

Adams County Legal Journal

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DENNIS J. HAGERMAN V. BRYAN C. DIDAS



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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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LEGAL NOTICE

IN THE COURT OF COMMON PLEAS
OF ADAMS COUNTY, PENNSYLVANIA
CIVIL ACTION - EQUITY
NO. 16-SU-1297
ACTION TO QUIET TITLE

JOSEPH A. KENNEY and DOROTHY M.
KENNEY, husband and wife, Plaintiffs
vs.

EVANS FINANCIAL CORP. and
COMMONWEALTH MORTGAGE
COMPANY, INC. Defendants

TO: COMMONWEALTH MORTGAGE
COMPANY, INC., ITS HEIRS,
ADMINISTRATORS, SUCCESSORS
AND ASSIGNS

TAKE NOTICE that on December 15, 2016, Joseph A. Kenney and Dorothy M. Kenney, husband and wife, owners of property known as 3 Lee Cove, East Berlin, PA (Lot 4, Lake Meade Tax Map 5, Parcel 39) located in Adams County, Pennsylvania, more particularly described in a Deed recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania, filed a Complaint in Action to Quiet Title, against the Defendants, including requesting an Order allowing the Recorder of Deeds of Adams County, Pennsylvania be allowed to enter on the records, a satisfaction and discharge of the following Mortgages:

Mortgage dated July 3, 1979 and recorded August 23, 1979 in Mortgage Book 90 at page 47, Adams County, Pennsylvania showing Edward J. Kolb and Ethel R. Kolb, husband and wife as Mortgagors, with a debt listed as \$30,300.00.

Mortgage to Evans Financial Corporation dated December 17, 1980 and recorded January 7, 1981 in Mortgage Book 98 page 1057, Adams County, Pennsylvania, showing Edward J. Kolb and Ethel R. Kolb, husband and wife, as Mortgagors, with a debt listed as \$26,500.00. This mortgage was subsequently assigned to Manufacturers Hanover Trust Company by instrument recorded October 22, 1982 in Miscellaneous Book 41 page I 091, Adams County, Pennsylvania. This

Mortgage was also subsequently assigned to Commonwealth Mortgage Company, Inc. by instrument recorded August 25, 1987 in Record Book 466 at page 533, Adams County, Pennsylvania

Plaintiffs believe, and therefore aver, that Edward J. Kolb and/or Ethel R. Kolb paid these two mortgages in full, but neither were satisfied of record.

The liens appearing on record create a potential cloud on the marketability of the title to the property and have caused financial harm to Plaintiffs.

The Complaint requested the Court to enter an Order that the Mortgages be marked satisfied and discharged, and that Defendants be forever barred from asserting any right or interest inconsistent with the interests of the Plaintiffs as set forth in their Complaint.

WHEREFORE, by Order dated January 25, 2017, the Court of Common Pleas of Adams County, Pennsylvania, has ordered that service of the Complaint be made on the above Defendants, their respective heirs, personal representatives, successors and assigns, by publication. Plaintiffs will request the Court to enter a final judgment ordering that any possible legal interest the Defendants might have had in the property be extinguished.

NOTICE TO DEFEND

You have been sued in Court. If you wish to defend against the claims set forth in the Complaint filed in the Adams County Court of Common Pleas at No. 16-SU-1297 and described herein above, you must take action within twenty (20) days after this publication by entering a written appearance personally or by an 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 the relief requested by the Plaintiffs. You may lose property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

COURT ADMINISTRATOR
Adams County Courthouse
Gettysburg, PA 17325
717-334-6781

Hartman & Yannetti
Gary E. Hartman, Esq.
Attorney for Plaintiffs
126 Baltimore Street
Gettysburg, PA 17325
717-334-3105

2/3

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—Orphans' Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on Friday, February 17, 2017 at 8:30 am

SCHAEFFER—Orphans' Court Action Number OC-96-2012. The First and Final Account of Isabel C. Lankford, Executor of the Estate of Idalia M. Schaeffer, late of Tyrone Township, Adams County, Pennsylvania.

ECKER—Orphans' Court Action Number OC-133-2016. The First and Final Account of Lucinda M Ecker and Ronald E Ecker, Co-Executors of the Estate of Alma R. Ecker, Deceased, late of Biglerville Borough, Adams County, Pennsylvania.

Kelly A. Lawver
Clerk of Courts

2/3 & 2/10

DENNIS J. HAGERMAN V. BRYAN C. DIDAS

1. Initially, it is important to distinguish between a petition to strike judgment and a petition to open judgment as they are two separate forms of relief with distinct remedies.

2. A petition to strike a judgment reaches defects apparent on the face of the record and operates as a demurrer to the record. Importantly, in deciding a petition to strike judgment, a court may only look at the record upon which the judgment was entered. The petition is aimed at defects that affect the validity of the judgment and therefore does not vest discretion in the trial court. If the record is defective, the petitioner, as a matter of law, is entitled to relief as the judgment is void ab initio.

3. Such a judgment is a legal nullity as, due to the defects, the prothonotary "was without authority to enter" the judgment in the first place. As the judgment is void ab initio, the timeliness of the application to strike the judgment is not a factor.

4. On the other hand, a petition to open judgment must be promptly filed and requires the showing of a meritorious defense and a reasonable excuse for not filing a responsive pleading. Since a motion to open judgment is the proper procedure to be followed where one claims judgment should not have been entered for reasons not apparent in the record, the granting of such a petition is discretionary.

5. A necessary precondition for the entry of a default judgment is defendant's failure to file an answer to the complaint. Although it is true Didas' answer is arguably defective, the Pennsylvania Rules of Civil Procedure require Hagerman to address the deficiency through preliminary objection.

6. Appellate instruction is clear that failure to comply with the requirements of Pa. R. Civ. P. 237.1 is a fatal defect requiring the judgment to be stricken.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, CIVIL 15-S-384, DENNIS J. HAGERMAN V.
BRYAN C. DIDAS.

Todd A. King, Esq., Attorney for Plaintiff

George W. Swartz, II, Esq., Attorney for Defendant

George, J., January 20, 2017

OPINION

Before the Court for resolution is the Petition of Bryan C. Didas (“Didas”) to Strike or in the Alternative Open Default Judgment. As the procedural history in this matter is directly relevant to resolution of the petition, it will be briefly summarized.

On April 7, 2015, Plaintiff, Dennis J. Hagerman (“Hagerman”), filed a pro se Complaint seeking damages from Didas for an alleged breach of a landlord/tenant lease agreement. Although the Complaint included a notice to defend as required by Pennsylvania Rule of Civil Procedure 1018.1, the notice was attached at the end of the Complaint between the verification and certificate of service. The notice to defend designated the office offering legal services to eligible persons as the “Cumberland County Bar Association” and included a Carlisle Street address which is presumably the address of the referenced entity. An affidavit of service attached to the Complaint indicated the Complaint was served on the same date as filing “by first class mail.”¹ On April 28, 2015, Didas filed a pro se Entry of Appearance. The document included neither his address nor contact information. On May 28, 2015, Didas filed with the Prothonotary a document which was in letter format addressed to the Court. In the body of the document, Didas admitted a number of paragraphs in Hagerman’s Complaint but specifically denied others. He also elaborated that the other tenant to the lease was Hagerman’s daughter and claimed she was still living at the leased property and was partially responsible for any unpaid rent.

There was no further docket activity until July 16, 2015 when Hagerman filed a Praecipe for Entry of Default Judgment. Attached to the praecipe was a Pennsylvania Rule of Civil Procedure 237.1 “Notice of Praecipe for Entry of Default Judgment.” The notice once

¹ One can only speculate as to how a docketed filed complaint can have attached to it a certificate of service indicating the complaint had been previously served on the opposing party. There are only two explanations apparent to this writer: (1) the document represented as being served had not yet been filed; or (2) the certificate of service erroneously states what occurred. Interestingly, in the Praecipe for Entry of Default Judgment filed by Hagerman, he indicates original service of the Complaint was made on April 10, 2015; a date different than that contained in the certificate of service attached to the Complaint. The praecipe also represents the Complaint was served by priority mail rather than first class mail contrary to the representation in the certificate of service.

again inaccurately identified the Cumberland County Bar Association as the office to contact for assistance in obtaining an attorney. The notice carried a date of May 5, 2015 and in the praecipe was alleged by Hagerman to have been served on the defendant on May 18, 2015 by priority mail. As directed in the praecipe, the Adams County Prothonotary entered judgment on July 16, 2015 in favor of Hagerman and against Didas in the amount of \$17,500.00.

On March 31, 2016, Hagerman, still acting pro se, filed a Praecipe for Writ of Execution against Didas. The writ was met by an Amended Answer to the Complaint filed on April 25, 2016. The current Petition to Strike and/or Open Default Judgment filed shortly thereafter on May 3, 2016. Didas was assisted by counsel in the filing of the responsive documents and continuously since that time. In a clear escalation of the litigation, Hagerman retained counsel to oppose the Petition to Strike and/or Open Default Judgment. After a continuance requested by Hagerman and briefing by the parties, the issues are now ripe for disposition.

Initially, it is important to distinguish between a petition to strike judgment and a petition to open judgment as they are two separate forms of relief with distinct remedies. *Manor Bldg. Corp. v. Manor Complex Assocs., Ltd.*, 645 A.2d 843, 845 n. 2 (Pa. Super. 1994). A petition to strike a judgment reaches defects apparent on the face of the record and operates as a demurrer to the record. Importantly, in deciding a petition to strike judgment, a court may only look at the record upon which the judgment was entered. *Cintas Corp. v. Lee's Cleaning Servs., Inc.*, 700 A.2d 915, 917 (Pa. 1997). The petition is aimed at defects that affect the validity of the judgment and therefore does not vest discretion in the trial court. *Id.* at 919. If the record is defective, the petitioner, as a matter of law, is entitled to relief as the judgment is void ab initio. *Oswald v. WB Public Square Assocs., LLC*, 80 A.3d 790, 797 (Pa. Super. 2013). Such a judgment is a legal nullity as, due to the defects, the prothonotary “was without authority to enter” the judgment in the first place. *Erie Ins. Co. v. Bullard*, 839 A.2d 383, 388 (Pa. Super. 2003). As the judgment is void ab initio, the timeliness of the application to strike the judgment is not a factor. *Williams v. Wade*, 704 A.2d 132, 134-35 (Pa. Super. 1997).

On the other hand, a petition to open judgment must be promptly filed and requires the showing of a meritorious defense and a

reasonable excuse for not filing a responsive pleading. *Wells Fargo Bank, N.A. v. Vanmeter*, 67 A.3d 14, 18 (Pa. Super. 2013). Since a motion to open judgment is the proper procedure to be followed where one claims judgment should not have been entered for reasons not apparent in the record, the granting of such a petition is discretionary. *Erie Ins. Co.*, 839 A.2d at 386.

A review of the current record unequivocally leads to the conclusion that Hagerman's judgment is void ab initio. Ignoring issues related to the propriety of original service and Hagerman's questionable compliance with Pennsylvania Rule of Civil Procedure 1018.1 (relating to the notice to defend), Hagerman proceeded to praecipe for a default judgment despite the fact that Didas had filed a responsive pleading prior thereto. *Gorson v. Lackawanna County Bd. of Com'rs.*, 465 A.2d 703, 705 (Pa. Cmwlth. 1983) (a necessary precondition for the entry of a default judgment is defendant's failure to file an answer to the complaint). Although it is true Didas's answer is arguably defective, the Pennsylvania Rules of Civil Procedure require Hagerman to address the deficiency through preliminary objection. See Pa. R. Civ. P. 1028. Absent objection, and relief by the Court, the Answer remains a responsive pleading precluding the entry of default judgment.

Moreover, the record reveals blatant failure to comply with Pennsylvania Rule of Civil Procedure 237.1. A party is entitled 20 days within which to file a responsive pleading to a complaint endorsed with a notice to plead. Pa. R. Civ. P. 1026(a). Pursuant to Rule 237.1, notice of default can only be provided after expiration of that time period. Instantly, the earliest evidence of proper service of the Complaint is April 28, 2015 when Didas entered his appearance². According to the record, Hagerman provided Rule 237.1 notice less than seven days later. Appellate instruction is clear that failure to comply with the requirements of Pa. R. Civ. P. 237.1 is a fatal defect requiring the judgment to be stricken. *Oswald v. WB Public Square Assocs., LLC*, *supra*; *Erie Ins. Co. v. Bullard*, *supra*; *PennWest Farm Credit, ACA v. Hare*, 600 A.2d 213, 215-216 (Pa. Super. 1991).

² Errors in the manner of service of original process can be waived by various means including the entry of voluntary appearance in the litigation. *Vandegrift v. Knights Road Indus. Park, Inc.*, 416 A.2d 1011, 1013 (Pa. 1980).

ORDER

AND NOW, this 20th day of January, 2017, it is hereby Ordered that judgment entered in this matter on July 16, 2015 is void. The Adams County Prothonotary's Office is directed to strike the judgment. Additionally, Plaintiff's Praecipe for Writ of Execution is stricken and all pleadings and actions taken in furtherance of execution are vacated and unenforceable.

It is further Ordered that Plaintiff's Objection to Amended Answers is denied.

It is Ordered that the Adams County Court Administrator's Office is directed to list this matter for arbitration before a board of arbitrators not sooner than 60 days from the date of this Order pursuant to local practice.

ADAMS COUNTY COURT OF
COMMON PLEAS
NO. 2016-S-874

ACNB BANK, formerly known as Adams
County National Bank, Plaintiff

v.

FRANCISCO JIMENEZ and
ADRIANA JIMENEZ, Defendants

TO: FRANCISCO JIMENEZ,
DEFENDANT

TYPE OF ACTION: CIVIL ACTION/
COMPLAINT IN MORTGAGE
FORECLOSURE

PROPERTY SUBJECT TO
FORECLOSURE:
849 MYERTOWN ROAD
GARDNERS, PA 17324

TAKE NOTICE that on August 29, 2016, ACNB Bank, formerly known as Adams County National Bank, filed a Complaint in Mortgage Foreclosure against Francisco Jimenez, averring that you are one of the owners of this property. The Complaint requests the Court to allow your property to be sold to recover the amount of the unpaid mortgage, interest and costs for the real property.

WHEREFORE, the Adams County Court of Common Pleas has ordered that service of the Complaint in Mortgage Foreclosure be made on Defendant, Francisco Jimenez, by publication.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. 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 the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

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

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

COURT ADMINISTRATOR
Adams County Court House
117 Baltimore Street
Gettysburg, Pennsylvania 17325
(717) 337-9846

CGA LAW FIRM
Sharon E. Myers, Esquire
Attorneys for Plaintiff
135 North George Street
York, PA 17401
(717) 848-4900

2/3

LEGAL NOTICE

IN THE COURT OF COMMON PLEAS
OF ADAMS COUNTY, PENNSYLVANIA
CIVIL ACTION - EQUITY
NO. 16-SU-1297
ACTION TO QUIET TITLE

JOSEPH A. KENNEY and DOROTHY M.
KENNEY, husband and wife, Plaintiffs
vs.

EVANS FINANCIAL CORP. and
COMMONWEALTH MORTGAGE
COMPANY, INC. Defendants

TO: EVANS FINANCIAL CORP., ITS
HEIRS, ADMINISTRATORS,
SUCCESSORS AND ASSIGNS

TAKE NOTICE that on December 15, 2016, Joseph A. Kenney and Dorothy M. Kenney, husband and wife, owners of property known as 3 Lee Cove, East Berlin, PA (Lot 4, Lake Meade Tax Map 5, Parcel 39) located in Adams County, Pennsylvania, more particularly described in a Deed recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania, filed a Complaint in Action to Quiet Title, against the Defendants, including requesting an Order allowing the Recorder of Deeds of Adams County, Pennsylvania be allowed to enter on the records, a satisfaction and discharge of the following Mortgages:

Mortgage dated July 3, 1979 and recorded August 23, 1979 in Mortgage Book 90 at page 47, Adams County, Pennsylvania showing Edward J. Kolb and Ethel R. Kolb, husband and wife as Mortgagors, with a debt listed as \$30,300.00.

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Plaintiffs believe, and therefore aver, that Edward J. Kolb and/or Ethel R. Kolb paid these two mortgages in full, but neither were satisfied of record.

The liens appearing on record create a potential cloud on the marketability of the title to the property and have caused financial harm to Plaintiffs.

The Complaint requested the Court to enter an Order that the Mortgages be marked satisfied and discharged, and that Defendants be forever barred from asserting any right or interest inconsistent with the interests of the Plaintiffs as set forth in their Complaint.

WHEREFORE, by Order dated January 25, 2017, the Court of Common Pleas of Adams County, Pennsylvania, has ordered that service of the Complaint be made on the above Defendants, their respective heirs, personal representatives, successors and assigns, by publication. Plaintiffs will request the Court to enter a final judgment ordering that any possible legal interest the Defendants might have had in the property be extinguished.

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You have been sued in Court. If you wish to defend against the claims set forth in the Complaint filed in the Adams County Court of Common Pleas at No. 16-SU-1297 and described herein above, you must take action within twenty (20) days after this publication by entering a written appearance personally or by an 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 the relief requested by the Plaintiffs. You may lose property or other rights important to you.

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Adams County Courthouse
Gettysburg, PA 17325
717-334-6781

Hartman & Yannetti
Gary E. Hartman, Esq.
Attorney for Plaintiffs
126 Baltimore Street
Gettysburg, PA 17325
717-334-3105

2/3

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 CHRISOSTOMOS M. ANGIORLIS, a/k/a CHRIS M. ANGIORLIS., DEC'D

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Executrix: Cynthia M. Orendorf, 1050 Kilpatrick Road, Gettysburg, PA 17325

Attorney: Clayton A. Lingg, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF RICHARD L. BEAN, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executor: Ronald D. Bean, 415 Lincolnway West, New Oxford, PA 17350

Attorney: Teeter, Teeter & Teeter, 108 West Middle Street, Gettysburg, PA 17325

ESTATE OF ROBERT S. KNOX, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: PNC Bank, National Association, c/o 100 East Market Street, York, PA 17401

Attorney: Alex E. Snyder, Esq., Barley Snyder LLP, 100 East Market Street, York, PA 17401

ESTATE OF REGINA H. ORNDORFF, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Co-Executrices: Merry G. Legg, 2807 Chambersburg Road, Biglerville, PA 17307; Molly M. Smith, P.O. Box 113, McKnightstown, PA 17343

Attorney: Bernard A. Yannetti, Jr., Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

ESTATE OF ROGER D. RACER, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Mr. David E. Racer, 2925 Centennial Road, Hanover, PA 17331

Attorney: Arthur J. Becker, Jr., Esq., Becker & Strausbaugh, P.C. 544 Carlisle Street Hanover, PA 17331

ESTATE OF GARY L. SHOWERS, SR., DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executor: Gary L. Showers, Jr., 386 Winding Brook Road, Biglerville, PA 17307

Attorney: Todd A. King, Campbell & White, P.C., 112 Baltimore Street, Gettysburg, PA 17325

ESTATE OF RITA M. WALTER, DEC'D

Late of the Borough of Booneauville, Adams County, Pennsylvania

Executors: Philip F. Walter, 179 Joshua Road, Stafford, VA 22556; Michael J. Walter, 943 Linden Avenue, McSherrystown, PA 17344

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

ESTATE OF MARY CLARE WEAVER a/k/a MARY CLARE O. WEAVER, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executrix: Marybeth T. Smith, 355 E. Outer Drive, State College, PA 16801

Attorney: David C. Smith, Esq., 754 Edgegrove Road, Hanover, PA 17331

SECOND PUBLICATION

ESTATE OF REBEKAH FARACE, DEC'D

Late of Union Township, Adams County, Pennsylvania

Administrator: James Farace, c/o Sandra Yerger, P.O. Box 214, Littlestown, PA 17340

Attorney: Sandra Yerger, P.O. Box 214, Littlestown, PA 17340

ESTATE OF LONNIE K. GROVES, DEC'D

Late of Freedom Township, Adams County, Pennsylvania

Teresa L. Mitchell, 14 Blake Ct., Reisterstown, MD 21136

ESTATE OF CATHERINE C. HARMON, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Administrator: Gem R. Moore, 30 Boyds Schoolhouse Road, Biglerville, PA 17307

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

ESTATE OF LEROY S. HARNER, DEC'D

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Keith L. Harner, 700 Hawthorne Street, York, PA 17404; Sandra K. Staub, 71 Littlestown Road, Littlestown, PA 17340

Attorney: Thomas E. Miller, Esq., Law Office of Thomas E. Miller, Esq., LLC, 249 York Street, Hanover, PA 17331

ESTATE OF JOHN C. KUNKEL a/k/a JOHN C. KUNKEL, Sr., DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Co-Executors: James A. Kunkel, 31 Tiffany Lane, Gettysburg, PA 17325; Judy Kunkel Ketterman, 240 York Street, Gettysburg, PA 17325

Attorney: Teeter, Teeter & Teeter, 108 West Middle Street, Gettysburg, PA 17325

ESTATE OF JAMES R. LEE a/k/a DICK LEE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Mrs. Joanne E. Lee, 630 Harmony Drive, Apt. 158, New Oxford, PA 17350

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

ESTATE OF TILLIE W. WAGAMAN, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Co-Executors: Gary R. Wagaman, 330 Arendtsville Road, Biglerville, PA 17307; Kenneth E. Wagaman, P.O. Box 131, Bendersville, PA 17306; Randy F. Wagaman, 298 Opossum Hill Road, Aspers, PA 17304; Roger L. Wagaman, 1310 Gun Club Road, York Springs, PA 17372

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

THIRD PUBLICATION

ESTATE OF HENRY PAUL FISSEL, a/k/a
HENRY P. FISSEL, DEC'D

Late of Franklin Township, Adams
County, Pennsylvania

Executor: Jeffrey C. Fissel, c/o Barbara
Jo Entwistle, Esq., Entwistle &
Roberts, 37 West Middle Street,
Gettysburg, PA 17325

Attorney: Barbara Jo Entwistle, Esq.,
Entwistle & Roberts, 37 West Middle
Street, Gettysburg, PA 17325

ESTATE OF KENNETH LEE JAMES,
DEC'D

Late of the Borough of Gettysburg,
Adams County, Pennsylvania

Administratrix: Sandra L. Triplett, c/o
Samuel A. Gates, Esq., Gates &
Gates, P.C., 250 York Street,
Hanover, PA 17331

Attorney: Samuel A. Gates, Esq.,
Gates & Gates, P.C., 250 York
Street, Hanover, PA 17331

ESTATE OF EDGAR J. MILLER, DEC'D

Late of the Borough of Bonneauville,
Adams County, Pennsylvania

Executrix: Karen A. Gettel, c/o Amy S.
Loper, Esq., 11 Carlisle Street, Suite
301, Hanover, PA 17331

Attorney: Amy S. Loper, Esq., 11
Carlisle Street, Suite 301, Hanover,
PA 17331

ESTATE OF DORIS B. MORGAN, DEC'D

Late of Oxford Township, Adams
County, Pennsylvania

Personal Representative: Carroll M.
Davenport, 675 Iron Ridge Rd.,
Hanover, PA 17331

Attorney: G. Steven McKonly, Esq.,
119 Baltimore Street, Hanover, PA
17331

ESTATE OF REVA MAE RARIG, DEC'D

Late of Franklin Township, Adams
County, Pennsylvania

Executrices: Elizabeth Tyson, P.O. Box
127, Gardners, PA 17324; Susan
Makler, 918 Clinton Road, Los Altos,
CA 94024

Attorney: Kenneth E. Ahl, Esq., Archer
& Greiner, P.C., 1650 Market St.,
32nd Fl., Philadelphia, PA 19103

ESTATE OF ETHEL C. RILEY, DEC'D

Late of Oxford Township, Adams
County, Pennsylvania

Executors: Luxie Ann Althoff, 671
March Creek Road, Gettysburg, PA
17325; Linda K. Luckenbaugh, 691
March Creek Road, Gettysburg, PA
17325

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

ESTATE OF DONALD P. SELL, a/k/a
DONALD SELL, DEC'D

Late of Germany Township, Adams
County, Pennsylvania

Donald P. Sell, II, 7103 Aldrich Court,
Spotsylvania, VA 22553

Attorney: Thomas E. Miller, Esq., Law
Office of Thomas E. Miller, Esq.,
LLC, 249 York Street, Hanover, PA
17331

ESTATE OF CATHERINE M. WITHERS,
DEC'D

Late of the Borough of McSherrystown,
Adams County, Pennsylvania

Executrix: Jane C. Bedford, 419 North
Street, McSherrystown, PA 17344

Attorney: John J. Mooney, III, Esq.,
Mooney & Associates, 230 York
Street, Hanover, PA 17331