



**Chester
County
Bar
Association**

Chester County Law Reporter

(USPS 102-900)

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No. 38

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Chester County Law Reporter

(USPS 102-900)

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Publication of Legal Notices*

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Wells Fargo Bank vs. Rogers

Preliminary objections – Striking of complaint – Foreclosure complaint

1. Pursuant to Pa.R.C.P. No. 1147, a complaint in mortgage foreclosure must state the parties to and the date of and the place of record of any assignment of the mortgage.
2. The failure of the assignment to have been recorded is not fatal to plaintiff's claim but, in that event, Pa.R.C.P. No. 1019(i) applies and plaintiff must attach a copy of an unrecorded assignment to the complaint unless "the writing or copy is not accessible to the pleader."
3. Plaintiff attached a copy of the assignment to its response to defendant's preliminary objections which forecloses any argument that a copy of the assignment is not accessible to the plaintiff.
4. Attaching a document to a response to preliminary objections does not make that document part of the complaint. Upon consideration of defendants' preliminary objections, this Court Held that the preliminary objections are sustained in part and overruled in part, the complaint is stricken and pursuant to Pa.R.C.P. No. 1028(e), plaintiff shall have the right to file an amended complaint within twenty (20) days.

R.E.M.

C.C.P., Chester County, Pennsylvania Civil Action No. 11-004438; Wells Fargo Bank, N.A., vs. Frank H. Rogers, et al

Ralph M. Salvia, Esquire, Attorney for Plaintiff
Patrick J. Wolfe, Jr., Esquire, Attorney for Defendants
Shenkin, J., August 22, 2011:-

[59 Ches. Co. Rep. **Wells Fargo Bank vs. Rogers**

WELLS FARGO BANK, N.A.,	:	IN THE COURT OF COMMON PLEAS
Plaintiff	:	CHESTER COUNTY, PENNSYLVANIA

VS.	:	NO. 11-04438
-----	---	--------------

FRANK H. ROGERS, et al.,	:	
Defendants	:	CIVIL ACTION

Ralph M. Salvia, Esquire, Attorney for Plaintiff
 Patrick J. Wolfe, Jr., Esquire, Attorney for Defendants

ORDER

AND NOW, this 22nd day of August, 2011, upon consideration of defendants' preliminary objections to plaintiff's amended complaint and plaintiff's response thereto, it is hereby ORDERED that the preliminary objections are **SUSTAINED** in part and, for the reasons set forth in footnote 1, *supra*, the amended complaint is **STRICKEN**.¹ Otherwise the preliminary objections are overruled. Pursuant to Pa.R.C.P. No. 1028(e), plaintiff shall have the right to file an amended complaint within twenty (20) days from the date of this order.

BY THE COURT:

/s/ Hon. Robert J. Shenkin , J.

¹ Pursuant to Pa.R.C.P. No. 1147, a complaint in mortgage foreclosure must state the parties to and the date of and the place of record of any assignment of the mortgage. We agree that the failure of the assignment to have been recorded is not fatal to plaintiff's claim but, in that event, we believe Pa.R.C.P. No. 1019(i) applies and plaintiff must attach a copy of an unrecorded assignment to the complaint unless "the writing or copy is not accessible to the pleader." Plaintiff argues that in this case neither requirement applies and relies upon *US Bank N.A. v. Mallory*, 982 A.2d 986 (Pa.Super. 2009) in support of its position. Such reliance is misplaced. In *Mallory* the Superior Court held that it was not error to refuse to strike a judgment even though no copy of an assignment was attached to the

complaint nor reference made to the place of recording and that the averments in plaintiff's complaint were sufficient to overcome the claim that there was a fatal defect apparent on the face of the record such that the default judgment should have been stricken. *Id* at 992. If judgment had been taken on this complaint, perhaps the judgment would have withstood a motion to strike. Plaintiff's argument that the distinction in the procedural posture of this case and *Mallory* is "of no moment" is not supported by any logic or argument. Furthermore, germane to the decision of the Superior Court in *Mallory* was that the complaint sufficiently set forth why the assignment was not available to the plaintiff. In this case, however, the assignment was in writing and in existence **prior to** the filing of the amended complaint. (The amended complaint was filed on June 10, 2011, and verified on June 7, 2011. The assignment is dated May 24, 2011.) Plaintiff has attached a copy of the assignment to its response to defendant's preliminary objections which rather forecloses any argument that a copy of the assignment is not accessible to the plaintiff. Attaching a document to a response to preliminary objections does not make that document part of the complaint. It might well have been the wiser course of action for plaintiff to have filed a 2nd amended complaint attaching a copy of the assignment, a course of action that plaintiff will now almost certainly pursue.

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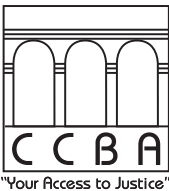


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NOTICES

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**CLERK OF THE ORPHANS' COURT
DIVISION OF THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA**

NOTICE OF FILING ACCOUNTS

**ACCOUNTS LISTED FOR AUDIT ON
WEDNESDAY, OCTOBER 5, 2011**

Courtroom 15 at 9:00 A.M. PREVAILING TIME

THE HONORABLE JOHN L. HALL

Notice is hereby given to all parties interested, that accounts in the following matters have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Chester County, Pennsylvania for AUDIT, CONFIRMATION AND DISTRIBUTION at the above date, time and place. At that time and place interested parties, claimants and objectors to the same will be heard.

IN RE: ELIZABETH KIRK ROSE, TRUST

1511-1578

FIRST AND FINAL ACCOUNT

OF: WELLS FARGO BANK, N.A., TRUSTEE

ATTORNEY(S):

LICIA M. ANO MARRONE, ESQUIRE

EDWARD J. KAIER, ESQUIRE

ESTATE OF JOHN C. BARNARD, DECEASED

1506-1744

FIRST AND FINAL ACCOUNT

OF:

GAIL KOZICKI, EXECUTOR

ATTORNEY(S):

JANET MARIE COLLITON, ESQUIRE

CERTIFICATE OF AUTHORITY

NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, PA, on July 11, 2011 by Faith, Hope & Love Flag Football League (FHL) Inc., a foreign nonprofit corporation formed under the laws of the State of Georgia, where its principal office is located at 418 River Forest Dr., McDonough, GA 30252 for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

The registered office in Pennsylvania shall be located at 20 Waynebrook Dr., Honey Brook, PA 19344.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 11-09488**

NOTICE IS HEREBY GIVEN that the name change petition of Kayla Siobhan Linahan was filed in the above-named court and will be heard on November 28, 2011, at 9:30 AM, in Courtroom 4 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: August 25, 2011

Name to be changed from: Kayla Siobhan Linahan to: Kayla Siobhan Linahan-Neilson

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

JAMES R. LYNCH, JR., Attorney for Petitioner
617 Swede Street
Norristown, PA 19401

**CHANGE OF NAME NOTICE
COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 2011-08564**

NOTICE IS HEREBY GIVEN that on August 2, 2011, the Petition of AMY HALLI D'AGOSTINO, was filed in the above named Court, praying for a Decree to change her name to AMY HALLI D'AGOSTINO YARNALL.

The Court has fixed October 24, 2011 at 9:30 o'clock a.m., in Courtroom No. 16, Chester County Justice Center, 201 W. Market Street, West Chester, Pennsylvania, as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the said Petition should not be granted.

DEBORAH A. MC KENTY

Attorney for Petitioner

1585 McDaniel Drive
West Chester, PA 19380
610-431-4012

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 11-05758**

NOTICE IS HEREBY GIVEN that the name change petition of Jessica Elizabeth Williams was filed in the above-named court and will be heard on September 26, 2011, at 9:30 AM, in Courtroom 16 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: August 29, 2011

Name to be changed from: Jessica Elizabeth Williams to: Phoenix Octavian Drake

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 11-07957**

NOTICE IS HEREBY GIVEN that the name change petition of Barbara Glaser Roadcap was filed in the above-named court and will be heard on October 17, 2011, at 9:30 AM, in Courtroom 1 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: July 20, 2011

Name to be changed from: Barbara Glaser Roadcap to: Zara Leela Shea

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION -LAW
NO. 11-09649**

NOTICE IS HEREBY GIVEN that the name change petition of Pauline Kathryn Ferrizzi was filed in the above-named court and will be heard on October 10, 2011, at 9:30 AM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: August 31, 2011

Name to be changed from: Pauline Kathryn Ferrizzi to: Pauline Kathryn Ferrizzi-Jodry

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

MICHAEL E. EISENBERG, Attorney for
Petitioner
2935 Byberry Road
Suite 107
Hatboro, PA 19040

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 11-09648**

NOTICE IS HEREBY GIVEN that the name change petition of Julianne Eden Ferrezzi was filed in the above-named court and will be heard on October 10, 2011, at 9:30 AM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: August 31, 2011

Name to be changed from: Julianne Eden Ferrezzi to: Julianne Eden Ferrizzi-Jodry

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

MICHAEL E. EISENBERG, Attorney for
Petitioner
2935 Byberry Road
Suite 107
Hatboro, PA 19040

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW
NO. 2011-07390**

NOTICE IS HEREBY GIVEN that the name change petition of Lauren Elizabeth Stegeman Price was filed in the above-named court and will be heard on October 3, 2011, at 9:30 AM, in Courtroom 12 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: July 1, 2011

Name to be changed from: Lauren Elizabeth Stegeman Price to: Lauren Elizabeth Stegeman

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CORPORATION 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 August 25, 2010 for KKM Enterprises, Inc., in accordance with the provisions of the Business Corporation Law of 1988.

The purpose or purposes for which it was organized are: any and all lawful business.

CORPORATION 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 August 24, 2011:

eCATES, Inc,
3 Union Street
P.O. Box 40
Modena, PA 19358

The corporation has been incorporated under the provisions of the Business Corporation Law of 1988 as amended.

ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

CLIFFORD, Lawrence E., late of Caln Township. **WILLIAM H. MITMAN, JR.**, Esquire, 111 South Church Street, West Chester, PA 19382, Executor. **WILLIAM H. MITMAN, JR.**, Esquire, 111 South Church Street, West Chester, PA 19382, atty.

DIMARCANTONIO, Vincent, late of Eastown Township. Dorothy DiMarcantonio, care of **DOLORES M. TROIANI**, Esquire, 131 Lancaster Avenue, Devon, PA 19333, Executrix. **DOLORES M. TROIANI**, Esquire, 131 Lancaster Avenue, Devon, PA 19333, atty.

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GA NE, Elizabeth H., late of East Goshen Township. Margaret J. Smith-Lewis, 534 Smith Road, Pittsford, NY 14534, Executor. DANTE W. RENZULLI, JR., Esquire, 120 John Robert Thomas Drive, Exton, PA 19341, atty.

GODFREY, Marie E., late of Malvern. Judith A. Hughes, care of L. ROBERT FRAME, JR., Esquire, 390 Waterloo Boulevard, Ste. 101, Exton, PA 19341, Executrix. L. ROBERT FRAME, JR., Esquire, 390 Waterloo Boulevard, Ste. 101, Exton, PA 19341, atty.

HOOD, Carol G., late of Kennett Square Borough. Ralph C. Hood, Jr. and John B. Hood, care of DAVID L. MYERS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executors. DAVID L. MYERS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

JACKSON, Christopher Mark, late of Exton. David L. Jackson, 46 Augusta Lane, Fleetwood, PA 19522, Administrator. JAMES E. SHER, Esquire, O'Keefe & Sher, P.C., 15019 Kutztown Road, Kutztown, PA 19530, atty.

KLING, Robert B., late of Wallace Township. Vincent G. Kling, Jr., care of KEVIN J. RYAN, Esquire, 220 West Gay Street, West Chester, PA 19380, Executor. KEVIN J. RYAN, Esquire, Ryan, Morton & Imms, LLC, 220 West Gay Street, West Chester, PA 19380, atty.

MISIEWICZ, Theresa L., late of City of Coatesville. Charles J. Misiewicz, Jr., care of BARRY S. RABIN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Personal Representative. BARRY S. RABIN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

NORDSTROM, William H., late of Honeybrook. Janice M. Lowney, 180 Lamb Tavern Lane, Glenmoore, PA 19343, Executrix.

PETE, Genevieve G., late of Phoenixville Borough. Shirley Cox, 203 Level Road, Collegeville, PA 19426, Executor.

SALAZAR, Corey J., a/k/a Corey James Salazar, late of Tredyffrin Township. Richard A. Salazar, care of F. HARRY SPIESS, JR., Esquire, 130 W. Lancaster Avenue, Wayne, PA 19087-0191, Executor. F. HARRY SPIESS, JR., Esquire, Davis Bennett Spiess & Livingood LLC, 130 W. Lancaster Avenue, P.O. Box 191, Wayne, PA 19087-0191, atty.

SARNOSKI, Joseph S., late of Westtown Township. Cynthia H. Sarnoski, care of LOUIS N. TETI, Esquire, 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, Administratrix. LOUIS N. TETI, Esquire, MacElree Harvey, Ltd., 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, atty.

SCARLETT, Ann E., late of Pennsbury Township. George B. Scarlett and Joan S. Winebrenner, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

SHAW, Robert J., late of Chester County. Roberta Shaw, care of MICHAEL P. ROWAN, Esquire, 214 S. New Street, West Chester, PA 19382, Executor. MICHAEL P. ROWAN, Esquire, 214 S. New Street, West Chester, PA 19382, atty.

SZAFRANSKI, Jan R., late of Tredyffrin Township. Leslie A. Szafranski, 20 Cabot Drive, Chesterbrook, PA 19087, Trustee. BRETT B. WEINSTEIN, Esquire, 705 W. DeKalb Pike, King of Prussia, PA 19406, atty.

TRETHAWAY, Lois E., late of Downingtown. Thomas R. Trethaway, 8 Patricia Dr., Downingtown, PA 19335, Executor.

WEBSTER, Frances M., late of East Brandywine Township. Mark W. Webster, care of ALLAN B. GREENWOOD, Esquire, 941 Pottstown Pike, Suite 200, Chester Springs, PA 19425, Executor. ALLAN B. GREENWOOD, Esquire, Siana, Bellwoar & McAndrew, LLP, 941 Pottstown Pike, Suite 200, Chester Springs, PA 19425, atty.

WICK, Christine Gawne, a/k/a Christine G. Wick, late of Pennsbury Township. PNC Bank, National Association and Wendy W. Reeves, c/o Roberta L. Milligan, Vice President, 620 Liberty Avenue, 33rd Floor, Locator P2-PTPP-33-1, Pittsburgh, PA 15222, Executors. ROBERT WOLF, Esquire, Tener, Van Kirk, Wolf & Moore, 301 Grant Street, Suite 2100, Pittsburgh, PA 15219, atty.

2nd Publication

ABERTS, Paul F. Jr., late of East Brandywine Township. Marie Ellen Brehm, care of DENISE ANTONELLI, Esquire, 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, Executrix. DENISE ANTONELLI, Esquire, MacElree Harvey Ltd., 17 West Miner Street, P.O. Box 660, West Chester, PA 19381-0660, atty.

ALIO, Constantin G., late of Willistown Township. Jeanne P. Alio and Frederick W. Haas, care of LISA COMBER HALL, Esquire, A Professional Corporation, 27 S. Darlington Street, West Chester, PA 19382, Co-Executors/Co-Trustees. LISA COMBER HALL, Esquire, Hall Law Offices, A Professional Corporation, 27 S. Darlington Street, West Chester, PA 19382, atty.

DEVEREAUX, Lawrence, a/k/a Lawrence Devereaux, Jr., late of East Pikeland Township. Lawrence Devereaux, III, 1711 Waterwheel Circle, Phoenixville, PA 19460, Executor. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

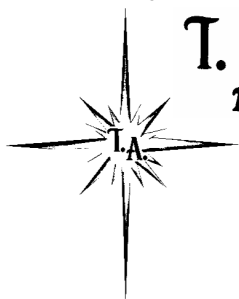
HAIN, Chester R., late of Phoenixville. Alice L. Hain, care of DAVID M. FREES, III, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DAVID M. FREES, III, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

KLAHN, Lois R., late of Kennett Square. L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

LOCKHART, Patricia K., late of East Goshen Township. James Culbertson, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

MESSNER, Ellen L. Dampman, late of East Brandywine Township. Larry E. Dampman, care of DOLORES M. TROIANI, Esquire, 131 Lancaster Avenue, Devon, PA 19333, Executor. DOLORES M. TROIANI, Esquire, 131 Lancaster Avenue, Devon, PA 19333, atty.

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ROSATO, Marilyn McMullan, a/k/a Marilyn T. Rosato, late of Tredyffrin Township. John P. McMullan and Brian McMullan, care of THOMAS W. FLYNN, III, Esquire, 124 Bloomingdale Avenue, P.O. Box 8333, Wayne, PA 19087, Executors. THOMAS W. FLYNN, III, Esquire, Crawford Diamond Flynn LLC, 124 Bloomingdale Avenue, P.O. Box 8333, Wayne, PA 19087, atty.

VETTER, Gloria B., late of Borough of West Chester. Norman V. Vetter, II and Cynthia G. Vetter, care of MARIE K. PARROTT, Esquire, 1420 Walnut Street, Suite 1107, Philadelphia, PA 19102, Executors. MARIE K. PARROTT, Esquire, 1420 Walnut Street, Suite 1107, Philadelphia, PA 19102, atty.

ZELIKOVITZ, Helen, late of Phoenixville. Maureen Sawicki, care of SHILPA P. KHARVA, Esquire, 623 North Pottstown Pike, Exton, PA 19341, Executors. SHILPA P. KHARVA, Esquire, James B. Griffin, P.C., 623 North Pottstown Pike, Exton, PA 19341, atty.

3rd Publication

BENNER, Emma Louise, a/k/a E. Louise Benner, late of East Pikeland Township. Lorraine Lauritano and David M. Frees, III, care of DAVID M. FREES, III, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executors. DAVID M. FREES, III, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

CARMICHAEL, Alison G., late of West Brandywine Township. Robert W. Carmichael and Ann M. Garrett, care of TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, Executors. TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, atty.

CIRUCCI, Alice L., late of West Chester. Emma Jane DeVault, care of ELLEN B. SHEEHAN, Esquire, 1197 Wilmington Pike, West Chester, PA 19382, Executrix. ELLEN B. SHEEHAN, Esquire, 1197 Wilmington Pike, West Chester, PA 19382, atty.

CONNOR, Lois T., late of Tredyffrin Township. Robert Porter Boyd, 555 Hollow Road, Radnor, PA 19087 and The Bryn Mawr Trust Company, c/o Susan W. O'Donnell, 10 S. Bryn Mawr Avenue, Bryn Mawr, PA 19010, Executors. NEIL E. CASS, Esquire, Duane Morris LLP, 30 S. 17th Street, Philadelphia, PA 19103, atty.

HARRINGTON, Irene L., late of Honey Brook Township. Security National Trust Company, Attn: Joseph A. Myers, Sr. Vice President, 100 East King Street, 2nd Floor, P.O. Box 1267, Lancaster, PA 17608, Executor. KLING & FANNING, LLP, 131 West Main Street, New Holland, PA 17557, atty.

HOGUE, Eleanor W., late of Honeybrook Township. ALLEN H. TOLLEN, Esquire, 15 East Front Street, Media, PA 19063, Executor. ALLEN H. TOLLEN, Esquire, 15 East Front Street, Media, PA 19063, atty.

JACOBSEN, Anita, a/k/a Anita D. Jacobsen, late of Wayne, Tredyffrin Township. Audrey Copeland, 424 N. Valley Forge Road, Devon, PA 19333, Executrix.

KENNEDY, Alice B., late of Malvern. Patricia K. Beaver, care of CZAPLICKI & GREGOR, PC, 16 Campus Blvd, Suite 200, Newtown Square, PA 19073, Executrix. CZAPLICKI & GREGOR, PC, 16 Campus Blvd, Suite 200, Newtown Square, PA 19073, atty.

MALIN, John C., late of West Chester. Lea E. Buchanan and Thomas J. Barrett, care of ELLEN B. SHEEHAN, Esquire, 1197 Wilmington Pike, West Chester, PA 19382, Executors. ELLEN B. SHEEHAN, Esquire, 1197 Wilmington Pike, West Chester, PA 19382, atty.

MC DERMOTT, Elizabeth M., a/k/a Elizabeth Mary Mc Dermott, late of East Goshen Township. Elizabeth Beaty and Christopher Mc Dermott, care of CATHERINE M. HARPER, Esquire, 400 Maryland Drive, Fort Washington, PA 19034-7544, Executors. CATHERINE M. HARPER, Esquire, Timoney Knox, LLP, 400 Maryland Drive, P.O. Box 7544, Fort Washington, PA 19034-7544, atty.

OSGOOD, Jeanne M., late of Uwchlan Township. F. Taylor Osgood, care of JACK F. WOLF, Esquire, P.O. Box 444, Pottstown, PA 19464, Executor. JACK F. WOLF, Esquire, Wolf, Baldwin & Associates, P.C., P.O. Box 444, Pottstown, PA 19464, atty.

REEDER, Clarence H., late of Penn Township. William E. Reeder, 20 Netherwood Drive, Coatesville, PA 19320, Executor. WILLIAM T. KEEN, Esquire, Keen, Keen & Good, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

RUOSS, George O., Jr., late of West Nantmeal Township. Barry D. Ruoss, 31 Hilldale Drive, Ephrata, PA 17522, Executor. WAYNE C. BUCKWALTER, Esquire, Cohen Seglias Pallas Greenhall & Furman, PC, 30 South 17th S., 19th Fl, Philadelphia, PA 19103, atty.

SCANLON, Claire P., a/k/a Claire Powers Scanlon and Claire M. Scanlon, late of East Goshen Township. Thomas J. Scanlon, Jr. and Arthur J. Kania, care of JOHN LASAK, Esquire, 560 E. Lancaster Avenue, Suite 108, St. Davids, PA 19087, Executors. JOHN LASAK, Esquire, Kania, Lindner, Lasak & Feeney, 560 E. Lancaster Avenue, Suite 108, St. Davids, PA 19087, atty.

TROSTLE, Robert S., late of Penn Township. Christine C. Trostle and Carol Lynn Shortlidge, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrices. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

NOTICE

Notice is hereby given that an Application for registration of a Fictitious Name was filed with the Corporation Bureau of the Department of State, Commonwealth of Pennsylvania for the purpose of establishing the program **All About Love Adoptions by Adoption Home Study, Associates**. The purpose for which the program is to be organized is **Domestic Infant Adoption Services**. President: Jessica Roseborough, MSW, LCSW. (610)429-1001; PAHomestudy.com

CORPORATION NOTICE

NOTICE is hereby given that Application for Registration – Foreign has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Application for Registration - Foreign pursuant to the provisions of the Business Corporation Law of 1988, 15 Pa. C.S. Section 8913.

The name of the corporation is: Independent Electrical Services, LLC

Certificate of Authority was filed on: August 26, 2011.

The purpose or purposes for which it was organized are: The corporation shall have unlimited power to engage in and do any lawful act concerning any or all lawful business for which corporation may be incorporated under the Pennsylvania Business Corporation Law, as amended.

TOM MOHR LAW OFFICE, P.C., Solicitor
301 W. Market Street
West Chester, PA 19382

FOREIGN WITHDRAWAL

Notice is hereby given that pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, EDWARDS AND KELCEY, INC., a corporation of the State of New Jersey, with principal office at 299 Madison Avenue, Morristown, NJ 07962, and registered office in Pennsylvania at 1380 Wilmington Pike, West Chester, Chester County, PA 19380, which on May 20, 1968, was granted a Certificate of Authority to transact business in the Commonwealth of Pennsylvania, intends to file an Application for Termination of Authority with the Department of State.

FOREIGN WITHDRAWAL

Notice is hereby given that pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, SOLSTICE NEUROSCIENCES, INC., a corporation of the State of Delaware, with principal office at 4010 Dupont Circle, Ste. L-07, Louisville, KY 40207, and registered office in Pennsylvania at 40 General Warren Blvd., Ste. 160, Malvern, Chester County, PA 19355, which on November 23, 2005, was granted a Certificate of Authority to transact business in the Commonwealth of Pennsylvania, intends to file an Application for Termination of Authority with the Department of State.

**NOTICE OF ADMINISTRATIVE
SUSPENSION**

Notice is hereby given that the following **Chester County** attorneys have been **Administratively Suspended** by Order of the Supreme Court of Pennsylvania dated August 2, 2011, pursuant to Rule 111(b), Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective September 1, 2011 for Compliance Group 3.

Hall, Treva M
Lathia, Julie Durla
Mangino, Nicole Lin
McGrory, Alissa Marie
Schwartz, Eric Ian
York, John B.

Suzanne E. Price
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

CHARLES T. DeTULLEO

**Attorney at Law
134 North Church St.
West Chester, PA 19380
610-436-5766**

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1st Publication**NOTICE****OCTORARA AREA SCHOOL DISTRICT****Earned Income and Net Profits Tax Notice**

Notice is given pursuant to the Local Tax Enabling Act that the Board of School Directors of Octorara Area School District intends to adopt an **Earned Income Tax Resolution**, the caption and summary of which is as follows:

RESOLUTION LEVYING A TAX ON EARNED INCOME AND NET PROFITS; REQUIRING TAX RETURNS; REQUIRING EMPLOYERS TO WITHHOLD AND REMIT TAX; AND RELATED PROVISIONS.

The Board of School Directors of Octorara Area School District intends to adopt this Resolution at a meeting to be held on or before November 30, 2011. It will impose a tax for general revenue purposes at a rate of **0.5%** on earned income and net profits of individual residents. This tax is in addition to any tax on earned income and net profits imposed by any municipality within the school district. The Resolution will be effective January 1, 2012, and continues the tax previously imposed at the same rate. Changes have been made in the terms of the currently effective tax levy primarily to conform to requirements of Act 32 of 2008, which is a restatement of the Local Tax Enabling Act, 53 P.S. § 6924.101 *et seq.* The nature of the tax will be substantially the same as the earned income and net profits tax currently levied, subject to changes required by Act 32. The Resolution states that all provisions of the Local Tax Enabling Act that relate to a tax on earned income or net profits are incorporated into the Resolution. The Resolution provides an exemption from tax for individuals under age 16. The tax will be collected by a collector appointed under Act 32. The reason for the new tax levy is to continue the same tax as previously imposed in order to provide revenue for the purposes stated above, and also to conform to Act 32 requirements. The estimated revenue to be derived from the tax during 2012 is \$1,421,327.

A copy of the full text of the proposed Resolution may be obtained by any citizen at the Business Office of the Octorara Area School District located at 228 Highland Road, Suite 1, Atglen, PA 19310, during regular business hours.

Board of School Directors for Octorara Area School District

NOTICE**ANTHONY MORRIS, ESQUIRE**

Attorney I.D. No. 25611

BUCKLEY, BRION, MCGUIRE, MORRIS & SOMMER, LLP

118 West Market Street, Suite 300

West Chester, PA 19382

610-436-4400

IN RE: WILLIAM JEFFREY KOMLO : IN THE COURT OF COMMON PLEAS
1617 OAK HILL ROAD
CHESTER SPRINGS, PA 19425 : CHESTER COUNTY, PENNSYLVANIA

Premises: NS OAK HILL CLDSC : NO. 10-08801
1.7 AC DWG & POOL LOT 12

Tax Parcel No: 34-2-5.3N

TO: WILLIAM JEFFREY KOMLO**NOTICE OF PETITION FOR JUDICIAL TAX SALE**

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 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Referral Service
15 West Gay Street
West Chester, PA 19380
610-429-1500

NOTICE

ANTHONY MORRIS, ESQUIRE

Attorney I.D. No. 25611

BUCKLEY, BRION, MCGUIRE, MORRIS & SOMMER, LLP

118 West Market Street, Suite 300

West Chester, PA 19382

610-436-4400

IN RE: ROBERT LEE CHAPMAN & GERONIA CHAPMAN : IN THE COURT OF COMMON PLEAS
761 LUMBER STREET : CHESTER COUNTY, PENNSYLVANIA
COATESVILLE, PA 19320 : NO. 10-08500

Premises: SS LUMBER ST
LOT DWG & GAR

Tax Parcel No: 16-6-150

TO: ROBERT LEE CHAPMAN & GERONIA CHAPMAN**NOTICE OF PETITION FOR JUDICIAL TAX SALE**

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 without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

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**NOTICE
ANTHONY MORRIS, ESQUIRE**

Attorney I.D. No. 25611
BUCKLEY, BRION, MCGUIRE, MORRIS & SOMMER, LLP
118 West Market Street, Suite 300
West Chester, PA 19382
610-436-4400

IN RE: JOSEY MAGNOLIA BROWN	: IN THE COURT OF COMMON PLEAS
179-45 ONE HUNDRED FORTY FIFTH ST	
JAMAICA, NEW YORK 11434	: CHESTER COUNTY, PENNSYLVANIA

Premises: WS RT 182	: NO. 10-09100
LOT & DWG	

Tax Parcel No: 47-7-94

TO: JOSEY MAGNOLIA BROWN

NOTICE OF PETITION FOR JUDICIAL TAX SALE

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 without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

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Lawyer Referral Service
15 West Gay Street
West Chester, PA 19380
610-429-1500

NOTICE

ANTHONY MORRIS, ESQUIRE

Attorney I.D. No. 25611

BUCKLEY, BRION, MCGUIRE, MORRIS & SOMMER, LLP

118 West Market Street, Suite 300

West Chester, PA 19382

610-436-4400

**IN RE: WALTER E. DALLER, SR. &
EDNA HELEN DALLER**719 CLAYHOR AVENUE
COLLEGEVILLE, PA 19426

: IN THE COURT OF COMMON PLEAS

: CHESTER COUNTY, PENNSYLVANIA

Premises: NS CHAPEL AVE
LOT & DWG

: NO. 11-09678

Tax Parcel No: 8-3-74

TO: WALTER E. DALLER, SR. & EDNA HELEN DALLER**NOTICE OF PETITION FOR JUDICIAL TAX SALE**

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 without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

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Lawyer Referral Service
15 West Gay Street
West Chester, PA 19380
610-429-1500

NOTICE**ANTHONY MORRIS, ESQUIRE**

Attorney I.D. No. 25611

BUCKLEY, BRION, MCGUIRE, MORRIS & SOMMER, LLP

118 West Market Street, Suite 300

West Chester, PA 19382

610-436-4400

IN RE: CEDAR HOLLOW**: IN THE COURT OF COMMON PLEAS****DEVELOPMENT CO. INC.**

1288 VALLEY FORGE ROAD

: CHESTER COUNTY, PENNSYLVANIA

VALLEY FORGE, PA 19482

Premises: E OF GROVENOR CRT

: NO. 10-08514

4.6 OPEN SPACE

Tax Parcel No: 41-5-226.3R

TO: CEDAR HOLLOW DEVELOPMENT CO., INC.**NOTICE OF PETITION FOR JUDICIAL TAX SALE**

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 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Referral Service

15 West Gay Street

West Chester, PA 19380

610-429-1500

NOTICE**ANTHONY MORRIS, ESQUIRE**

Attorney I.D. No. 25611

BUCKLEY, BRION, MCGUIRE, MORRIS & SOMMER, LLP

118 West Market Street, Suite 300

West Chester, PA 19382

610-436-4400

IN RE: MICHAEL H. BRADSHAW

: IN THE COURT OF COMMON PLEAS

JOHN F. STEIMER

P.O. BOX 757

FRAZER, PA 19355

: CHESTER COUNTY, PENNSYLVANIA

Premises: SW COR OF SWEDES FORD & PLA

: NO. 10-08803

1.1 AC & OFFICE BLDG

Tax Parcel No: 42-3-187

TO: MICHAEL H. BRADSHAW & JOHN F. STEIMER**NOTICE OF PETITION FOR JUDICIAL TAX SALE**

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 without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

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Lawyer Referral Service
15 West Gay Street
West Chester, PA 19380
610-429-1500

1st Publication**NOTICE OF TRUST**

WRIGLEY, Patricia M., late of Caln Township. Lisa W. Jennings, 1544 Tattersall Way, West Chester, PA 19380 and Kristy M. Wrigley, 655 Smugglers View Road, Jeffersonville, VT 05464, Trustees. **BRETT B. WEINSTEIN**, Esquire, 705 W. DeKalb Pike, King of Prussia, PA 19406, atty.

3rd Publication**NOTICE**

FREDERIC BRADLEY MAC KENZIE REVOCABLE TRUST DATED SEPTEMBER 9, 1996
FREDERIC BRADLEY MAC KENZIE,
Deceased

Late of the Township of Treddyfrin, Chester County, PA

All persons having claims or demands against FREDERIC BRADLEY MAC KENZIE REVOCABLE TRUST DATED SEPTEMBER 9, 1996, FREDERIC BRADLEY MAC KENZIE, deceased, to make known the same and all persons indebted to the decedent to make payment without delay to MARGARET JEAN MAC KENZIE and JAMES A. MAC KENZIE, Trustees, c/o EDWARD M. WATTERS, III, 899 Cassatt Road, Berwyn, PA 19312,

Or to their Attorney:

EDWARD M. WATTERS, III
Pepper Hamilton LLP
899 Cassatt Road
Berwyn, PA 19312

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D.B. – 97-13

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY, PENNSYLVANIA

IN RE: CONDEMNATION BY THE	:	NO. 08550	TERM, 2011
COMMONWEALTH OF PENNSYLVANIA,	:		
DEPARTMENT OF	:		
TRANSPORTATION, OF THE	:		
RIGHT-OF-WAY FOR STATE	:		
ROUTE SR0422, SECTION M1A	:	EMINENT DOMAIN PROCEEDING	
IN THE TOWNSHIP OF NORTH COVENTRY	:	IN REM	

NOTICE OF CONDEMNATION AND DEPOSIT OF ESTIMATED JUST COMPENSATION

Notice is hereby given that the Commonwealth of Pennsylvania, by the Secretary of Transportation, whose address is the Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, Real Property Division, Commonwealth Keystone Building, Harrisburg, Pennsylvania 17120, pursuant to the provisions of Section 2003(e) of the Administrative Code of 1929, P.L. 177, 71 P.S. 513(e), as amended, has filed on 06/20/2011 a Declaration of Taking to the above term and number, condemning the property shown on the plans of the parcels listed on the Schedule of Property Condemned which have been recorded in the Recorder's Office of the above county at the places indicated on the said schedule. The name(s) of the owner(s) of the property interest(s) condemned is (are) also shown on the aforesaid Schedule. The Secretary of Transportation, on behalf of himself and the Governor has approved the within condemnation by signing on 05/02/2011 a plan entitled DRAWINGS AUTHORIZING ACQUISITION OF RIGHT-OF-WAYFOR STATE ROUTE 0422, SECTION M1A IN CHESTER COUNTY, a copy of which plan was recorded in the Recorder's Office of the aforesaid county on 06/20/2011, in DEED BOOK 97 PAGE 8.

The purpose of the condemnation is to ACQUIRE PROPERTY FOR TRANSPORTATION PPURPOSE.

Plans showing the property condemned from the parcels listed on the Schedule of Property Condemned have been recorded in the aforesaid Recorder's Office at the places indicated on the Schedule, where they are available for inspection. The Property Interest thereby condemned is designated on the Declaration of Taking heretofore filed. The Commonwealth of Pennsylvania is not required to post security, inasmuch as it has the power of taxation.

Because the identity or the whereabouts of the condemnee(s) listed below is (are) unknown or for other reasons he (they) cannot be served, this notice is hereby published in accordance with Section 305(b) of the Eminent Domain Code (26 Pa.C.S. §305(b)).

Claim No.	Parcel No.	Name	Address
1500223000	40	UNKNOWN	UNKNOWN

The power or right of the Secretary of Transportation of the Commonwealth of Pennsylvania to appropriate the property condemned, the procedure followed by the Secretary of Transportation or the Declaration of Taking may be challenged by filing preliminary objections within thirty (30) days of the date of this notice.

FURTHERMORE, NOTICE IS GIVEN THAT the Commonwealth of Pennsylvania, Department of Transportation, pursuant to Section 522 of the Eminent Domain Code (26 Pa.C.S. §522), will, at the end of the above-referenced thirty (30) day time period within which to file preliminary objections to the Declaration of Taking, present a petition to the Court of Common Pleas of the above county to deposit into court the just compensation estimated by the Commonwealth to be due all parties in interest for damages sustained as the result of the condemnation of the property herein involved.

The petition to deposit estimated just compensation may not be presented to the court if the owner(s) of the property herein involved inform the District Right-of-Way Administrator of the District noted below of their existence and/or whereabouts prior to the expiration of the noted period. After estimated just compensation has been deposited into court, the said monies may be withdrawn by the persons entitled thereto only upon petition to the court. If no petition is presented within a period of six years of the date of payment into court, the court shall order the fund or any balance remaining to be paid to the Commonwealth without escheat.

Matthew Kulpa, Jr.District Right-of-Way Administrator
Engineering District 6-0
Pennsylvania Department of Transportation

DOROTHY COLE and ALEXANDER COLE, individually and w/h and TANECHA LEE and PAUL WAKEFIELD, individually and w/h, Plaintiffs	:	IN THE COURT OF COMMON PLEAS
	:	CHESTER COUNTY, PENNSYLVANIA
VS.	:	CIVIL ACTION-LAW
ALEXANDER FUENTES and JOSIAS EXEGUIEL MENDES FUENTES	:	NO. 2010-11065-TT

Defendants

Richard A. Stoloff, Esquire, on behalf of Plaintiffs
No Entry of Appearance on behalf of Defendants

ORDER

AND NOW, this 25th day of August, 2011, upon consideration of Plaintiffs' Motion for Alternative Service, it is hereby ORDERED and DECREED that the Motion is GRANTED and Plaintiffs shall serve the Complaint on Defendants by publication once in the Daily Local News and once in the Chester County Law Reporter in compliance with Pa.R.C.P.430(b), and by certified and regular mail to Defendants' insurance company, Access General Insurance Adjusters, via John A. Sebastinelli, Agent for Service of Process, 455 Market Street, Suite 1420, San Francisco, CA 94105.

BY THE COURT:

Jacqueline C. Cody

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Functional Capacity Evaluations (FCE)

Impairment Ratings

• NO FEE FOR REPORTS •

Extended Evening and Saturday Office Hours

MRCP • Center City
MRCP • Broomall

MRCP • Plymouth Meeting
MRCP • Lower Bucks



Graystone Wealth Management delivers integrated solutions to high net worth individuals and institutions who value a client centric approach. We pride ourselves on our reputation that was built through the quality of the advice and services we deliver to our clients in the community.

Wealth Planning Investment Management Trust Services Private Banking



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NOT A DEPOSIT NOT FDIC INSURED NO BANK GUARANTEE NOT INSURED BY ANY FEDERAL GOVERNMENT AGENCY MAY LOSE VALUE