

Adams County Legal Journal

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YOCUM VS. YOCUM

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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1248 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1248

WELLS FARGO BANK NA

vs.
JEFFREY P. AMBROSE &
KRISTI A. AMBROSE

8 SUNSHINE AVENUE
GETTYSBURG, PA 17325
CUMBERLAND TOWNSHIP

Parcel No.: 09-E13-0208---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$309,793.77

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Jeffrey P. Ambrose & Kristi A. Ambrose** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1129 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1129

BENEFICIAL CONSUMER DISCOUNT
COMPANY

vs.
JEFFREY AUER & KELLY E. AUER

318 RIDGE AVENUE
MCSHERRYSTOWN, PA 17344
MCSHERRYSTOWN BOROUGH

Parcel No.: 28-001-0078---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$165,857.86

Attorneys for Plaintiff

STERN AND EISENBERG, LLP

SEIZED and taken into execution as the property of **Jeffrey Auer & Kelly E. Auer** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1319 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1319

PHH MORTGAGE CORPORATION
vs.

JOSEPH E. BAHN

410 BRICKCRAFTERS ROAD
NEW OXFORD, PA 17350
MOUNT PLEASANT TOWNSHIP

Parcel No.: 32-J11-0020---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$199,828.35

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Joseph E. Bahn** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

YOCUM VS. YOCUM

1. The prenuptial agreement does not contain a full and fair disclosure clause, which means that the presumption set forth in *Simeone* does not exist. However, the absence of such a clause does not automatically render a prenuptial agreement null and void, invalid and unenforceable.

2. Prenuptial agreements are contracts and should be evaluated under the same criteria that are applicable to other types of contracts; absent fraud, misrepresentation, or duress, spouses should be bound by the terms of their agreements.

3. Full and fair disclosure of the financial positions of the parties to a prenuptial agreement is required. This disclosure need not be exact, so long as it is full and fair. There is also no requirement that the disclosure be in writing.

4. Whether adequate disclosure of the financial positions of the parties, entering a prenuptial agreement, has been made will depend on the facts and circumstances of individual cases.

In the Court of Common Pleas of Adams County, Pennsylvania,
Civil, No. 07-S-1360, DEBRA G. YOCUM VS. JOHN C. YOCUM.

Henry O. Heiser III, for Plaintiff

Christina A. Huffman, Esq., for Defendant

Bigham, J., July 6, 2010

OPINION

STATEMENT OF FACTS

Plaintiff, Debra G. Yocum, and Defendant, John C. Yocum, were married on August 29, 2003. This marriage is the second marriage for both parties. Husband owns and runs his own carpentry business. Wife works at the YWCA. Wife has a retirement account through her employment; Husband does not have any retirement plan or account.

After dissolution of Wife's first marriage, she obtained title to her current residence free and clear. Husband moved into Wife's residence prior to the marriage. The parties continued to live there during their marriage. Before and during the marriage, significant improvements were made to Wife's residence by the parties, including adding a pool, renovating the kitchen and living room, adding a billiards room, and replacing the roof.

On date of marriage, August 29, 2003, the parties signed a document titled "Premarital Agreement." Wife drafted this agreement using an online template. The document does not contain a full and fair disclosure clause, nor does the document include any definition or valuation of any of the parties' assets.

Husband and Wife separated in August 2007, and Wife filed for divorce on November 14, 2007. Wife's original counsel sent a proposed Marriage Settlement Agreement to Husband in April 2008. Husband did not act on this proposal. Husband obtained counsel in August 2009 and filed an Answer & Counterclaim to Complaint in Divorce and a Notice of Lis Pendens.

On September 2, 2009, husband Petitioned the Court to set aside the Premarital Agreement. Wife filed an Answer to that petition on September 14, 2009. On September 17, 2009, a Master was appointed to assess the claims for equitable distribution, divorce, alimony, counsel fees, costs, and expenses, pursuant to Wife's motion. The evidentiary hearing for the petition, scheduled for November 3, 2009, and the Master's proceedings were continued to the call. A telephone conference with counsel on October 1, 2009 resulted in an agreement that the parties would participate in informal discovery, including deposing the parties, exchanging financial documents, and having property appraised.

Between October 2009 and January 2010, Wife's original counsel was elected to the bench and she retained new counsel, after which the parties participated in informal discovery. Depositions of the parties were conducted on January 28, 2010. That same day, Husband filed for *alimony pendente lite* (APL). Domestic Relations held a conference on the APL issue on March 22, 2010. Disposition of the APL issue is on hold pending the determination by the Court of the validity of the Prenuptial Agreement. On April 13, 2010, Defendant moved for Summary Judgment, claiming that the Premarital Agreement signed by the parties on the date of marriage is null and void, invalid and unenforceable. Both parties submitted briefs supporting their respective positions, and Oral Argument took place on June 15, 2010 at 10:30 a.m.

DISCUSSION

The issue before the Court is whether Summary Judgment should be granted in Defendant's favor, based on a finding that the Premarital Agreement is null and void, invalid and unenforceable, because of the absence of a full and fair disclosure clause and the circumstances of the case.

The prenuptial agreement does not contain a full and fair disclosure clause, which means that the presumption set forth in *Simeone*

does not arise. *Simeone v. Simeone*, 525 Pa. 392, 403, 581 A.2d 162, 167 (Pa. 1990). However, the absence of such a clause does not automatically render a prenuptial agreement null and void, invalid and unenforceable. The circumstances surrounding the drafting and execution of the agreement must be assessed to determine the validity of the agreement. For the reasons set forth below, the Defendant has not met his burden of proving that no genuine issue of material fact exists as to whether the agreement is valid. Thus, in viewing the record in the light most favorable to the non-moving party and resolving all doubts as to the existence of a genuine issue of material fact against the moving party, the Motion for Summary Judgment must be overruled.

A genuine issue of material fact exists regarding the validity of the prenuptial agreement. Prenuptial agreements are contracts and should be evaluated under the same criteria that are applicable to other types of contracts; absent fraud, misrepresentation, or duress, spouses should be bound by the terms of their agreements. *Id.* at 399, 402, 581 A.2d at 165, 167. Contracting parties are normally bound by their agreements, without regard to whether the terms thereof were read and fully understood and irrespective of whether the agreements embodied reasonable or good bargains. *Id.* at 399, 581 A.2d at 165. Full and fair disclosure of the financial positions of the parties to a prenuptial agreement is required. *Id.* at 403, 581 A.2d at 167. This disclosure need not be exact, so long as it is full and fair. *Id.*, See *Estate of Edward L. Friedman v. Schoolman*, 483 Pa. 614, 627, 398 A.2d 615, 621 (Pa. 1979); *Paroly v. Paroly*, 2005 Pa. Super. 218, 876 A.2d 1061, 1067 (Pa. Super. 2005). There is also no requirement that the disclosure be in writing. *In re Estate of Mildred E. Hartman*, 399 Pa. Super. 386, 392, 582 A.2d 648, 651 (Pa. Super. 1990); *Sabad v. Fessenden*, 2003 Pa. Super 202, 825 A.2d 682, 691 (Pa. Super. 2003).

A presumption of full and fair disclosure of assets arises where the written agreement contains a recital of full and fair disclosure. *Id.* at 403, 581 A.2d at 167, See *Sabad v. Fessenden*, 2003 Pa. Super 202, 825 A.2d 682, 681 (Pa. Super. 2003). The presumption is rebuttable by clear and convincing evidence of fraud or misrepresentation. *Simeone* at 403, 581 A.2d at 167. Whether adequate disclosure of the financial positions of the parties, entering a prenuptial agreement,

has been made will depend on the facts and circumstances of individual cases. *Paroly* 2005 Pa. Super. 218, 876 A.2d at 1066.

It is undisputed in this case that the prenuptial agreement does not contain a full and fair disclosure clause. Nevertheless, just because the presumption of full and fair disclosure is not raised, does not mean that the agreement is then presumptively invalid.

In addition, looking to the record in this case, the transcript of Wife's deposition reflects that the parties drafted the agreement together over a three-month period and did discuss finances prior to entering the prenuptial agreement. *Wife's Transcript* 21-22. Husband's deposition reflects that the agreement was executed on the spur of the moment during the wedding reception. *Husband's Transcript* 42-43. This Court is the trier of fact, responsible for making determinations as to the credibility of witnesses. Since the evidence of whether full and fair disclosure occurred is the testimony of Husband and Wife, this Court should hear the parties' testimony to make the credibility determination and not simply read one party's transcribed deposition. The current record in this case is an insufficient basis upon which to conclude that no genuine issue exists regarding the validity of the prenuptial agreement.

This Court determines that a genuine issue of material fact exists regarding the validity of the prenuptial agreement. Summary Judgment is inappropriate in this instance. Accordingly, the attached Order is entered.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1379 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1379

FREEDOM MORTGAGE
CORPORATION

vs.

DAVID E. BAKER & CATHY L. BAKER

160 TRINITY ACRES LANE
FAYETTEVILLE, PA 17222-8371
HAMILTONBAN TOWNSHIP

Parcel No.: 18-A12-0002---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$495,031.33

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **David E. Baker & Cathy L. Baker** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1600 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1600

US BANK NATIONAL ASSOCIATION
vs.

MATTHEW H. BECK &
MICHELLE R. BECK

117 BILLERBECK STREET
NEW OXFORD, PA 17350
OXFORD TOWNSHIP

Parcel No.: 35-002-0087---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$68,347.18

Attorneys for Plaintiff

PURCELL, KRUG & HALLER

SEIZED and taken into execution as the property of **Matthew H. Beck & Michelle R. Beck** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1752 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No 09-S-1752

BAC HOME LOANS SERVICING LP
vs.

NORMA A. BAKER

486 HERITAGE DR.
GETTYSBURG, PA 17325
MOUNT PLEASANT TOWNSHIP

Parcel No.: 32-102-00188--000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
JUDGEMENT AMOUNT: \$449,242.58

Attorneys for Plaintiff

MARC S. WEISBERG, ESQ.

SEIZED and taken into execution as the property of **Norma A. Baker** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1536 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1536
BANK OF NEW YORK MELLON
vs.
SHAWN M. BURNS &
CINDY D. BURNS

ALL THAT CERTAIN lot of piece of ground in Carroll Valley Borough, County of Adams, Commonwealth of Pennsylvania, being known as Lot No. 133 in Section R1, bounded and more fully described in Deed Book 4189 Page 26, Instrument No. 200500023515.

BEING known as
4 PEACH TREE TRAIL
FAIRFIELD, PA 17320
CARROLL VALLEY BOROUGH

Title to said premises is vested in Shawn M. Burns and Cindi D. Burns by deed from Brian D. Carson, a single man, dated October 21, 2005 and recorded November 1, 2005 in Deed Book 4189 Page 26, Instrument No. 200500023515.

Parcel No.: 43-041-0008---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$220,385.56

Attorneys for Plaintiff
MCCABE, WEISBERG & CONWAY

SEIZED and taken into execution as the property of **Shawn M. Burns & Cindi D. Burns** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-451 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-451
CITIMORTGAGE INC.
vs.
JOHN L. BECKER &
DONNA L. BECKER

67 SUSAN LANE, LOTS 57 & 58
NEW OXFORD, PA 17350
READING TOWNSHIP

Parcel No.: 36-J08-0085---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$87,926.30

Attorneys for Plaintiff
PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **John L. Becker & Donna L. Becker** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1492 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1492
US BANK NATIONAL ASSOCIATION
vs.
CYNTHIA D. BRINKERHOFF

35 SYCAMORE COURT
BIGLERVILLE, PA 17340
BONNEAUVILLE BOROUGH

Parcel No.: 06-010-0044---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
JUDGMENT AMOUNT: \$288,857.02

Attorneys for Plaintiff
GOLDBECK MCCAFFERTY &
MCKEEVER

SEIZED and taken into execution as the property of **Cynthia D. Brinkerhoff** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1295 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 10-S-1295

CHASE HOME FINANCE LLC

vs.

THOMAS R. CARRICK &
REBECCA A. CARRICK

25 MAIN STREET

MCSHERRYSTOWN, PA 17344

MCSHERRYSTOWN BOROUGH

Parcel No.: 28-002-0079---000

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$109,648.37

Attorneys for Plaintiff

MARC WEISBERG, ESQ.

SEIZED and taken into execution as the property of **Thomas R. Carrick & Rebecca A. Carrick** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-591 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 10-S-591

SHREE GANESH FINANCE LLC &

RAJESH PATEL

vs.

JAMES H. DELANEY, JR.
OAKLAWN MEMORIAL GARDENS INC.

1915 HERR'S RIDGE ROAD

GETTYSBURG, PA 17325

CUMBERLAND TOWNSHIP

Parcel No.: 09-E13-0056---000

IMPROVEMENTS THEREON:

COMMERCIAL BUILDING

JUDGEMENT AMOUNT: \$248,714.53

Attorneys for Plaintiff

CALDWELL & KEARNS

SEIZED and taken into execution as the property of **James H. Delaney, Jr.** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1162 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 10-S-1162

WELLS FARGO BANK NA

vs.

ROBERT W. CARR &
DANA JEAN CARR

367 SOUTH COLUMBUS AVENUE

LITTLESTOWN, PA 17340-1538

LITTLESTOWN BOROUGH

Parcel No.: 27-011-0270---000

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$276,067.86

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Robert W. Carr & Dana Jean Carr** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1245 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1245

WELLS FARGO BANK NA
vs.

MICHAEL J. DOONER &
JOELLEN M. DOONER

8 UNION VIEW DRIVE a/k/a
8 UNION VIEW DRIVE, UNIT 36
GETTYSBURG, PA 17325
CUMBERLAND TOWNSHIP

Parcel No.: 09-F12-0265---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$203,622.13

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Michael J. Dooner & Joellen M. Dooner** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-1524 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 07-S-1524

US BANK NATIONAL ASSOCIATION
vs.

NICHOLAS DERITA SR. AND
NICHOLAS DERITA JR.
342 GREEN SPRINGS ROAD
HANOVER, PA 17331
BERWICK TOWNSHIP

Parcel No.: 04-L12-0053---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$142,626.22

Attorneys for Plaintiff

BARBARA FEIN, ESQ.

SEIZED and taken into execution as the property of **Nicholas Derita Sr. & Nicholas Derita Jr.** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-786 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-786

CHASE HOME FINANCE LLC
vs.

TROY AND JENNIFER ELDER
125 MADISON STREET a/k/a
125 SOUTH MADISON STREET
HANOVER, PA 17331-4810
CONEWAGO TOWNSHIP

Parcel No.: 08-009-0050---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$285,403.80

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Troy L. Elder & Jennifer A. Elder** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-533 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-533

BAC HOME LOANS SERVICING LP
vs.
RANDALL ALLAN HARTZEL &
JENNIFER LYNN HARTZEL

ALL THAT unimproved lot of ground situate on the Northeast side of Pennsylvania Legislative Route 01005, Centennial Road, in Conewago Township, Adams County, Pennsylvania, more particularly bounded and more fully described in Deed Book 4634, Page 128.

BEING known as
3230 CENTENNIAL RD., LOT 3
HANOVER, PA 17331
CONEWAGO TOWNSHIP

Title to said premises is vested in Randall Allan Hartzel and Jennifer Lynn Hartzel by deed from TCT Enterprises, LLC, dated October 31, 2006 and recorded November 7, 2006 in Deed Book 4634, Page 128.

Parcel No.: 08-K14-0001T--000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$235,988.44

ATTORNEYS FOR PLAINTIFF
MCCABE, WEISBERG & CONWAY,
P.C.

SEIZED and taken into execution as the property of **Randall Allan Hartzel & Jennifer Lynn Hartzel** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1509 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1509

WELLS FARGO BANK NA
WACHOVIA MORTGAGE
CORPORATION
vs.
JAMES D. GILBERT

16 BATTERY RIDGE DRIVE
GETTYSBURG, PA 17325
MOUNT JOY TOWNSHIP

Parcel No.: 30-F18-0055---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$369,989.53
PLUS COSTS

Attorneys for Plaintiff
MARTHA E. VON ROSENSTIEL, ESQ.

SEIZED and taken into execution as the property of **James D. Gilbert** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-271 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-271

US BANK NATIONAL ASSOCIATION
vs.
DONALD L. GRAY & LISA J. GRAY
53 CROSSLAND TRAIL
CARROLL VALLEY, PA 17320-8236
CARROLL VALLEY BOROUGH

Parcel No.: 43-002-0095---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$244,873.87

Attorneys for Plaintiff
PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Donald L. Gray & Lisa J. Gray** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1551 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1551
OCWEN LOAN SERVICING LLC
vs.
PATRICK W. KNIGHT & JESSICA M.
REISSINGER a/k/a JESSICA M.
RESINGER

321 OXFORD ROAD
NEW OXFORD, PA 17350
OXFORD TOWNSHIP

Parcel No.: 35-001-0122---000
IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
JUDGMENT AMOUNT: \$140,733.92

Attorneys for Plaintiff
UDREN LAW OFFICES, PC

SEIZED and taken into execution as the property of **Patrick W. Knight & Jessica M. Reissinger a/k/a Jessica M. Reisinger** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1571 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1571
BANK OF NEW YORK MELLON
vs.
DORIS M. KRICHTEN
50 DANIEL LANE f/k/a
450 MT. MISERY ROAD
NEW OXFORD, PA 17350
OXFORD TOWNSHIP

Parcel No.: 35-K12-0081C---000
IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
JUDGMENT AMOUNT: \$118,722.16

Attorneys for Plaintiff
SHAPIRO & DENARDO, LLC

SEIZED and taken into execution as the property of **Doris M. Krichten** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1431 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1431
WELLSFARGO BANK NA
vs.
MARK A. KNIGHT &
MARIO F. CISNEROS
1366 EVERGREEN WAY #1B
ORRTANNA, PA 17353
FRANKLIN TOWNSHIP

Parcel No.: 12-C10-0057---000
IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING
JUDGMENT AMOUNT: \$336,499.16

Attorneys for Plaintiff
PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Mark A. Knight & Mario F. Cisneros** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-441 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 06-S-441

ASTORIA FEDERAL SAVINGS &
LOAN ASSOCIATION

vs.

KARON E. LARUE a/k/a KAREN E.
LARUE a/k/a KAREN E.
BAUMGARDNER

703 CHAMBERSBURG ROAD
GETTYSBURG, PA 17325
CUMBERLAND TOWNSHIP

Parcel No.: 09-F12-0164--000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$59,096.13

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG, LLP

SEIZED and taken into execution as the property of **Karon E. Larue a/k/a Karen E. Larue a/k/a Karon E. Baumgardner** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1477 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1477

EVERHOME MORTGAGE COMPANY
vs.

JUANITA K. LARMER
120 WATER STREET, LOT 2A
FAIRFIELD, PA 17320
HAMILTONBAN TOWNSHIP

Parcel No.: 18-C15-0088--000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$139,717.89

Attorneys for Plaintiff

MCCABE, WEISBERG & CONWAY,
P.C.

SEIZED and taken into execution as the property of **Juanita K. Larmer** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1195 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1195

INTEGRITY BANK
vs.

BILLY C. LEONARD
825 BLACK HORSE TAVERN ROAD
GETTYSBURG, PA 17325
CUMBERLAND TOWNSHIP

Parcel No.: 09-E13-0048--000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$150,496.10

Attorneys for Plaintiff

REAGER & ADLER, P.C.

SEIZED and taken into execution as the property of **Billy C. Leonard** 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 March 18, 2011, 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 date.

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.

12/31, 1/7 & 14

NOTICE OF SHERIFF'S SALE
IN THE COURT OF COMMON PLEAS
OF ADAMS COUNTY, PENNSYLVANIA
NO. 2010-S-958

SUNTRUST MORTGAGE, INC.
vs.

RYAN THOMPSON, IN HIS CAPACITY
AS ADMINISTRATOR AND HEIR OF
THE ESTATE OF KATHLEEN A.
O'LEARY & ET AL.

NOTICE TO: UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND ALL
PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR
UNDER KATHLEEN A. O'LEARY,
DECEASED

NOTICE OF SHERIFF'S SALE OF
REAL PROPERTY

Being Premises: 119 EAST MAIN
STREET, FAIRFIELD, PA 17320-8958

Being in FAIRFIELD Township, County
of ADAMS, Commonwealth of
Pennsylvania

Parcel Number 1: 11-004-0007-000

Improvements consist of residential
property.

Sold as the property of RYAN
THOMPSON, IN HIS CAPACITY AS
ADMINISTRATOR AND HEIR OF THE
ESTATE OF KATHLEEN A. O'LEARY
& ET AL.

Your house (real estate) at 119 EAST
MAIN STREET, FAIRFIELD, PA 17320-
8958 is scheduled to be sold at the
Sheriff's Sale on FEBRUARY 25, 2011 at
10:00 A.M., at the ADAMS County
Courthouse to enforce the Court
Judgment of \$480,206.98 obtained by,
SUNTRUST MORTGAGE, INC. (the
mortgagee), against the above premises.

PHELAN HALLINAN & SCHMIEG, LLP
Attorney for Plaintiff

1/7

IN THE COURT OF COMMON PLEAS
OF ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
No.10-S-2096
Quiet Title Action

ANNA MAE GERLACH, Plaintiff
vs.

ALLEN W. FRAVEL, a/k/a ALLEN W.
FRAVEL, SR., and TRACY A. FRAVEL,
their respective heirs and/or assigns,
Defendants.

TO: TRACY A. FRAVEL

NOTICE

You are notified that the Plaintiff has
commenced an action to quiet title against
you by complaint filed to the above docket
number on November 10, 2010, which
action you are required to defend.

You are required to plead to the said
complaint within twenty (20) days after
service has been completed by publica-
tion, or judgment by default may be
entered against you. This action con-
cerns the premises hereinafter
described:

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

BEGINNING at a stake in the southern
line of the Lincoln Highway at lands now
or formerly of Allen Sharrah, said stake
being eighty-four and three-tenths (84.3)
feet East of the southwest corner of Lot
No. 4, Parcel No. 1 in Augustus Tyler
Jarrett deed to former grantors; extend-
ing thence along other lands now or for-
merly of former grantors North twenty-
nine (29) degrees East three hundred
(300) feet to a birch tree; thence by the
same South fifty-one (51) degrees East
three hundred (300) feet to a poplar tree;
thence by the same South twenty-nine
(29) degrees West three hundred feet
(300) to a stake in the southern line of
the Lincoln Highway at lands now or for-
merly of Allen Sharrah, North fifty-one
(51) degrees West three hundred (300)
feet to the place of BEGINNING.
CONTAINING two and seven one-hun-
dredths (2.07) acres of land, and having
a property address of 2725 Old Route
30, Orrtanna, PA 17353.

IT BEING the same premises which
Robert K. Hake, Jr. and Susan E. Hake,
husband and wife, by their deed dated
the 11th of August, 1976, and recorded in
the Office of the Recorder of Deeds in
and for Adams County, Pennsylvania, in
Record Book 326, Page 221, granted
and conveyed unto Charles D. Gerlach
and Anna Mae Gerlach, husband and
wife, the Vendors herein.

You have been sued in court. If you
wish to defend against the claims set
forth in the above-captioned matter, 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 defenses 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 or 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 TO FIND OUT WHERE YOU
CAN GET LEGAL HELP. THIS OFFICE

CAN PROVIDE YOU WITH INFOR-
MATION 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:

Court Administrator
Adams County Courthouse
111-117 Baltimore Street
Gettysburg, PA 17325
Phone: (717) 337-9846

AVISO

Le han demandado a usted en la
corte. Si usted quiere defenderse de
estas demandas expuestas en las pagi-
nas siguientes, usted tiene veinte (20)
dias de plazo al partir de la fecha de la
demanda y la notificacion. Hace falta
ascentar una comparencia escrita o en
persona o con un abogado y entregar a
la corte en forma escrita sus defensas o
sus objeciones a las demandas en con-
tra de su persona. Sea avisado que si
usted no se dafiende, la corte tomara
medidas y puede continuar la demanda
en contra suya sin previo aviso o noti-
ficacion. Ademas, la corte puede decidir a
favor del demandante y requiere que
usted cumpla con todas las provisiones
de esta demanda. Usted puede perder
dinero o sus propiedades u otros dere-
chos importantes para usted.

LLEVE ESTA DEMANDA A UN
ABOGADO INMEDIATAMENTE, SI NO
TIENE ABOGADO O SI NO TIENE EL
DINERO SUFICIENTE DE PAGAR TAL
SERVICIO, VAYA EN PERSONA O
LLAME POR TELEFONO A LA OFICINA
CUYA DIRECCION SE ENCUENTRA
ESCRITA ABAJO PAPA AVERIGUAR
DONDE SE PUEDE CONSEGUIR
ASISTENCIA LEGAL.

Court Administrator
Adams County Courthouse
111-117 Baltimore Street
Gettysburg, PA 17325
Phone: (717) 337-9846

PATRONO & ASSOCIATES, LLC
John J. Murphy III, Esquire
Attorney for Plaintiff
28 West Middle Street
Gettysburg, PA 17325
(717) 334-8098
PA ID#91299

1/7

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 JOHN A. BAKER, DEC'D**

Late of Germany Township, Adams County, Pennsylvania

Executrix: Karen L. DeGroot, 39 Sandy Court, Hanover, PA 17331

Attorney: Stonesifer and Kelley, 209 Broadway, Hanover, PA 17331

ESTATE OF ROBERT HENRY CONNOLLY, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Owen Connolly, 903 Osceola Avenue, Saint Paul, MN 55105

ESTATE OF LOVINA E. HOFF, DEC'D

Late of the Borough of York Springs, Adams County, Pennsylvania

Co-Executors: Ronald Hoff, 955 Old Harrisburg Road, Gettysburg, PA 17325; Beth Watts, 894 Range End Road, Dillsburg, PA 17019; Wayne Hoff, 329 East York Street, Biglerville, PA 17307

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

ESTATE OF JOHN B. KERR, DEC'D

Late of the Borough of Biglerville, Adams County, Pennsylvania

Executor: Elisabeth Ann Kerr a/k/a Elisabeth Anne Lory, 376 Bonners Hill Road, York Springs, PA 17372

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

ESTATE OF ANITA D. KIESS, DEC'D

Late of the Borough of Arendtsville, Adams County, Pennsylvania

Executrix: Michele D. Reecher, 29 Tillietown Road, P.O. Box 22, McKnightstown, PA 17343

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore Street, Suite 1, Gettysburg, PA 17325-2311

ESTATE OF HELEN LOUISE KRALL, DEC'D

Late of the Borough of East Berlin, Adams County, Pennsylvania

Executrix: Vernice Krall, 119 Water Street, East Berlin, PA 17316

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

ESTATE OF ANDREW SELWYN, DEC'D

Late of Menallan Township, Adams County, Pennsylvania

Co-Administrators: Stephen Selwyn, 43159 Scenic Creek Way, Leesburg, VA 20176; Alan Selwyn, 20006 Fire Tower Lane, Ijamsville, MD 21754

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF MARION F. FALVEY, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Loretta F. Cleveland, 36 E. Lincoln Avenue, Gettysburg, PA 17325

Attorney: Lawrence M. Frangiosa, Esq., 1220 Valley Forge Road, Suite #3, Phoenixville, PA 19460

ESTATE OF ROYCE AULDEN EMERSON, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Eugene Edward Emerson, 1516 Carlisle Pike, Hanover, PA 17331

THIRD PUBLICATION**ESTATE OF JOHN P. BURICH, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Susan B. Redding, 167 Gordon Avenue, Gettysburg, PA 17325

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

ESTATE OF SUAN G. DITZLER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: William E. Ditzler, 50 Longview Drive, Gettysburg, PA 17325

ESTATE OF LAWRENCE HENRY ECKERT, III, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executrix: Kimberly Eckert, 73 W. Canal St., Dover, PA 17315

ESTATE OF ROBERT W. EDLING, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Mark D. Webb, P.O. Box 1741, Marble Falls, TX 78654

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

ESTATE OF GEORGE L. MARTIN, SR., DEC'D

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

Executor: G. Leamon Martin, Jr., 3608 Nicholson Road, Westminster, MD 21157

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

ESTATE OF M. JOYCE NOEL a/k/a MARY JOYCE NOEL, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executors: Leo R. Noel, 2705 Centennial Road, Hanover, PA 17331; Kathryn A. Lemmon, 2050 Centennial Road, Hanover, PA 17331; Steven E. Noel, 1059 Swift Run Road, New Oxford, PA 17350

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

ESTATE OF WARREN L. SPENCER, SR., DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Ronnie R. Spencer, 145 Liberty Street, Westminster, MD 21157; Judy L. Spencer, 145 Liberty Street, Westminster, MD 21157

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

ESTATE OF MARY L. TERRY, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executrix: Gloria N. Bailey, 128 W. Ring Factory Road, Apt. 1331, Bel Air, MD 21014

Attorney: Alex E. Snyder, Esq., Barley Snyder LLC, 14 Center Square, Hanover, PA 17331

ESTATE OF CHARLES W. WEIKERT, DEC'D

Late of Mt. Joy Township, Adams County, Pennsylvania

Administratrix: Marietta W. Witt, 1080 Hoffman Home Road, Littlestown, PA 17340

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

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1143 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1143
CITIMORTGAGE INC.

vs.

JOHN D. MARTONE II &
DARLENE M. MARTONE
232 CHAMBERSBURG STREET
GETTYSBURG, PA 17325
GETTYSBURG BOROUGH

Parcel No.: 16-007-0260A--000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$113,935.98

Attorneys for Plaintiff
PHELAN HALLINAN & SCHMIEG LLP

SEIZED and taken into execution as the property of **John D. Martone II & Darlene M. Martone** 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 March 18, 2011, 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 date.

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.

1/7, 14 & 21

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1279 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 25th day of February, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-1279
PNC MORTGAGE

vs.

STEVEN A. MATTHEWS &
LYNNELL S. MATTHEWS
85 SKYLINE CT., LOT 8
GETTYSBURG, PA 17325
CUMBERLAND TOWNSHIP

Parcel No.: 09-E13-0308---000

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$378,320.83

Attorneys for Plaintiff
PHELAN HALLINAN & SCHMIEG LLP

SEIZED and taken into execution as the property of **Steven A. Matthews & Lynnell S. Matthews** 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 March 18, 2011, 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 date.

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.

1/7, 14 & 21

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on or about December 7, 2010 for the incorporation of GETTYSBURG AREA RETAIL MERCHANTS ASSOCIATION, INC., under the Pennsylvania Nonprofit Corporation Law of 1988. The initial registered office of the corporation is 14 Diane Lane, Biglerville, PA 17307.

Bernard A. Yannetti, Jr., Esq.
HARTMAN & YANNETTI
Solicitors

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