

The Greene Reports

Official Legal Publication for Greene County, Pennsylvania
Owned and operated by Greene County Bar Association
Greene County Courthouse, Waynesburg, PA 15370

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December 6, 2018



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Serving the Legal Community of Greene County
Since October 1982

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COURT OF COMMON PLEAS
Honorable Farley Toothman, President Judge
Honorable Louis Dayich, Judge

MOTIONS

Criminal & Civil & O.C.:
Dec. 10, Dec. 12, & Dec. 14, 2018

CRIMINAL

Arraignments: Dec. 10, 2018
ARDs: Dec. 10, 2018
ARD Revocations: Dec. 10, 2018
Parole Violations: Dec. 17, 2018
Plea Court: Dec. 11 & 12, 2018
License Suspension Appeals: Dec. 17, 2018

ORPHANS

Accounts Nisi: Jan. 3, 2018
Accounts Absolute: Dec. 14, 2018

SUPREME COURT SUPERIOR COURT

COMMONWEALTH COURT

Convenes in Pgh.: April 8 - 12, 2019
Convenes in Pgh.: January 14 - 18, 2018
Convenes in Pgh.: February 11 - 15, 2019

ARGUMENTS

Argument Court: Jan. 9, 2018

CIVIL

Domestic Relations Contempts:
Dec. 24, 2018
Domestic Relations Appeals
Dec. 24, 2018

JUVENILE

Plea Day: Dec. 20, 2018

THE GREENE REPORTS

Owned and published by the GREENE COUNTY BAR ASSOCIATION

Editor: Josephine L. Ketcham

E-mail address: editor.greenerreports@yahoo.com

EDITORIAL POLICY

All articles published in The Greene Reports are intended to inform, educate or amuse. Any article deemed by the editorial staff to be reasonably interpreted as offensive, demeaning or insulting to any individual or group will not be published.

The views expressed in the articles represent the views of the author and are not necessarily the views of The Greene Reports or the Greene County Bar Association.

The Greene Reports welcomes letters to the Editor both for publication and otherwise. All letters should be addressed to: Editor, The Greene Reports, Greene County Courthouse, 10 East High Street, Waynesburg, PA 15370. Letters must include signature, address and telephone number. Anonymous correspondence will not be published. All letters for publication are subject to editing and, upon submission, become the property of The Greene Reports.

THE GREENE COUNTY BAR ASSOCIATION

Christine N. Nash, President

Christopher Simms, Vice-President

Adam Belletti, Secretary

Jessica Phillips, Treasurer

Brandon K. Meyer, Ex-Officio

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DEED TRANSFERS

The following property transfers have been recorded in the Greene County Recorder of Deeds office.

FRANKLIN TOWNSHIP

Diane E Mayle to CFR Energy LLC, 100.020 Acres Coal, \$667. (11-26-18)
145 Industrial Boulevard LLC to Kari Resources LP, Tract, \$975,000. (11-29-18)

RICHHILL TOWNSHIP

CNX Land LLC to CNX Midstream Devco I LP, R/W, \$579,370. (11-26-18)

WAYNESBURG BOROUGH

Michael D Mathason et al to MB Ventures LLC, Lot, \$28,910. (11-28-18)
Mildred S Maize to Terry Lawrence, Lot, \$104,000. (11-29-18)

WASHINGTON, FRANKLIN, WHITELEY, WAYNE & PERRY TOWNSHIPS

Juanita M Connors to Connors Family Partnership LLC, \$1,185,584. (11-28-18)

WAYNE TOWNSHIP

Mt. Lebanon Baptist Church to Pikewood Energy Corporation, 214.18 Acres O&G, \$27,500. (11-29-18)

WAYNESBURG BOROUGH

Mil-Nik Inc et al to Wilson Commons LLC, Lot, \$127,000. (11-21-18)

WHITELEY TOWNSHIP

Stephen C Crouse et al to Courtney R Kennell et con, Tract, \$210,000. (11-19-18)

ESTATE NOTICES

NOTICE is hereby given of the grant of letters by the Register of Wills to the Estates of the following named decedents. All persons having claims are requested to make known the same and all persons indebted to the decedent are requested to make payment to the personal representative or his attorney without delay.

FIRST PUBLICATION

JENNEWINE, MARY ELIZABETH

Late of New Freeport Township, Greene County, Pennsylvania

Executor: Roger Stalnaker, 577 Garrison Ridge Road, New Freeport, PA 15352

Attorney: David C. Hook, Esquire, P. O. Box 898, 430 East Oakview Drive, Suite 101, Waynesburg, PA 15370

JUSKOVICH, PHILIP LEE a/k/a PHILIP L. JUSKOWICH

No. 30-18-0224

Late of Franklin Township, Greene County, Pennsylvania

Executor: Philip Charles Juskowich, 143 DeMar Blvd., Canonsburg, PA 15317

Attorney: James P. Liekar, Esquire, 38 West Pike Street, Canonsburg, PA 15317

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PAUGH, ALMA J.

Late of Perry Township, Greene County, Pennsylvania
Executrix: Kimberly D. Szczyrbak, P. O. Box 26, Mt. Morris, PA 15349
Attorney: None

SECOND PUBLICATION

JANCO, EDWARD INGATIUS a/k/a EDWARD I. JANCO a/k/a EDWARD JANCO

Late of Rices Landing, Greene County, Pennsylvania
Executrix: Doreen Plavi, % Cheryl Catherine Cowen, Esquire, 769 Lippencott Road,
Waynesburg, PA 15370
Attorney: Cheryl Catherine Cowen, Esquire, 769 Lippencott Road,
Waynesburg, PA 15370

PUTILA, ELIZABETH J.

Late of Cumberland Township, Greene County, Pennsylvania
Personal Representative: Mary E. Putila-Fugozzotto, % Davis & Davis Law Offices,
James T. Davis, Esquire, 107 East Main Street, Uniontown, PA 15401
Attorney: Davis & Davis Law Offices, James T. Davis, Esquire, 107 East Main Street,
Uniontown, PA 15401

SHUMAN, BERNICE

Late of Franklin Township, Greene County, Pennsylvania
Administrator: Roy Travis Tustin, 2546 Oak Forest Road, Waynesburg, PA 15370
Attorney: Timothy N. Logan, Esquire, 54 North Richhill Street,
Waynesburg, PA 15370

STOCKDALE, WILMA M.

Late of Waynesburg, Greene County, Pennsylvania
Executor: James S. Stockdale, % Kelly A. Stepp, Esquire, Stepp Law Offices,
64 North Richhill Street, Ste. 101, Waynesburg, PA 15370
Attorney: Kelly A. Stepp, Esquire, Stepp Law Offices, 64 North Richhill Street,
Ste. 101, Waynesburg, PA 15370

THIRD PUBLICATION

GARRISON, BETTY L. a/k/a BETTY LEE GARRISON

Late of Dilliner, Greene County, Pennsylvania
Executor: Thomas Mark Garrison, 451 North Porter Street, Waynesburg, PA 15370
Attorney: Kirk A. King, Esquire, 77 South Washington Street,
Waynesburg, PA 15370

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FICTITIOUS NAME NOTICE

An application for registration of the fictitious name **Dunkard Woodworks**, 1189 Buckeye Road, Mt. Morris, PA 15349 has been filed in the Department of State at Harrisburg, PA, File date 07/28/2018 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is John R. Billetz, 1189 Buckeye Road, Mt. Morris, PA 15349.

SHERIFF'S SALE

**By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. ED-37-2018 - No. AD-219-2018**

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

**FRIDAY, DECEMBER 14, 2018
AT 10:00 O'CLOCK A.M.**

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

Branch Banking and Trust Company

v.

J. Mark Barnes

Owner(s) of property situate in the PERRY TOWNSHIP, GREENE County, Pennsylvania, being 478 Big Shannon Run Road, Mount Morris, PA 15349-2354.

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$89,070.64

PROPERTY ADDRESS: 478 Big Shannon Run Road, Mt. Morris, PA 15349-2354

UPI/TAX PARCEL NUMBER: 20-05-126-A

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Seized and taken into execution to be sold as the property of J MARK BARNES in suit of BRANCH BANKING AND TRUST COMPANY

Attorney for the Plaintiff:
Phelan, Hallinan, Diamond & Jones, LLP
Philadelphia, PA

BRIAN A. TENNANT, SHERIFF
Greene County, Pennsylvania

SHERIFF'S SALE

**By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. ED-38-2018 - No. AD-934-2015**

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

**FRIDAY, DECEMBER 14, 2018
AT 10:00 O'CLOCK A.M.**

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

U.S. Bank National Association

vs.

Warren E. Christopher, Alice C. Pecjak

All that certain piece of ground in the Township of Monongahela, County of Greene, Pennsylvania, 75.01 x 19.19 x 320.00 x 70.00 x 289.39 x 19.20 and having thereon erected a dwelling known as 915 MAPLETOWN ROAD, GREENSBORO, PA 15338.

Greene County Deed Book 449, Page 924
Tax Parcel # 16-17-110

TO BE SOLD AS THE PROPERTY OF WARREN E. CHRISTOPHER AND ALICE C. PECJAK ON JUDGMENT NO. AD-935-2015

PROPERTY ADDRESS: 915 Mapletown Rd, Greensboro, PA 15338

UPI/TAX PARCEL NUMBER: 16-17-110

Seized and taken into execution to be sold as the property of WARREN E. CHRISTOPHER, ALICE C. PECJAK in suit of U.S. BANK NATIONAL ASSOCIATION

Attorney for the Plaintiff:
Purcell, Krug & Haller

BRIAN A. TENNANT, SHERIFF
Greene County, Pennsylvania

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SHERIFF'S SALE

**By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. ED-39-2018 - No. AD-789-2017**

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

**FRIDAY, DECEMBER 14, 2018
AT 10:00 O'CLOCK A.M.**

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

The Bank of New York Mellon, f/k/a The Bank of New York as Successor Trustee to JPMorgan Chase Bank, N.A., as Trustee for Soundview Home Loan Trust 2005-Ctx1, Asset-Backed Certificates, Series 2005-Ctx1

v.

David O'Dell Davis a/k/a David Odell Davis a/k/a David Davis, Colleen Davis owner(s) of property situate in the CARMICHAELS BOROUGH, GREENE County, Pennsylvania being 229 South Market Street, Carmichaels, PA 15320-1233 Parcel No. 0204191 (Acreage or street address)

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$84,235.19

PROPERTY ADDRESS: 229 South Market St., Carmichaels, PA 15320-1233

UPI/TAX PARCEL NUMBER: 02-04-191

Seized and taken into execution to be sold as the property of DAVID O'DELL DAVIS A/K/A DAVID ODELL DAVIS A/K/A DAVID DAVIS, COLLEEN DAVIS in suit of THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE FOR SOUNDVIEW HOME LOAN TRUST 2005-CTX1, ASSET-BACKED CERTIFICATES, SERIES 2005-CTX1

Attorney for the Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

BRIAN A. TENNANT, SHERIFF
Greene County, Pennsylvania

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SHERIFF'S SALE

**By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. ED-33-2018 - No. AD-576-2017**

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

**FRIDAY, DECEMBER 14, 2018
AT 10:00 O'CLOCK A.M.**

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

JPMorgan Chase Bank, National Association

vs.

Ronald Pataski and Theresa Pataski

All that parcel of land in the Township of Morgan, Greene County, Pennsylvania, as more fully described in Deed Book 220, page 1221, being known and designated as: 229 Happy Valley Road, Waynesburg, PA 15370

Containing 7.6125 acres according to a survey made 01/06/1973

Tax/Parcel ID: 17/03/157/R

PROPERTY ADDRESS: 229 Happy Valley Road, Waynesburg, PA 15370

UPI/TAX PARCEL NUMBER: 17-03-157-T

Seized and taken into execution to be sold as the property of RONALD PATASKI, THERESA PATASKI in suit of JPMORGAN CHASE BANK, NATIONAL ASSOCIATION

Attorney for the Plaintiff:
Shapiro & DeNardo, LLCC.
King of Prussia, PA

BRIAN A. TENNANT, SHERIFF
Greene County, Pennsylvania

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SUPREME COURT OF PENNSYLVANIA CIVIL PROCEDURAL RULES COMMITTEE NOTICE OF PROPOSED RULEMAKING

Proposed Adoption of Pa.R.C.P. No. 1065.1

The Civil Procedural Rules Committee is planning to propose to the Supreme Court of Pennsylvania the adoption of Pa.R.C.P. No. 1065.1 governing the form notice required by Section 5527.1 of the Judicial Code, 42 Pa.C.S. § 5527.1, for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. No. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any reports, notes, or comments in the proposal have been inserted by the Committee for the convenience of those using the rules. They will neither constitute a part of the rules nor will be officially adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

**Karla M. Shultz, Counsel
Civil Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9526
civilrules@pacourts.us**

All communications in reference to the proposal should be received by **January 18, 2019**. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Civil Procedural Rules Committee,
David L. Kwass
Chair

(This is an entirely new rule.)

Rule 1065.1. Notice. Claim for Adverse Possession.

(a) This rule governs an action to quiet title of property pursuant to Section 5527.1 of the Judicial Code, 42 Pa.C.S. §5527.1.

Note: Section 5527.1 of the Judicial Code permits a plaintiff to seek to acquire title to real property or a contiguous lot to real property by commencing an action to quiet title if the party has adversely possessed the real property or contiguous lot for a period of not less than ten years.

(b) As used in this rule, "plaintiff" means the possessor of real property who is seeking to quiet title to real property or a contiguous lot to real property that he or she has adversely possessed for a period of not less than ten years.

"defendant" means the owner, and the owner's heirs, successors, and assigns, of the real property as recorded in the most recent deed filed in the Recorder of Deeds Office at the courthouse in county in which the real property is located.

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(c) Upon satisfying the requirements of Section 5527.1(a)-(b) of the Judicial Code, the plaintiff may commence an action to quiet title and provide notice as required in subdivision (d) of this rule.

(d) The notice shall be substantially in the following form:
(CAPTION)

Notice Required by Section 5527.1 of the Judicial Code

To the above-named defendant:

The plaintiff in the above-captioned matter has filed an action to quiet title pursuant to Section 5527.1 of the Judicial Code, 42 Pa.C.S. § 5527.1, seeking to acquire title by adverse possession of real property described as follows:

Street Address

City, State, Postal Zip Code

Deed Reference

Uniform Parcel Identifier or Tax Parcel Number

Metes and Bounds Description

If you wish to challenge the claim of adverse possession, you must respond to the action to quiet title within one year after this complaint and notice are served by commencing an action in ejectment against the plaintiff.

Explanatory Comment

The Civil Procedural Rules Committee is proposing new Rule 1065.1 setting forth the form notice required by Section 5527.1 of the Judicial Code, 42 Pa.C.S. § 5527.1. Section 5527.1 provides for a ten-year limitation for adverse possession of real property under certain circumstances after which the adverse possessor may seek to acquire title to real property by filing an action to quiet title. Section 5527.1(c) requires the adverse possessor to provide notice relating to the respondent record owner's ability to cure the adverse possession. Section 5527.1(d) directs that the notice is to be provided in a form approved by rule of the Pennsylvania Supreme Court and must include the following information: (1) that the record owners or their heirs, successors, and assigns shall have one year in which to respond to the quiet title action by commencing an action in ejectment against the adverse possessor to dispute the claim of adverse possession,

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(2) the metes and bounds description of the property, (3) deed reference, (3) street address, (4) postal zip code, and (5) uniform parcel identifier or tax parcel number. Proposed new Rule 1065.1 is intended to incorporate the requirements of Section 5527.1(d).

By the Civil Procedural
Rules Committee
David L. Kwass
Chair