is entered.

ORDER OF COURT

AND NOW, this 17th day of March, 2009, the Motion of the Defendant, Michael Smith, for judgment on the pleadings is granted. The Prothonotary is directed to enter judgment against the Plaintiffs, Margaret E. Fox and Wayne Fox, and in favor of the Defendant, Michael Smith. The remaining cause of action against Cedar Ridge Golf Course shall proceed to trial pursuant to the Pennsylvania Rules of Civil Procedure and local practice.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1030 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land lying and situate in Hamiltonban Township, Adams County, Pennsylvania, more particularly bounded and described as follows: BEGINNING at a steel pin at corner of land now or formerly of C.S. Sowers; thence by said land, North 73 degrees 28 minutes West, 1,018.87 feet to a steel pin at land now or formerly of Goldie Dudash; thence by said land, North 4 degrees 35 minutes West, 115.97 feet to a steel pin; thence by land now or formerly of Grayce D. Been and Claudia Payne, North 78 degrees 44 minutes East, 286.63 feet to a point; thence North 48 degrees 58 minutes East, 90.63 feet to a steel pin; thence by land now or formerly of Joseph E. Been and continuing in the center of roadway approximately 33 feet wide, North 87 degrees 55 minutes East, 230.39 feet to a point in said roadway; thence continuing in said roadway by land of same, South 48 degrees 9 minutes East, 218.60 feet to a point in said roadway; thence continuing in said roadway, South 84 degrees 40 minutes East, 118.55 feet to a point in said roadway; thence continuing in said roadway North 86 degrees 26 minutes East, 94.76 feet to land now or formerly of Robert Mickley and land now or formerly of C.S. Sowers; thence leaving said roadway and by land now or formerly of C.S. Sowers, South 18 degrees 32 minutes West, 360.17 feet to the place of BEGINNING.

Being Known As: 70 Yankee Lane, Carroll Valley, PA 17320.

TITLE TO SAID PREMISES IS VESTED IN Edward H. Porter and Phyllis Jones-Porter by deed from Peace of the Pie, LLC, a Maryland limited liability company registered to do business in Pennsylvania as a foreign limited liability company, dated November 16, 2006 and recorded November 20, 2006 in Deed Book 4648, Page 225.

TAX ID. #: 18-BI4-0058

SEIZED and taken into execution as the property of **Edward H. Porter & Phyllis Jones-Porter** 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 February 12, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

12/18, 23 & 31

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1332 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a corner along the Hanover Road and a public alley; thence along said public alley, North forty-one and one-fourth (41-1/4) degrees East one hundred eighty (180) feet to a twenty (20) feet wide alley; thence along said alley, North forty-three (43) degrees West one hundred twenty (120) feet to Lot No. 17; thence along Lot No. 17, South forty-one and one-fourth (41-1/4) degrees West, one hundred eighty (180) feet to the said Hanover Road; thence along said Hanover Road, South forty-three (43) degrees East one hundred twenty (120) feet to the place of BEGINNING. CONTAINING 21,600 square feet and known as Lots 18, 19, 20 and 21.

TITLE TO SAID PREMISES IS VESTED IN David P. Knotts and Andrea E. Knotts, h/w, as tenants by the entireties, by Deed from Rose M. Topper and Gerald P. Topper, Jr., h/w, dated 01/30/1998, recorded 02/02/1998 in Book 1513, Page 350.

Tax Parcel: (35) 008-0074---000

Premises Being: 290 Hanover Street, New Oxford, PA 17350

SEIZED and taken into execution as the property of **David P. Knotts & Andrea E. Knotts** 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 February 12, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

12/18, 23 & 31

NOTICE BY THE ADAMS COUNTY CLERK OF COURTS

NOTICE IS HEREBY GIVEN to all heirs, legatees and other persons concerned that the following accounts with statements of proposed distribution filed therewith have been filed in the Office of the Adams County Clerk of Courts and will be presented to the Court of Common Pleas of Adams County—Orphan's Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on Friday, January 8, 2010 at 8:30 a.m.

DeUNGER—Orphan's Court Action Number – OC-134-2005. The First and Final Account of Stephanie S. Gonos, Executrix of the Estate of John P. DeUnger, late of Littlestown, Adams County, Pennsylvania, deceased.

BARKER—Orphan's Court Action Number – OC-131-2009. The First and Final Account of David Kelly, Executor, of the Estate of Mazie M. Barker, late of the Butler Township, Adams County, Pennsylvania, deceased.

Kelly A. Lawver
Clerk of Courts

12/23 & 31

LEGAL NOTICE—ANNUAL MEETING

The annual meeting of the policyholders of the Protection Mutual Insurance Company of Littlestown will be held at the office located at 101 South Queen Street in Littlestown, PA, between the hours of 1:00 and 2:00 p.m., on January 16th, 2010 to elect directors and to transact any other business properly presented.

Attest: Marilyn Q. Butt
President & Treasurer; Director

12/18, 23, 31 & 1/8

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-818 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground situate in the Township of Latimore, County of Adams, Commonwealth of Pennsylvania and described as follows, that is to say:

BEGINNING for a point within the right-of-way of Lake Meade Road at Lot No. 2 of the hereinafter referred to subdivision plan, thence along said Lot No. 2 North through a steel pin set thirty-one and fifty-five hundredths (31.55) feet from the beginning of this course North fifteen (15) degrees forty-seven (47) minutes thirty-nine (39) seconds West nine hundred eighty-seven and seventy-nine hundredths (987.79) feet to a steel pin set at lands now or formerly of William C. Miller; thence along said lands now or formerly of William C. Miller North seventy-two (72) degrees five (05) minutes forty (40) seconds East two hundred ninety-one and zero hundredths (291.00) feet to a concrete monument set in a pole; thence continuing along said lands now or formerly of William C. Miller and along lands now or formerly of Floyd Seville and lands now or formerly of Melvin G. Schandeleimer South fifteen (15) degrees thirty-seven (37) minutes twenty-three (23) seconds East five hundred twenty-one and forty-eight hundredths (521.48) feet to a steel pin found; thence continuing along lands now or formerly of Melvin G. Schandeleimer South eighty-seven (87) degrees fourteen (14) minutes eighteen (18) seconds East four hundred thirty-four and thirty-nine hundredths (434.39) feet to a point in the right-of-way of Braggtown Road; thence in and through the right-of-way of Braggtown Road South twenty-two (22) degrees forty-four (44) minutes forty-six (46) seconds West five hundred fourteen and nine hundredths (514.09) feet to a point at the intersection of Braggtown Road and Lake Meade Road; thence in and through the right-of-way of Lake Meade Road North seventy-nine (79) degrees twenty-five (25) minutes thirty-three (33) seconds West one hundred thirty-four and seventy-one hundredths (134.71) feet to a point; thence continuing in and through said right-of-way North eighty-seven (87) degrees forty-six (46) minutes zero (00) seconds West two hundred twenty and forty-eight hundredths (220.48) feet to a point, the place of BEGINNING. CONTAINING 10.005 acres and Being known as Lot No. 1 on the final subdivision plan of Jack W. and Barbara E. Anderson, which plan is

recorded in the Adams County Recorder of Deed's Office in Plat Book 83, Page 42, Part of Parcel No. Map 124, Parcel 45 LT # 50041L.

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

TITLE TO SAID PREMISES IS VESTED IN Rebecca L. Raver, single person, by Deed from James Edgar Wyatt, a single person, dated 01/17/2006, recorded 01/19/2006 in Book 4288, Page 184.

Tax Parcel: 23-K04-0045-A-000

Premises Being: 1861 Braggtown Road, East Berlin, PA 17316

SEIZED and taken into execution as the property of **Rebecca L. Raver** 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 February 12, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

12/18, 23 & 31

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-704 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that parcel of land situate in the Borough of Arendtsville, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a mark on the curb along the eastern side of Pearl Street at corner of other land of Richard C. Price and wife; thence along said curb North 21 degrees 25 minutes West, 21.50 feet to another mark on said curb; thence by other land of Fred H. Lewis and wife North 67 degrees 52 minutes East, 151.05 feet to an iron pin; thence South 21 degrees 52 minutes East, 21.50 feet to iron pin at corner of other land of Richard C. Price and wife; thence by said other land of Richard C. Price and wife South 67 degrees 52 minutes West,

151.22 feet to a mark on the curb along the eastern side of Pearl Street, the place of BEGINNING. CONTAINING .075 acre.

The foregoing description was obtained from a draft of a survey made by Boyer-Price Surveying on December 22, 1972.

PARCEL IDENTIFICATION NO 02-006-0028-000

TITLE TO SAID PREMISES IS VESTED IN Richard C. Price and Phyllis H. Price, h/w, as tenants of an estate of entireties, by Deed from Fred H. Lewis and Elizabeth S. Lewis, h/w, dated 01/22/1973, recorded 04/26/1973 in Book 306, Page 376.

Tax Parcel: 02-006-0028-000

Premises Being: 27 Pearl Street, Arendtsville, PA 17303

SEIZED and taken into execution as the property of **Richard C. Price & Phyllis H. Price** 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 February 12, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

12/18, 23 & 31

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1381 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground situate in the Borough of McSherrystown, Adams County, Pennsylvania, bounded and limited as follows:

BEGINNING at an iron pipe on the Western side of Water Street (nine feet from the center line of said street) at other lands now or formerly of Elsie M. Bange; thence along said other lands now or formerly of Elsie M. Bange, South seventy-three (73) degrees eighteen (18) minutes thirty-five (35) seconds West, one hundred seventy-seven and thirty-one hundredths (177.31) feet to an iron pipe at lands now or formerly of Lewis Klunk; thence along said lands now or formerly of Lewis Klunk, North sixteen (16) degrees West, seventy-six and thirty-five hundredths (76.35) feet to an iron pipe at lands now or formerly of Donald Klunk; thence along said lands now or formerly of Donald Klunk and lands now or formerly of Mrs. Donald Reigle, North Sixty-five (65) degrees six (6) minutes fifty-five (55) seconds East, one hundred seventy-nine and eighty-five hundredths (179.85) feet to and iron pipe on the Western side of the aforesaid Water Street, thence along the Western side of said Water Street, South fifteen (15) degrees forty-six (46) minutes twenty-five (25) seconds East, one hundred two (102) feet to an iron pipe, the place of Beginning. Containing 15,826 square feet. (This description is taken from a survey prepared by J.H. Rife, Registered Engineer, File No. A-903)

BEING THE SAME PREMISES BY DEED FROM RANDY L. SALISBURY AND MELISSA A. SALISBURY (FORMERLY HUSBAND AND WIFE) DATED 06/23/2005 AND RECORDED 08/11/2005 IN BOOK 4081 PAGE 112 GRANTED AND CONVEYED UNTO MELISSA A. SALISBURY, A SINGLE WOMAN.

Being Known As 30 Water Street, McSherrystown, PA 17344

TAX PARCEL NO: 28-3-1

SEIZED and taken into execution as the property of **Melissa A. Salisbury** 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 February 12, 2010,

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

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

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

12/18, 23 & 31

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1075 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Mt. Pleasant Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING at a point in the center of Lincoln Highway (U.S. Route #30) at the intersection with the center of Legislative Route No. 01069; extending thence in and through said Legislative Route No. 01069, South thirty-seven (37) degrees thirty-seven (37) minutes twenty-five (25) seconds West, four hundred seventy-three (473) feet to a point; extending thence in and through same, South eight (8) degrees thirty-two (32) minutes fifty-nine (59) seconds West, five hundred nine and thirteen hundredths (509.13) feet to center of said Legislative Route at lands now or formerly of John Erb; thence along said lands, South eighty-nine (89) degrees thirty-one (31) minutes eleven (11) seconds West, seven hundred forty-four and sixty-eight hundredths (744.68) feet to a stone (erroneously described as seven hundred twenty-six and forty-three hundredths (726.43) feet in the prior deed) at lands now or formerly of Norman Becker; extending thence along last named lands, North thirty (30) degrees thirteen (13) minutes twenty-seven (27) seconds East, eleven hundred seven and fifty-seven hundredths (1107.57) feet to the center of the aforesaid Lincoln Highway; extending thence along center of Lincoln Highway, South eighty-two (82) degrees thirty (30) minutes East, five hundred fifty-six and thirty-five hundredths (556.35) feet to the point and place of BEGINNING. CONTAINING 12.6604 acres. The above description based on survey of Donald E. Worley, Registered Surveyor, Hanover, Pennsylvania, made on July 27, 1971, Field Book No. 71, File No. C-52.

TITLE TO SAID PREMISES IS VESTED IN Nathan L. Stump, single, by Deed from Pabrade, L.L.C., a Maryland limited liability company, dated 02/24/2006, recorded 03/07/2006 in Book 4335, Page 349.

Tax Parcel: (32) I 11-31A

Premises Being: 3775 York Road, New Oxford, PA 17350

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

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 12, 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.

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12/18, 23 & 31

FICTITIOUS NAME

NOTICE IS HEREBY GIVEN an Application for Registration of Fictitious Name was filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania on October 14, 2009, pursuant to the Fictitious Name Act, approved May 24, 1945, in the Office of the Secretary of the Commonwealth of Pennsylvania, setting forth that AT YOUR DOOR TITLE SERVICES, INC., is the only party owning or interested in a business, the character of which is a real estate settlement company, and the style and designation under which said business is and will be conducted is AT YOUR DOOR SETTLEMENTS, and the address where said business is and will be located is 58 Mason Dixon Drive, Littlestown, Pennsylvania 17340.

Timothy J. Shultis, Esquire
MILLER & SHULTIS, P.C.
Solicitor

12/31

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 CINDY M. BLACK, DEC'D**

Late of Menallen Township, Adams County, Pennsylvania

Executrix: Joy K. Cline, 150 Old Railroad Road, Biglerville, PA 17307

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

ESTATE OF RAYMOND K. DAY, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Administrators d.b.n.c.t.a: Dale L. Heiner, Sr. and Jean E. Heiner, 8961 Orchard Road, Spring Grove, PA 17362; Larry Augustus Day and Shirley Day, 7414 Kopp Road, Spring Grove, PA 17362

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore Street, Gettysburg, PA 17325

ESTATE OF MILTON C. GASTON, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Dorothy Davis, 60 2nd Avenue, Emmitsburg, MD 21727

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

ESTATE OF ONEIDA HAWBAKER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Charlotte Carey, 571 Old Carlisle Road, Biglerville, PA 17307 and Marshall Hawbaker, 1980 Biglerville Road, Gettysburg, PA 17325

ESTATE OF VERNON E. REED, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executrix: Dorothy E. Reed, c/o James P. Sheppard, Esq., 2201 North Second Street, Harrisburg, PA 17110

Attorney: James P. Sheppard, Esq., 2201 North Second Street, Harrisburg, PA 17110

ESTATE OF CHARLES RICHARD SANDERS a/k/a C. RICHARD SANDERS, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Carol Hawbaker Kelley, 259 Clapsaddle Road, Gettysburg, PA 17325

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore Street, Gettysburg, PA 17325

ESTATE OF DORIS C. SCHAFER, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executrix: Emille L. Shoemaker, 8 Loop Drive, Hanover, PA 17331

Attorney: George W. Swartz, II, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF DAVID L. BUCKLEY, DEC'D**

Late of Huntington Township, Adams County, Pennsylvania

Executrice: Jamie L. Chapman, 9 Wargo Lane, Dillsburg, PA 17019

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

ESTATE OF WILLIAM LOUIS BUSBEY, JR., DEC'D

Late of New Oxford Borough, Adams County, Pennsylvania

Administratrix: Michele R. Busbey, 250 Marsh Creek Heights, Gettysburg, Pennsylvania 17325

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle Street, Hanover, PA 17331

ESTATE OF GLADYS M. FLICKINGER, DEC'D

Late of McSherrystown Borough, Adams County, Pennsylvania

Executrix: Regina M. Harms, a/k/a Regina M. McCracken, 130 Gun Club Road, York Springs, PA 17372

Attorney: Stonesifer and Kelley, P.C., 209 Broadway, Hanover, PA 17331

ESTATE OF HAROLD L. KING, DEC'D

Late of Huntington Township, Adams County, Pennsylvania

Co-Executors: Cindy L. (King) Sowers, 1366 White Oak Tree Road, Gardners, PA 17324, and Jeffrey L. King, 60 Cherry Hill Road, Gardners, PA 17324

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

ESTATE OF PHYLLIS Q. PITTENTURF, a/k/a PHYLLIS Y. PITTENTURF, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Administratrix c.t.a.: Debra Kay Pittenturf, 64 E. Water St., Gettysburg, PA 17325

Attorney: Phillips & Phillips, 101 West Middle Street, Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF PAULINE CONAWAY, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Sandy S. Shelley, 372 Pegram St., Gettysburg, PA 17325

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

ESTATE OF ROBERT F. LAIN, II, DEC'D

Late of Mt. Joy Township, Adams County, Pennsylvania

Administrator: Susan L. Lain, 252 Thomas Dr., Gettysburg, PA 17325

ESTATE OF PAULINE R. LOWE, DEC'D

Late of Hamiltonban Township, Adams County, Pennsylvania

Executors: Ruth A. Watson, Linda K. Watson, Ronald L. Lowe, and Robert W. Lowe, 11277 Furnace Road, Blue Ridge Summit, PA 17214

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

ESTATE OF NORMA J. REDMOND, DEC'D

Late of the Borough of New Oxford, Adams County, Pennsylvania

Executor: Paul G. Lutz, c/o Robert M. Strickler, Esq., 110 South Northern Way, York, PA 17402

Attorney: Robert M. Strickler, Esq., 110 South Northern Way, York, PA 17402

ESTATE OF DOROTHY E. SHUGARS, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrices: Joan Diane Colvin and Linda Joyce Hogan, 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

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1369 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of ground, with the improvements thereon erected, situate, lying and being in Reading Township, Adams County, Pennsylvania bounded and described as follows, to wit:

BEGINNING at a stake for a corner at Lot No. 47 and a twenty (20) foot wide driveway; thence by said driveway, North one (1) degree twenty-two (22) minutes East, fifty (50) feet to a stake at Lot No. 49; thence by said Lot No. 49 South eighty-three (83) degrees fourteen (14) minutes East, two hundred ninety-four and eight-tenths (294.8) feet, though at stake on the bank of the Conewago Creek, to a point in said Creek, thence by said Creek South fifteen (15) degrees forty (40) minutes West, fifty (50) feet to a point at Lot No. 47; thence by said Lot No. 47 North eighty-three (83) degrees twenty-one (21) minutes West, through a stake on the bank of said Creek, two hundred eighty-two and three-tenths (282.3) feet to a stake, the place of BEGINNING.

Parcel# L8-5

Property address: 96 Conewago Drive, East Berlin, PA 17316

BEING the same premises which Edward Sneddon, by deed dated

02/12/03 and recorded 03/12/03 in the Office of the Recorder of Deeds in and for Adams County, in Deed Book 3013 Page 160, granted and conveyed unto Ben and Jennifer Weimer, husband and wife.

SEIZED and taken into execution as the property of **Jennifer Weimer & Ben V. Weimer, Sr.** 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 February 12, 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.

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12/18, 23 & 31

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1250 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of January, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Carroll Valley Borough (formerly Liberty Township), Adams County, Pennsylvania, being Lot No. 186 in Section A, bounded and described as follows:

BEGINNING at a point in the center of Lakeview Trail at Lot No. 185; thence by said lot South 62 degrees 13 minutes East, 240 feet to a point at Lot No. 181; thence by a portion of said lot and by a portion of Lot No. 171 South 27 degrees 47 minutes West, 100 feet to Lot No. 187; thence by said lot North 62 degrees 13 minutes West, 240 feet to a point in the center of said Lakeview Trail; thence in said Lakeview Trail North 27 degrees 47 minutes East, 100 feet to the place of BEGINNING.

The above description was taken from a plan of lots labeled 'Section A, Charnita' dated March 10, 1965, prepared by Gordon L. Brown, R.S., and recorded in Adams County Miscellaneous Docket 3 at Page 733.

BEING THE SAME WHICH Peter Michael Pfau and Ann Rebecca Pfau, husband and wife, by H. Thomas Pyle, their attorney-in-fact, by deed dated November 9, 1989, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 539 at Page 154, sold and conveyed unto Carol Ann Sakiewicz, Grantor herein.

TITLE TO SAID PREMISES IS VESTED IN Brady E. Ridgley and Clara E. Ridgley, h/w, as tenants of an estate by the entireties, by Deed from Carol Ann Sakiewicz, unmarried, dated 11/18/1994, recorded 11/22/1994 in Book 967, Page 242.

Tax Parcel: (43) 017-0025

Premises Being: 6 Lake View Trail, Fairfield, PA 17320

SEIZED and taken into execution as the property of **Brady E. Ridgley & Clara E. Ridgley** 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 February 12, 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.

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12/18, 23 & 31

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