

Adams County Legal Journal

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IN THIS ISSUE

STOCK BUILDING SUPPLY VS. GOOLD

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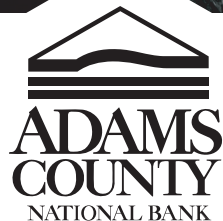
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-1512 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING for a point along the Southerly right-of-way line of Basehoar School Road and Lot No. 247 of the hereinafter referred to subdivision plan; thence along said Lot No. 0247, South two (2) degrees eleven (11) minutes fifty-six (56) seconds East, one hundred forty and zero hundredths (140.00) feet to a point at other lands now or formerly of Lynn Lee Construction Co., Inc.; thence along said other lands now or formerly of Lynn Lee Construction Co., Inc. South eighty-seven (87) degrees forty-eight (48) minutes four (04) seconds West, one hundred and zero hundredths (100.00) feet to a point at Lot No. 249, thence along said Lot No. 249, North two (02) degrees eleven (11) minutes fifty-six (56) seconds West, one hundred forty and zero hundredths (140.00) feet to a point along the southerly right-of-way line of Basehoar School Road; thence along the Southerly right-of-way line of Basehoar School Road, North eighty-seven (87) degrees forty-eight (48) minutes four (04) seconds East, one hundred and zero hundredths (100.00) feet to a point, the place of BEGINNING. CONTAINING 14,000 square feet and being identified as Lot No. 248 on the final subdivision plan of Phase I, Meadowview Estates, which plan is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plan Book 54, Page 75.

Tax Parcel: (41) 003—0003

Property Address: 485 Basehoar Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **James W. Houseman, III** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-654 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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.:

LEGAL DESCRIPTION

ALL that certain tract of land situate in Hamiltonban Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a magnetic spike in the center line of Iron Springs Road at corner of lands now or formerly of Joyce Harbaugh; thence continuing by lands now or formerly of Joyce Harbaugh and through a steel rod set back 25 feet from the beginning of this course, and also through a steel rod set back 40 feet from the end of this course, and through a 36 pine stump on line and across Toms Creek, South 17 degrees 46 minutes 40 seconds East 120 feet to a point on the South side of Toms Creek at a corner of lands now or formerly of Todd Reamer; thence continuing by lands now or formerly of Todd Reamer and by lands now or formerly of Lulu Sell, South 73 degrees 32 minutes 55 seconds West 278 feet to an existing iron pipe located South of Toms Creek at corner of lands now or formerly of Crystal Gauss; thence across Toms Creek and by lands now or formerly of Crystal Gauss and through

an existing steel rod with Gauss cap located 33.86 feet from the end of this course, North 8 degrees 30 minutes 00 seconds West 160 feet to a spike located North of Iron Springs Road along line of lands now or formerly of Kathryn Swisher; thence continuing by lands now or formerly of Kathryn Swisher, and also by lands now or formerly of Richard Feeder and Leroy Forsythe, North 82 degrees 11 minutes 45 seconds East 256 feet to a magnetic spike set in the center line of Iron Springs Road located at the corner of lands now or formerly of Joyce Harbaugh, the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Jennifer Holland a/k/a Jennifer C. Holland and Edward Holland a/k/a Edward M. Holland by deed from Anthony Valance Washington, unmarried, by his Attorney-in-Fact, Barbara A. Zimmerman, dated April 27, 2006 and recorded April 28, 2006 in Deed Book 4396, Page 121.

TAX ID: 18-B 16-0079

Being Known As: 1210 Iron Springs Road, Fairfield, PA 17320.

SEIZED and taken into execution as the property of **Jennifer C. Holland & Edward M. Holland** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/2, 9 & 16

STOCK BUILDING SUPPLY VS. GOOLD

1. Strict compliance with the Mechanics' Lien Law is necessary in order to effect a valid claim.

2. If sustaining preliminary objections will result in a denial of claim or a dismissal of suit, preliminary objections in a mechanics' lien proceeding should be sustained only in cases which are clear and free from doubt.

3. A legislative note to the Mechanics' Lien Law states that the amendments to §1401(a)(1) apply only to contracts entered on or after January 1, 2007. To determine definitively which statute applies, it must first be established if there is a valid contract between the property owner and the general contractor.

4. A provision barring the filing of liens is only valid if there is a valid contract between the property owner and contractor.

5. It is fundamental that there must be at least two parties to the making of a contract, for it is a rule of the common law that no man may contract with himself. This is so even where a man is acting in more than one capacity.

6. A provision barring mechanics' liens in an agreement in which the same entity is both owner and general contractor is a nullity. On the other hand, such a provision has been held to be valid, in the absence of a corporate general contractor and several property owners, one of whom is the controlling owner of the corporation, and that the fact that a contractor is one of several owners does not prevent his good faith waiver of his right to a lien in such a manner as to bar the filing of liens by his subcontractors.

7. An intervening sale was of no consequence on the issue of validity of a stipulation against liens since the subcontractor is required to search the public records against the contractor, as well as the owner.

8. The Superior Court found that even though the stipulation against mechanics' liens filed in the prothonotary's office did not state the correct name of the property owner, the general contractor signed the stipulation against mechanics' liens and clearly identified the property, thus giving the subcontractor constructive notice of the filing of the stipulation against mechanics' liens.

9. The fact that the individually named Defendants were not named on the Stipulations Against Liens and Waiver of Right to File Mechanics' Liens does not automatically make the Stipulations Against Liens and Waiver of Right to File Mechanics' Liens filed invalid, as long as the contractor was properly named, indexed, and the property was sufficiently described.

In the Court of Common Pleas of Adams County, Pennsylvania, Civil, No. 08-TL-592, STOCK BUILDING SUPPLY, INC. VS. GABRIEL M. GOOLD.

Timothy J. Huber, Esq., and David R. Warner, Jr., Esq., for Plaintiff
Bernard A. Yannetti, Jr., Esq., for Defendant
Bigham, J., December 17, 2008.

OPINION

Presently before the Court are the Preliminary Objections of Defendant, Gabriel M. Goold, seeking to dismiss the Mechanics

Lien Claim filed by Plaintiff, Stock Building Supply, Inc. Specifically, Gabriel Goold alleges that he should be granted a demurrer dismissing Plaintiff's Mechanics' Lien claim because of two Waivers of Mechanics' Liens filed which allegedly cover the property at issue. For the reasons set forth below, Gabriel Goold's Preliminary Objections will be overruled.

STATEMENT OF FACTS

Klein Builders Group, Inc., was the general contractor constructing homes in a residential sub-development. Plaintiff, Stock Building Supply, Inc. (hereinafter referred to as Plaintiff), entered into a contract to supply building materials to the contractor. At the time, the property for the sub-development was owned by BLK-RAK, Inc. Defendant Gabriel Goold (hereinafter referred to as Defendant) owns a home in the sub-development.

Adams County Contractors, Inc. and BLK-RAK, Inc. entered into a Stipulation Against Liens and Waiver of Right to File Mechanics' Liens, which was filed on October 10, 2006. Additionally, BLK-RAK, Inc. and Klein Builders Group, Inc. also entered into a Stipulation Against Liens and Waiver of Mechanics' Liens, which was filed on November 2, 2006. Richard A. Klein is the President of BLK-RAK, Inc., Klein Builders Group, Inc., and Adams County Contractors, Inc.

On September 3, 2008, Plaintiff served formal notice on Defendant of their intention to file a Mechanics' Lien. Thereafter on October 17, 2008, the Plaintiff filed a Mechanics' Lien against the Defendants.¹ On November 6, 2008, Defendant filed Preliminary Objections and a Brief in Support. Plaintiff filed an Answer and Brief in Opposition on November 26, 2008.

DISCUSSION

A waiver of liens may be raised by preliminary objections. 49 P.S. § 1505; *Mele Const. Co., Inc. v. Crown American Corp.*, 421 Pa.Super. 569, 618 A.2d 956 (1992); *John B. Kelly, Inc. v. Phoenix*

¹ On the same date, Plaintiff filed a similar Mechanics' Lien against Jose E. Beltran, Brenda G. Beltran Sanchez and Maria E. Sanchez at case number 08-TL-593, Dennis L. Lentz, Jr. and Rebecca N. Scott at case number 08-TL-593, and Thomas and Natalie West at case number 08-TL-590. The same issue is before this Court in those cases as well, however, the case against Thomas and Natalie West has been discontinued.

Plaza, Inc., 249 Pa. Super. 413, 378 A.2d 363 (1977). Strict compliance with the Mechanics' Lien Law is necessary in order to effect a valid claim. *Brann & Stuart Co. v. Consolidated Sun Ray, Inc.*, 433 Pa. 574, 253 A.2d 105 (1969). If sustaining preliminary objections will result in a denial of claim or a dismissal of suit, preliminary objections in a mechanics' lien proceeding should be sustained only in cases which are clear and free from doubt. *Castle Pre-Cast Superior Walls of Delaware, Inc. v. Strauss-Hammer*, 416 Pa. Super. 53, 610 A.2d 503 (1992).

Defendant argues that pursuant to 49 P.S. § 1401(a)(1), stipulations against mechanics' liens signed by contractors are permitted for houses costing less than \$1,000,000.00 dollars, and that this limit should be applied on a lot-by-lot basis, not to the whole subdivision. Defendant maintains that if the \$1,000,000.00 rule applied to the whole subdivision, it would remove the ordinary residential subdivision home from the protection of Stipulation Against Mechanics' Lien procedure and homeowners' title insurance with mechanics' lien coverage will no longer be routinely available, nor will a line of credit or home equity mortgage get second priority coverage.

Plaintiff argues that there is no statutory provision to support the Defendant's assertion that the contract value should be applied on an individual basis to each lot in the subdivision. Plaintiff asserts that the alleged contract in question between BLK-RAK, Inc. and Klein Builders Group or Adams County Contractors, Inc., does not actually exist, therefore, there is no contract as required by 49 § 1401(a)(1). Further, Plaintiff argues that even if a contract does exist, the same person is the head of all three entities, and therefore the contract and the waivers of mechanics' liens are invalid. Plaintiff maintains that 49 P.S. § 1407 requires two parties to an agreement, thus, if the same entity is both the owner and general contractor, then the stipulation against liens and waiver is a nullity. Plaintiff notes that Richard A. Klein signed both waivers in question, evidencing common ownership among all parties to the waiver of liens. Lastly, Plaintiff argues that pursuant to 49 P.S. § 1402 the waivers were not properly filed and indexed in the names of the individual Defendant.

The primary issue is whether the Stipulations Against Liens and Waiver of Mechanics' Liens filed in 2006 prevent Plaintiff from filing a Mechanics' Lien against the Defendant. The Mechanics' Lien

Law permits parties to file a waiver of their right to file a mechanics' lien. The current statute, cited by both parties, states:

A contractor may waive his right to file a claim against property for the erection, construction, alteration or repair of a residential building, in which the total contract price between the owner and the contractor is less than one million dollars (\$1,000,000), by a written instrument signed by him or by any conduct which operates equitably to estop such contractor from filing a claim.

49 P.S. § 1401(a)(1). However, a legislative note to that statute states that the amendments to this section apply only to contracts entered on or after January 1, 2007. The prior version of 49 P.S. § 1401 states:

A contractor or subcontractor may waive his right to file a claim by a written instrument signed by him or by any conduct which operates equitably to estop such contractor or subcontractor from filing a claim.

Depending on when the contract between the former owner, BLK-RAK, Inc., and the general contractor was executed, the correct statute to use may be the old version of 49 P.S. § 1401. In this case, it is not clear when a contract was entered into, or even if a valid contract exists. However, if a contract exists, it was probably entered into before the effective date of the new statute because the two Stipulations Against Liens and Waiver of Right to File Mechanics' Liens in question were filed on October 10, 2006 and November 2, 2006, prior to the statutory amendments. Therefore, in this case, the old statute probably applies.²

To determine definitively which statute applies, it must first be established if there is a valid contract between the property owner and the general contractor. If there is a valid contract, then the date of that contract controls which version of the statute is applicable. If there is not a valid contract, then the two Stipulations Against Liens and Waiver of Right to File Mechanics' Liens in question may be void.

A provision barring the filing of liens is only valid if there is a valid contract between the property owner and contractor. *Shadie Elec. Associates v. Highland Manor Associates*, 41 Pa. D. & C.3d 633, 636

²Because the current version 49 P.S. § 1401(a)(1) may not apply in this case, the Court does not need to determine whether the \$1,000,000.00 limit applies on a lot-by-lot basis or to the whole subdivision at this time.

(C.P. Luzn. 1984), citing *Morrissey Construction Co. v. Cross Realty Co.* (No. 2), 48 Pa. D. & C. 2d 565 (1969). “It is fundamental that there must be at least two parties to the making of a contract, for it is a rule of the common law that no man may contract with himself. This is so even where a man is acting in more than one capacity. At law, it is not permissible for one man to deal with himself contractually in another capacity.” *Phillipsburg Const. Co. v. Phillipsburg U.A.W. Housing Co.*, 254 Pa.Super. 1, 4, 385 A.2d 494, 496 n. 2 (1978).

49 P.S. § 1407 states:

A contract for the improvement made by the owner with one not intended in good faith to be a contractor shall have no legal effect except as between the parties thereto, even though written, signed and filed as provided herein, but such contractor, as to third parties, shall be treated as the agent of the owner.

The Court in *Shadie Elec. Associates* explained as follows:

A provision barring mechanics’ liens in an agreement in which the same entity is both owner and general contractor is a nullity, and if the general contractor is the agent of the owner, or if the owner is actually dealing with himself in executing the provision barring such liens, the provision is invalid. On the other hand, such a provision has been held to be valid, in the absence of a corporate general contractor and several property owners, one of whom is the controlling owner of the corporation, and that the fact that a contractor is one of several owners does not prevent his good faith waiver of his right to a lien in such a manner as to bar the filing of liens by his subcontractors. Insofar as fraud is concerned, it has been held that a provision barring mechanics’ liens is unenforceable if procured by false and fraudulent representations made at the very time at which the contract is executed, inasmuch as fraud in the inducement renders the provision void. Likewise, a contract made by an owner with a party not intended in good faith to be a general contractor has no legal effect on the rights of a third party, for the party purporting to act as general contractor will, in such a case, be treated as the agent of the owner.

41 Pa. D. & C.3d at 635-36 (internal citations omitted).

In *Shadie Elec. Associates*, the property owner was a limited partnership and the general contractor was a Pennsylvania corporation. 41 Pa. D. & C.3d at 634. The waiver of the right to file a mechanics' lien was signed by the same person on behalf of both parties; in his capacity as a limited partner and as an agent for the corporation. *Id.* at 636. The subcontractor filed a mechanics' lien against the property, arguing that the limited partnership owner and corporate contractor were substantially the same party. Citing 49 P.S. § 1407, the Court found that although the subcontractor did not allege that either the owner or contractor acted fraudulently or in bad faith, the allegations alone that the owner and contractor were substantially the same parties was enough to suggest that the parties may have engaged in misleading conduct. *Id.* at 637. The Court stated that “[w]e have no idea what evidence plaintiff intends to produce in support of the allegations in its answer, but we are convinced that it is entitled to attempt to pierce the corporate veil, if it can, to establish that the ‘owner’ and the ‘general contractor’ in this instance were substantially one and the same party, and that a fact finder must be given the opportunity to draw the inference, if it choose to do so, that a failure to disclose this fact, if such was indeed the fact, to plaintiff prior to inducing plaintiff to waive its right to a mechanics’ lien was misleading conduct sufficient to render the stipulation against liens invalid from its inception.” *Id.* Therefore, the Court did not grant the demurrer.

The case at bar is analogous to *Shadie Elec. Associates*. The Plaintiff is alleging that Klein Builders Group, Inc. and BLK-RAK, Inc. are the same entity because they have the same President. However, just because Richard A. Klein is the President of both entities does not automatically mean that the alleged contract between Klein Builders Group, Inc. and BLK-RAK, Inc. or the Stipulations Against Liens and Waiver of Right to File Mechanics’ Liens are void. If the two entities are essentially the same party, then the two entities cannot contract with each other and there is not a valid contract. In this case, Mr. Klein did not sign the Stipulations Against Liens and Waiver of Right to File Mechanics’ Liens as an individual, but in his capacity as a representative of the corporations, which may or may not be substantially the same party. The Plaintiff is entitled to present evidence, such as a copy of the Stipulations Against Liens and

Waiver of Right to File Mechanics' Liens themselves signed by the same person in order to support the allegation that the owner and contractor were actually the same entity. "To sustain a demurrer, it must appear with certainty that, upon the facts averred, the law will not permit a recovery by the plaintiff, and in cases where any doubt exists, that doubt must be resolved by refusing to grant the demurrer." *Id.* Thus, because the Court cannot determine whether a valid contract exists, the Defendant's Preliminary Objection will be overruled, and a fact-finder must determine whether the general contractor and former owner, BLK-RAK, Inc., are the same entity.

Defendant also argues that the two Stipulations Against Liens and Waiver of Right to File Mechanics' Lien were not properly filed and indexed. Waivers of the right to file a mechanics' lien must be filed in a timely manner and properly indexed in the prothonotary's office. The current version of 49 P.S. § 1402 states:

Provided lien rights may be waived as set forth under section 401, a written contract between the owner and a contractor, or a separate written instrument signed by the contractor, which provides that no claim shall be filed by anyone, shall be binding: but the only admissible evidence thereof, as against a subcontractor, shall be proof of actual notice thereof to him before any labor or materials were furnished by him; or proof that such contract or separate written instrument was filed in the office of the prothonotary prior to the commencement of the work upon the ground or within ten (10) days after the execution of the principal contract or not less than ten (10) days prior to the contract with the claimant subcontractor, indexed in the name of the contractor as defendant and the owner as plaintiff and also in the name of the contractor as plaintiff and the owner as defendant. The only admissible evidence that such a provision has, notwithstanding its filing, been waived in favor of any subcontractor, shall be a written agreement to that effect signed by all those who, under the contract, have an adverse interest to the subcontractor's allegation.

However, like 49 P.S. § 1401, the old version of the statute still applies to contracts executed before January 1, 2007. That statute

states:

A written contract between the owner and contractor or a separate written instrument signed by the contractor, which provides that no claim shall be filed by anyone, shall be binding; but the only admissible evidence thereof, as against a subcontractor, shall be proof of actual notice thereof to him before any labor or materials were furnished by him; or proof that such contract or separate written instrument was filed in the office of the prothonotary prior to the commencement of the work upon the ground or within ten (10) days after the execution of the principal contract or not less than ten (10) days prior to the contract with the claimant subcontractor, indexed in the name of the contractor as defendant and the owner as plaintiff and also in the name of contractor as plaintiff and the owner as defendant. The only admissible evidence that such a provision has, notwithstanding its filing, been waived in favor of any subcontractor shall be a written agreement to that effect signed by all those who, under the contract, have an adverse interest to the subcontractor's allegation.

Both statutes provide that a waiver of mechanics' liens must be "indexed in the name of the contractor as defendant and the owner as plaintiff and also in the name of the contractor as plaintiff and the owner as defendant." Thus, no matter which statute applies, the indexing requirement is the same. Plaintiff argues that because the waiver of mechanics' lien was indexed between the general contractor and former owner BLK-RAK, Inc., and not between the general contractor and the current owners, that they could not have notice of the waiver.

In *Trustees of C. I. Mortg. Group v. Stagg of Huntington, Inc.*, 484 Pa. 464, 470-71, 399 A.2d 386, 389 (1979), the Pennsylvania Supreme Court stated that "an intervening sale was of no consequence on the issue of validity of a stipulation against liens since the subcontractor is required to search the public records against the contractor, as well as the owner. Since appellee entered into its contract with Contractor it was bound to search the public records for stipulations filed against it (Contractor)." In that case, the Court held that

just because the owner sold the property to another party prior to commencement of work by the subcontractor, the stipulation against mechanics' liens filed was not invalid. *Id.* at 471. Similarly, in *D.A. Hill v. Edinboro Development, Inc.*, 278 Pa. Super. 324, 331, 420 A.2d 562, 566 (1980), the Superior Court found that even though the stipulation against mechanics' liens filed in the prothonotary's office did not state the correct name of the property owner, the general contractor signed the stipulation against mechanics' liens and clearly identified the property, thus giving the subcontractor constructive notice of the filing of the stipulation against mechanics' liens.

Therefore, the fact that the individually named Defendant was not named on the Stipulations Against Liens and Waiver of Right to File Mechanics' Liens does not automatically make the Stipulations Against Liens and Waiver of Right to File Mechanics' Liens filed invalid, as long as the contractor was properly named, indexed, and the property was sufficiently described.

CONCLUSION

For the reasons stated herein, Defendant's Preliminary Objection will be overruled. Accordingly, the attached Order is entered.

ORDER OF COURT

AND NOW, this 17th day of December 2008, in consideration of Defendant's Preliminary Objections, IT IS ORDERED THAT Defendant's Preliminary Objections are overruled.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-849 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of ground situate in Franklin Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pin on the right-of-way line of Oak Drive at the corner of Lot No. 15 of the hereinafter running along right-of-way line of Oak Drive by a curve the left, the radius of which is 525 feet, having an arc of 218.78 feet and a long chord bearing and distance of South 64 degrees 20 minutes 00 seconds West, 218.14 feet to an iron pin on the right-of-way line of Oak Drive at corner of Lot No. 13 of hereinafter referred to subdivision plan; thence along Lot No. 13, North 33 degrees 15 minutes 50 seconds West, 183.49 feet to an iron pin at corner of Lot No. 17 of hereinafter referred to subdivision plan; thence along Lot No. 17, North 53 degrees 01 minute 00 seconds East, 257.58 feet to an iron pin at above mentioned Lot No. 15; thence along said Lot No. 15, South 18 degrees 0.4 minutes 10 seconds East 189.71 feet to an iron pin on the right-of-way line of Oak Drive, the point and place of BEGINNING.

The above description was taken from draft of survey entitled Recreational Real Estate Co., prepared by Boyer-Price Surveys, Inc. on March 19, 1974 recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 4 at Page 50 and designated on said plat as Lot No. 14.

Together with the right of ingress, egress and regress, over the roadways shown on the aforesaid subdivision plan to and from U.S. Route No. 30. Under and subject, however, to the restrictions, reservations, conditions and protective covenants set forth in the Declaration thereof dated February 18, 1986 and recorded in the aforesaid Recorders Office in Record Book 418 at page 950, and Amendment thereto dated October 28, 1985 and recorded in the aforesaid Recorders Office in Record Book 439 at page 1139.

TITLE VESTED IN: Bryan C. Clevenger and Kimberly A. Clevenger, husband and wife, as tenants of an estate by the entireties, by that Deed dated 01/11/1994 and recorded on 01/12/1994 in Book 0834 at page 0109, of the Adams County, PA records.

Parcel No. 12-B09-191

PREMISES BEING: 240 Oak Drive, Orrtanna, PA 17353

SEIZED and taken into execution as the property of **Bryan C. Clevenger & Kimberly A. Clevenger** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/2, 9 & 16

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT
NO. RT-17-09(B)

NOTICE

TO: JENNIFER ROSE SHANK LANE

YOU ARE HEREBY NOTIFIED that a Petition for Involuntary Termination of Parental Rights to Child has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for October 27, 2009 at 9:00 a.m., prevailing time, in a conference room on the Fourth Floor of the Adams County Courthouse, 111-117 Baltimore St., Gettysburg, Adams County, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the involuntary termination of your parental rights with respect to your child.

You should contact 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
111-117 Baltimore Street
Gettysburg, PA 17325
Telephone number: 717-337-9846

Chester G. Schultz, Attorney at Law
145 Baltimore Street
Gettysburg, PA 17325

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-336 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Mt. Joy Township, Adams County, Pennsylvania, being Lot No. 32 of Lake Heritage Subdivision, Map No. 1, Page 3, as the same is designated, numbered and known on the Recording Plat thereof in Miscellaneous Deed Book 4, Page 132, in the Recorders Office of Adams County, Pennsylvania, subject to all legal highways, easements, rights of way and restrictions of record.

TITLE TO SAID PREMISES IS VESTED IN Carmella A. DeFayette by deed from Deed from Michael Jason Bentz and Debra Lee Bentz, husband and wife, dated December 9, 2005 and recorded December 12, 2005 in Deed Book 4241, Page 41.

TAX ID. #: (31) 008-0037

Being Known As: 32 Jackson Road, Gettysburg, PA 17325.

SEIZED and taken into execution as the property of **Carmella A. DeFayette** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-859 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, 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.:

BEGINNING at a point in Township Road No. T-376 at corner of lands now or formerly of Samuel Wingert; thence running in and along said Township Road and by lands now or formerly of James Oyler, North 18 degrees 28 minutes 38 seconds West, 85.92 feet to a point in said Township Road No. T-376; thence along said Township Road and leaving said Township Road and by lands now or formerly of Charles Shark, North 14 degrees 23 minutes 38 seconds West, 231.26 feet to a steel pin; thence by lands now or formerly of Charles Baker and recrossing said Township Road No. T-376, North 63 degrees 31 minutes 06 seconds East, 25 feet to an iron pipe; thence by lands now or formerly of Charles Baker, South 20 degrees 21 minutes 45 seconds East, 229.41 feet to an iron pipe and stones; thence by lands now or formerly of Samuel Wingert and running through a steel pin 30 feet from the end of this course, South 58 degrees 16 minutes West, 864.94 feet to the point in said Township Road No. T-376, the place of BEGINNING.

CONTAINING 5.1942 Acres, neat measure.

TAX PARCEL: (7) 0035

BEING KNOWN AS: 465 Clear Spring Road, Biglerville, PA 17307

SEIZED and taken into execution as the property of **Angela C. Rhea & Earl C. Rhea** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-605 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that improved real estate, known on the Plan of Crouse Park Addition to Littlestown as Lot No. 5 and part of Lot No. 4 situate in the Borough of Littlestown, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at the point of intersection of the Western property line of Park Avenue with the southern property line of South Street; thence along said Park Avenue in a southerly direction, 165 feet to the southern property line of South Street; thence in an Easterly direction along said South Street, 42-1/2 feet more or less, to the place of BEGINNING.

Being the same premises conveyed to Kevin Michael Crouse and Pamela M. Crouse, husband and wife as tenants of an estate by the entireties, by Deed of Kevin Michael Crouse and Pamela M. Crouse, his wife, dated 12/17/1993 and recorded 12/22/1993 in Adams County Deed Book 825, page 261.

TAX PARCEL: (27) 005-153

Dwelling Known As: 38 Crouse Park, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Kevin Michael Crouse & Pamela M. Crouse** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-699 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Reading Township, Adams County, Pennsylvania, being more particularly described as follows:

Being Lot No. 932 on a plan of lots of "Lake Meade Subdivision", duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County, in Plat Book 1, Page 6, and subject to all legal highways, easements, rights-of-way and restrictions of record.

TITLE TO SAID PREMISES IS VESTED IN by Warranty Deed, dated 10/06/2004, given by Wilbert L. Carnes, Jr., unmarried to Julie A. Noel and recorded 10/7/2004 in Book 3731 Page 46 Instrument #20040002086 1

Tax Parcel: (37) 009-0126

Premises Being: 323 Lake Meade Drive, East Berlin, PA 17316-9370

SEIZED and taken into execution as the property of **Julie A. Noel** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-122 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN tract of lands situate, lying and being in the Borough of Bendersville, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING at a point along the eastern edge of Routsong Lane at a corner of Lot No. 10 on a plan of lots mentioned hereinafter thence by the eastern edge of Routsong Lane, along a curve to the left, having a radius of 60.00 feet an arc length of 51.05 feet, a chord bearing North 06 degrees 05 minutes 56 seconds West, and a chord length of 49.52 feet to a point at a corner of Lot No. 12 on the plan of lots mentioned here-in-after thence, along Lot No. 12, North 59 degrees 31 minutes 36 seconds East, 87.39 feet to a point along lands now or formerly of Daniel Schriver; thence by said Schriver land, South 13 degrees 33 minutes 25 seconds East, 130.43 feet to a point at a corner of Lot No. 10 on a plan of lots mentioned here-in-after thence by said Lot No. 10, North 71 degrees 43 minutes 28 seconds West, 105.97 feet to a point along the eastern edge of Routsong Lane, the place of BEGINNING.

CONTAINING 7,664 square feet and being Lot No. 11 on a plan of lots entitled "Final Land Development Plan for Hannah's Orchards Subdivision by Jack N. Powell, IE, Inc.", dated September 20, 2005 and recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania in Plat Book 89, Page 60.

BEING a portion of the same real estate which Allen W. Beckett, trading and doing business as Allen W. Beckett Construction and Kimberly Beckett, his wife, by their Deed dated November 23, 2005, and recorded November 23, 2005, in Adams County, PA, Record Book Volume 4219, Page 19, conveyed to Dan Ryan Builders, Inc., a Maryland Corporation, the Grantor herein.

SUBJECT to Declaration of Protective Covenants and Restrictions set forth in Adams County Record Book 4417, Page 97.

BEING the same premises which Dan Ryan Builders, Inc., a Maryland Corporation, granted and conveyed unto Natalie M. Price, single, by Deed dated March 10, 2008 and recorded on April 14, 2008 in the Office of the Recorder of Deeds of Adams County, Commonwealth of Pennsylvania, in Record Book

5173, Page 183.

BEING known as Bendersville Borough, Adams County Parcel No. (3) 004-0089.

BEING known as 85 Routsong Lane, Bendersville, PA 17306

SEIZED and taken into execution as the property of **Natalie Marie Price** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-721 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Mount Joy Township, County of Adams, Commonwealth of Pennsylvania, bounded and described as follows:

Lot No. 2:

BEGINNING for corner at a steel rod in the Township Road T-415, Basehoar Roth Road, at Lot No. 3 of the subdivision plan hereafter identified; thence in and through said road South 54 degrees 35 minutes 00 seconds East 140 feet to a steel rod at Lot No. 1 of the subdivision plan hereafter identified; thence along that Lot No. 1 South 35 degrees 25 minutes 00 seconds West 350 feet to a steel rod at Lot No. 4 of that subdivision plan; thence along the Lot No. 4 North 54 degrees 35 minutes 00 seconds West 140 feet to a steel rod at Lot No. 3; thence along that Lot No. 3 North 35 degrees 25 minutes 00 seconds East 350 feet to a steel rod in Basehoar Roth Road the place of BEGINNING.

The above description was taken from a Subdivision Plan prepared by Adams County Surveyors for Wilbur L. Crouse which plan has been recorded in Plat Book 58 at Page 7 and known as Lot No. 2.

AND All that certain lot or piece of ground situate in Mount Joy Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Lot No. 1:

BEGINNING for a corner at a steel pin set in the Township Road T-415 (Basehoar Roth Road) at Lot No. 2 of the Subdivision Plan hereinafter identified: thence partly in said road and partly along lands now or formerly of H. Earl Basehoar, South 54 degrees 35 minutes 00 seconds East 515.00 feet to a post; thence continuing along those land now or formerly of H. Earl Basehoar, South 56 degrees 36 minutes 20 seconds West 511.46 feet to a planted stone at lands now or formerly of Parker J. Furr; thence along those lands North 64 degrees 23 minutes 15 seconds West 335.03 feet to a steel rod at Lot No. 4 of the Subdivision Plan hereafter identified; thence, along said Lot No. 4 and along Lot No. 2, North 35 degrees 25 minutes 00 seconds East 533.93 feet to a steel rod in Basehoar Roth Road, the place of BEGINNING. BEING Lot No. 1 on a Subdivision Plan prepared by Adams County Surveyors for Wilbur L. Grove, which Plan has been recorded in Plat Book 58 at Page 7.

TAX PARCEL: (30) G17-0042C

467 Basehoar-Roth Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Denise Lacovey** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/9, 16 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-233 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a point at the corner of Maple Drive and Lot No. 24-B, more particularly described on the hereinafter referred to subdivision plan; thence continuing along Lot No. 24-B, South 23 degrees 19 minutes 59 seconds East, 127.44 feet to lands now or formerly of Mary Jeanette Devine; thence continuing along lands now or formerly of Mary Jeanette Devine, South 68 degrees 36 minutes 50 seconds West, 44.94 feet to a point at Lot No. 25-B, more particularly described on the hereinafter referred to subdivision plan; thence continuing along Lot No. 25-B, North 21 degrees 06 minutes 28 seconds West, 126.78 feet to a point at Maple Drive; thence continuing along Maple Drive by a curve to the left having a radius of 1,030 feet, an arc length of 40.00 feet, and a long chord bearing and distance of North 67 degrees 46 minutes 46 seconds East, 40.00 feet to the point and place of BEGINNING.

CONTAINING 5,392 square feet or .12 acres and known as LOT NO. 25-A on the Final Subdivision Plan-Phase I, Oak Hill and recorded in the Adams County Recorder of Deeds Office in Plan Book 87, page 1.

SUBJECT TO protective covenants and restrictions as recorded in Record Book 4060, page 28.

UNDER AND SUBJECT to the declaration of restrictive statement covenants dated April 13, 1989, between Eastern Land & Resources Corporation and Broyhill and Associates, INC., recorded April 14, 1989 in ADAMS COUNTY OFFICE of the RECORDER OF DEEDS in record book 519, PAGE 564

ALSO UNDER AND SUBJECT TO the fact that the premises conveyed herein is located in proximity to an existing, operating stone quarry now or formerly known as the Hanover Quarry which now is and may in the future may be engaged in the business of manufacturing sand, stone, lime and related processed products.

IT BEING part of the fourteen (14) tracts of land which Labre, LLC, by deed dated August 2, 2005, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book

4076, page 247, granted and conveyed unto Stone Ridge Development Corporation, Grantor herein.

FURTHER, the Grantee, for herself and heirs and assigns, by acceptance of this indenture hereby agrees with the Grantor, its successors and assigns, the aforesaid declaration relating to the quarry shall run with the land and that any deed of conveyance of said premises, or any part thereof, to any person or persons said declaration shall, for so long as the aforesaid quarry in operation (excluding temporary cessation of operations) be incorporated by reference to this indenture and the record hereof or as fully as the same is contained herein.

Purchaser is aware that the Chapel Ridge and Oakhill Subdivisions may be susceptible to sinkholes or fractures traces. Although Seller has identified existing sinkholes and fracture traces on the Subdivision Plan, it is possible that additional sinkholes and fractures traces may develop over the years. Purchaser is aware that insurance coverage may be available to Purchase, to extend coverage to damage caused by existing or future sinkholes or fractures traces that may occur on the property. Purchaser is aware that any drainage swale area upon the property are subject to an easement which requires the easement terrain to remain undisturbed and which prevents any development, regarding, or other improvements or modifications within the swale easement area. Purchaser acknowledges that Seller shall not be responsible for any damages, liabilities, claims, or losses incurred by Purchaser arising out of or relating to sinkholes that may be associated with alleged defects in construction, including, but not limited to, property damages, personal injury, adverse health effects, loss of income, emotional distress, death, loss of use, or loss of value, and Purchaser hereby released Seller from same.

TOGETHER with all and singular the ways, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances, whatsoever thereunto belonging, or in anywise appertaining, and the reversions, and remainders, rents issues and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever, of Stone Ridge Stone Development Corporation, in law, equity, or otherwise howsoever, of in and the same every part thereof.

Tax Parcel: 08021-0202--000

Premises Being: 145 Maple Drive, Hanover, PA 17331-8941

SEIZED and taken into execution as the property of **Norma J. Tobe** 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 November 20, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/9, 16 & 23

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT
NO. RT-20-09(B)

NOTICE

TO: NICOLE M. (GILBEAU) KEENEY

YOU ARE HEREBY NOTIFIED that a Petition for Involuntary Termination of Parental Rights to Child has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for November 12, 2009 at 1:00 p.m., prevailing time, in a conference room on the Fourth Floor of the Adams County Courthouse, 111-117 Baltimore St., Gettysburg, Adams County, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the involuntary termination of your parental rights with respect to your child.

You should contact 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
111-117 Baltimore Street
Gettysburg, PA 17325
Telephone number: 717-337-9846

Chester G. Schultz, Attorney at Law
145 Baltimore Street
Gettysburg, PA 17325

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-1262 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THOSE CERTAIN three tracts of land situate, lying and being, in the Borough of Biglerville, Adams County, Pennsylvania, being more particularly bounded and described as follows:

Tract No. 1

BEGINNING at a point at the corner of a concrete curb on the West side of Main Street at its intersection with a twenty-eight (28) foot wide street; thence South five (5) degrees West, one hundred twenty-two (122) feet along Main Street to an iron pin at lands now or formerly of H.A. Bucher; thence along said lands of H.A. Bucher, North eighty-five (85) degrees thirty (30) minutes West, one hundred fifty-nine and eight-tenths (159.8) feet to an iron pin on the East side of a fourteen (14) foot public alley; thence along the East side of said public alley, North five (5) degrees East, one hundred thirteen (113) feet to an iron pin on the South side of twenty-eight (28) foot street; thence along the South side of said street, South eighty-eight (88) feet to the point, the place of BEGINNING.

The above description is taken from a draft made by LeRoy H. Winebrenner, R.S., from original survey by S. Miley Miller.

Tract No. 2

BEGINNING at a point on the Northern edge of a fourteen (14) foot public alley at lands of St. Paul's Evangelical Lutheran Church of Biglerville; thence through said lands North one (1) degree East, one hundred eighty (180) feet to a point; thence through lands of St. Paul's Evangelical Lutheran Church of Biglerville South eighty-eight and one-half (88-1/2) degrees East fourteen (14) feet to a point; thence through said lands of St. Paul's Evangelical Lutheran Church of Biglerville South One (1) degree West one hundred eighty (180) feet to a point on the Northern edge of the aforesaid fourteen (14) foot public alley; thence along said fourteen (14) foot public alley; thence along said fourteen (14) foot public alley North eighty-eight and one-half (88-1/2) degrees West fourteen (14) to the place of BEGINNING.

The description herein is taken from a Plan of Lot Development of O.C. Rice made by LeRoy H. Winebrenner, R.S., in

December of 1947.

Tract No. 3

BEGINNING at the Northeastern corner of lands of St. Paul's Evangelical Lutheran Church and a 14 foot public alley; thence along the 14 foot public alley and lands of Nancy L. Adams, South 08 degrees 30 minutes East, 171 feet to the concrete curb on the West side of North Main Street; thence along the West side of North Main Street, South 8 degrees West, 28 feet to the Northeastern corner of lands of Melvin Bittler; thence along lands of Melvin Bittler, South 88 degrees 30 minutes West, 174 feet to the Northwestern corner of lands of Melvin Bittler and St. Paul's Evangelical Lutheran Church; thence along lands of St. Paul's Evangelical Lutheran Church, North 1 degree East, 28 feet to the place of BEGINNING.

BEING the same premises which Donald E. Blocher and Rogene Riley Blocher a/k/a Rogene R. Blocher, by Deed dated February 26, 1997 and recorded November 4, 1997 in Deed Book 1469, Page 78, in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, granted and conveyed unto Donald E. Blocher UNDER AND SUBJECT to all restrictions, easements, covenants, conditions and agreements of record.

HAVING erected thereon a commercial property known as 36 N. Main Street, Biglerville, PA 17307.

Parcel #(05) 003-0039

SEIZED and taken into execution as the property of **Donald Blocher & United States** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-897 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in New Oxford Borough, City of New Oxford, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Fronting 61 feet more or less on High Street adjoining lot now or formerly of Michael Livingston on the West an alley on the East and running back to a 14 foot alley on the North a distance of 170 feet more or less.

Property ID No.: (34) 004-0090

Being Known As: 218 - 220 West High Street, New Oxford, PA 17350

TITLE TO SAID PREMISES IS VESTED IN Shanna A. Groft, a single woman by deed from Cory Groft and Veronica Groft, husband and wife dated 8/24/2007 recorded 8/30/2007 in Deed Book 4963 Page 155.

SEIZED and taken into execution as the property of **Shanna A. Groft** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/9, 16 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-568 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Straban Township, Adams County Pennsylvania, bounded and described as follows:

BEGINNING at a stake at the eastern side of a public alley on line of land now or formerly of Clair Tate and extending thence along said alley, North 9 degrees East, 244.6 feet to an iron pin at corner of land now or formerly of Bruce Winter; thence along land now or formerly of Bruce Winter, South 81 degrees 45 minutes East, 45.4 feet; thence by same, North 12 degrees 10 minutes East, 133.9 feet to a spike in the center of the state highway leading to Golden's Station; thence in and along said highway, South 62 degrees 25 minutes East, 115.6 feet to a spike in the center of said highway; thence by land now or formerly of Neely Taughinbaugh and through a stake, which stake is 28.4 feet from said spike, South 7 degrees 40 minutes West, 335.5 feet to a stake on line of land now or formerly of Clair Tate; thence by land now or formerly of Clair Tate, North 83 degrees 30 minutes West, 170.5 feet to the stake, the place of BEGINNING.

LESS, HOWEVER, a tract of land containing 35 perches which George M. Smith, unmarried, and his sister, Ruth A. Smith, unmarried, by deed dated September 18, 1967, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 263, page 950.

TITLE TO SAID PREMISES IS VESTED IN James E. Deardorff and Lisa Deardorff, h/w, as tenants by the entireties, by Deed from Gregory D. Smith, an adult individual, dated 03/14/2008, recorded 03/25/2008 in Book 5151, Page 223.

Tax Parcel: (38) 021-0074

Premises Being: 69 Hunterstown Hampton Road, Gettysburg, PA 17325-8237

SEIZED and taken into execution as the property of **Lisa Deardorff & James E. Deardorff** 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 December 4, 2009, and distribution will be made in

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

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1268 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN tract of land, situate, lying and being in Hamilton Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a point on the Northern edge of Meadowview Lane at lands identified on the hereinafter referred to plan as Future Phase II, Cedar Ridge; thence along said northern edge of Meadowview Lane the following two courses and distances: 1) South 56 degrees 13 minutes 09 seconds West, 146.39 feet to a point; thence 2) North 74 degrees 24 minutes 01 second West, 25.81 feet to a point on the eastern edge of Springfield Drive; thence along same North 25 degrees 01 minute 11 seconds West, 217.95 feet to a point at Lot 64 of said plan; thence along same North 56 degrees 13 minutes 09 seconds East, 130 feet to a point at lands identified as Future Phase II, Cedar Ridge; thence along same South 33 degrees 46 minutes 51 seconds East, 235 feet to a point on the northern edge of Meadowview Lane, the point and place of BEGINNING. CONTAINING 34,611 square feet. Said lot is identified as Lot 42, Cedar Ridge, Phase I. Said description is taken from a plan of lots prepared by Worley Surveying on March 25, 2005, as revised on April 27, 2005, May 16, 2005 and May 19, 2005. Said plan is recorded in the Recorder of Deeds Office in and for Adams County, Pennsylvania, in Plat Book 89, Page 85.

SUBJECT TO Covenants and Restrictions at Record Book 4369, Page 261, as well as any other covenants, conditions, and restrictions of prior record.

SUBJECT to all rights-of-way, restrictions, easements, conditions and set back lines, visible or of record, including, but not limited to, those stated in the

forementioned subdivision plan.

TITLE TO SAID PREMISES IS VESTED IN Idrissa Diarra, by Deed from Dan Ryan Builders, Inc., a Maryland Corporation, dated 02/28/2007, recorded 03/07/2007 in Book 4762, Page 166.

Tax Parcel: 17-K09-0101-000

Premises Being: 41 Springfield Drive, New Oxford, PA 17350-8578

SEIZED and taken into execution as the property of **Idrissa Diarra** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

NOTICE

The Adams County Tax Claim Bureau hereby gives notice that it presented a Consolidated Return of Sales to the Court of Common Pleas of Adams County, Pennsylvania on September 29, 2009, of sales of real estate for delinquent taxes made September 18, 2009. The Court confirmed said Return Nisi on September 30, 2009. Objections or exceptions thereto may be filed by any owner or lien creditor within Thirty (30) days from the date of the Return; otherwise the Return will be confirmed absolutely.

Adams County Tax Claim Bureau
By: Danielle Asper, Director

10/16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-769 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT certain tract of land situate, lying and being in Conewago Township, Adams County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point at the corner of Hemlock Drive and Lot No. 96-B more particularly described on the hereinafter referred to subdivision plan; thence continuing along Lot No. 36-B, South 47 degrees 15 minutes 86 seconds West, 119.05 feet to a point at lands now or formerly of Conewago Resources, L.P.; thence continuing along lands now or formerly of Conewago Resources, L.P. North 42 degrees 44 minutes 24 seconds West, 42.00 feet to a point at Lot No. 87-B, more particularly described on the hereinafter referred to subdivision plan; thence continuing along Lot No. 37-B, North 47 degrees 18 minutes 36 seconds East 119.05 feet to a point at Hemlock Drive; thence continuing along Hemlock Drive, South 42 degrees 44 minutes 24 seconds East, 42.00 feet to Lot No. 36-B, the point and place of BEGINNING. CONTAINING 5,000 square feet or .11 acres and known as Lot No. 37-A on the final subdivision plan of Chapel Ridge, Phase I, which plan is recorded in the Adams County Recorder of Deeds in Plan Book 84, page 38.

PARCEL # (08) 021-0073

Property address: 109 Hemlock Drive, Hanover PA 17331

SEIZED and taken into execution as the property of **Jevon E. Dolan** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 04-S-426 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT lot of ground situate in the Borough of Littlestown, Adams County, Pennsylvania, as shown on the Subdivision Plan for 'Lakeview Village - Phase Two', prepared by Donald E. Worley, Registered Surveyor, of Worley Surveying, dated April 21, 1989, revised September 11, 1989 recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plat Book 54, Page 65 (2 pages) and designated as Lot No. 49 thereon, more particularly bounded and described as follows:

BEGINNING at a steel pin on the Northern Right-of-Way line of Starlite Drive at corner of Lot No. 50 on the Plan of Lots hereinabove identified; thence by said Lot No. 50, North forty-four (44) degrees twenty-two (22) minutes thirty-two (32) seconds West, one hundred twenty-six and fifty-one hundredths (126.51) feet to a steel on line of land of Pennsylvania Classics, Inc.; thence by said land of Pennsylvania Classics, Inc., North fifty-five (55) degrees forty-three (43) minutes thirty-six (36) seconds East, thirty-five and fifty-five hundredths (35.55) feet to a steel pin at corner of Lot No. 48; thence by said Lot No. 48, South forty-four (44) degrees twenty-two (22) minutes thirty-two (32) seconds East, one hundred twenty and twenty-seven hundredths (120.27) feet to a steel pin on the Northern Right-of-Way line of Starlite Drive, thence by said Northern Right-of-Way line of Starlite Drive, South forty-five (45) degrees thirty-seven (37) minutes twenty-eight (28) seconds West, thirty-five (35.00) feet to the above described place of beginning. CONTAINING 4,319 square feet.

TOGETHER with and subject to a fifty (50) feet Right-of-Way in, through along the streets known as Crescent Lane and Starlite Drive to be used in common with other owners of lots in "Lakeview Village - Phase Two," as shown on the Subdivision Plan above referenced. IMPROVEMENTS: Residential dwelling

Tax Parcel # (27) 011-0129

PREMISES BEING: 31 Starlite Drive, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Ryan M. Glover** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT
NO. RT-18-09

NOTICE

TO: SAVONYAH RUCKER POWELL

YOU ARE HEREBY NOTIFIED that a Petition for Involuntary Termination of Parental Rights to Child has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for November 12, 2009 at 9:00 a.m., prevailing time, in a conference room on the Fourth Floor of the Adams County Courthouse, 111-117 Baltimore St., Gettysburg, Adams County, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the involuntary termination of your parental rights with respect to your child.

You should contact 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
111-117 Baltimore Street
Gettysburg, PA 17325

Telephone number: 717-337-9846

Chester G. Schultz, Attorney at Law
145 Baltimore Street
Gettysburg, PA 17325

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-979 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THOSE CERTAIN lots of land, situate in the Borough of Littlestown, County of Adams, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

Lot No. 1: BEGINNING at a corner of lot numbered 73-A and West Myrtle Street; thence easterly along said West Myrtle Street 50 feet to corner of lot numbered 75; thence northerly along said lot numbered 75, 192 feet, more or less, to lands now or formerly of the Estate of Dr. George W. Stoner and known as the Ephraim Myers farm; thence southwest-ly along said lands known as the Ephraim Myers farm, 64 feet to corner of lot numbered 73-A; thence southerly along said lot numbered 73-A, 150 feet, more or less, to said West Myrtle Street, the place of BEGINNING.

The above and foregoing parcels of land being lots numbered 74 and 75-A according to the place and resurvey made in November 1935 by LeRoy Winebrenner, CS., for T.C. McSherry and Marie McSherry, First Addition to Littlestown Borough, Adams County, Pennsylvania, and known as 'MCSHERRY PARK.'

SUBJECT to the restrictions more fully set out in deed recorded in Adams County Deed Book 187 at Page 440.

Lot No. 2: BEGINNING at corner of Lot numbered 74-A and West Myrtle Street; thence easterly along said West Myrtle Street 25 feet to corner of Lot numbered 75-A; thence northerly along said lot numbered 75-A, 200 feet, more or less, to a stake; thence southwesterly along the rear of Lot numbered 75, 32 feet to corner of Lot numbered 74-A; thence southerly along said lot numbered 74-A, 192 feet, more or less, to West Myrtle Street, the place of BEGINNING.

The above and foregoing parcels of land being lots numbered 75 according to the place and resurvey made in November 1935 by LeRoy Winebrenner, CS., for T.C. McSherry and Marie McSherry, First Addition to Littlestown Borough, Adams County, Pennsylvania, and known as 'MCSHERRY PARK.' SUBJECT to the restrictions more fully set out in deed recorded in Adams County Deed Book 283 at Page 706.

TITLE TO SAID PREMISES IS VESTED IN Charles R. Huff, Jr., Deceased

Mortgagor and Real Owner, by deed from Harry N. Redding, Jr., Executor under the Last Will and Testament of Faith A. Redding, deceased dated January 5, 2005 and recorded January 10, 2005 in Deed Book 3832, Page 324, Instrument #200500000559.

TAX ID. #: (27) 008-0005-000

Being Known As: 145 West Myrtle Trail, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Wendy S. Huff & Charles R. Huff, 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-424 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or parcel of land situate in the Germany Township, County of Adams, Commonwealth of Pennsylvania, and being more particularly described as follows:

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

BEGINNING for a point in the Gettysburg Road, (T-434), at corner of Lot No. 2 on the hereinafter referred to subdivision plan; thence in, along and through the Gettysburg Road, South fifty-five (55) degrees fifty (50) minutes fifty-four (54) seconds East, one hundred seventy-one and ninety-six hundredths (171.96) feet to a point at lands now or formerly of Meredith A. Schwartz; thence along same, and along lands now or formerly of Paul A. Schwartz, South

twenty-seven (27) degrees thirty-six (36) minutes fifty-one (51) seconds West, three hundred (300) feet to an iron pipe at corner of land now or formerly of Lowry N. Barnes; thence along same, North fifty-seven (57) degrees twenty-four (24) minutes fifty-seven (57) seconds West, one hundred ninety-two and three hundredths (192.03) feet to a steel pin at corner of Lot No. 2 on said plan; thence along Lot No. 2, North thirty-one (31) degrees twenty-eight (28) minutes forty (40) seconds East, and through a steel pin set thirty and seventy-eight hundredths (30.78) feet from the terminus of this course, three hundred three and sixty-four hundredths (303.64) feet to a point in the Gettysburg Road, the point and place of BEGINNING. (CONTAINING 1.2575 acres and being Lot No. 3 on a subdivision plan prepared for Samuel R. and Doris Lynn King, dated October 16, 1984, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plan Book 41, page 14.)

SUBJECT, NEVERTHELESS, to the following restriction: that no mobile home or trailer or a temporary residence of any nature may be placed upon the land herein conveyed.

TITLE TO SAID PREMISES IS VESTED IN Troy Heininger and Lisa Heininger, h/w, as tenants by the entireties, by Deed from Zelma M. Novak, widow, dated 03/31/2005, recorded 04/04/2005 in Book 3918, Page 149.

Tax Parcel: (I5) 118-0026s--000

Premises Being: 1011 Gettysburg Road, Littlestown, PA 17340-9763

SEIZED and taken into execution as the property of **Troy & Lisa Heininger** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-972 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, 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.:

TRACT NO. 1:

ALL that certain piece or parcel of real estate situated in the Township of Reading, County of Adams and Commonwealth of Pennsylvania, being known and described as Lot No. 432 on a plan of lots known as "Lake Meade Subdivision" said plan being recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plan Book 1, Page 4.

TRACT NO. 2:

ALL that certain piece or parcel of real estate situated in the Township of Reading, County of Adams and Commonwealth of Pennsylvania, being known and described as Lot No. 433 on a plan of lots known as "Lake Meade Subdivision" said plan being recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plan Book 1, Page 4.

BEING the same premises which Lake Meade Municipal Authority, by its Deed dated April 5, 1991 and recorded on April 5, 1991 in the Office of the Recorder of Deeds in and for Adams County, in Deed Book 583, Page 728, granted and conveyed unto Brian E. Kinard and Michelle R. Kinard, his wife.

Parcel No. (37)002-0043

Property Address: 17 Sherman Drive, East Berlin, PA 17316

SEIZED and taken into execution as the property of **Brian Kinard & Michelle Kinard** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-635 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT tract of land situate on the East side of U.S. Route No. 140 in Germany Township. Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the center of said public road at lands now or formerly of William S. Unger and Yvonne L. Unger, husband and wife; thence leaving said U.S. Route No. 140 and through a lot back reference pin, North 70 degrees 31 minutes 40 seconds East, 225 feet to an iron at lands now or formerly of Everette Eldine and Bernadette M. Eldine; thence by lands now or formerly of Everette Elkins and Bernadette M. Eldine, South 11 degrees 28 minutes 11 seconds East, 125 feet to an iron pin at lands now or formerly Robert W. Hurt and Darlin L. Hurt, husband and wife; thence by lands now or formerly of Robert W. Hurt and Darlin L. Hurt, South 78 degrees, 31 minutes 48 seconds West, 225 feet to a point in the center of U.S. Route No. 140; thence in and along the center line of said U.S. Route No. 140, North 11 degrees 28 minutes 11 seconds West, 125 feet to a point in said U.S. Route No. 140, the place of BEGINNING. CONTAINING 26, 125 square feet.

TAX PARCEL #: 15-J-18-621

PROPERTY ADDRESS: 6590
Baltimore Pike, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Elizabeth Jean Mead & Jonathan Paul Mead** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

ORPHANS' COURT
NO. RT-19-09

NOTICE

TO: SAVONYAH RUCKER POWELL

YOU ARE HEREBY NOTIFIED that a Petition for Involuntary Termination of Parental Rights to Child has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for November 12, 2009 at 9:00 a.m., prevailing time, in a conference room on the Fourth Floor of the Adams County Courthouse, 111-117 Baltimore St., Gettysburg, Adams County, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the involuntary termination of your parental rights with respect to your child.

You should contact 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
111-117 Baltimore Street
Gettysburg, PA 17325

Telephone number: 717-337-9846

Chester G. Schultz, Attorney at Law
145 Baltimore Street
Gettysburg, PA 17325

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-675 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate in Germany Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a railroad spike in the center of a road leading to Route 140, which railroad spike is South seventy-four (74) degrees nine (09) minutes thirty (30) seconds West Two hundred forty-one and four tenths (241.4) feet from a nail in the road at corner of land now or formerly of Richard Keith and John H. Riley; thence running in the center of said road South seventy-four (74) degrees nine (09) minutes thirty (30) seconds West, one hundred eighty-seven and no one hundredths (187.00) feet to a railroad spike; thence by land now or formerly of John H. Riley and wife North fifteen (15) degrees fifty (50) minutes thirty (30) seconds West, ninety and sixty-four and one hundredths (90.64) feet to an iron pin; thence by twelve (12) foot wide strip of land now or formerly of John H. Riley and wife, North fifty-two (52) degrees fifty-nine (59) minutes thirty-nine (39) seconds East, sixty-eight and fifty-seven (68-57) feet to an iron pin; thence by the same North seven (07) degrees twenty-seven (27) minutes fifty (50) seconds East, one hundred thirty-seven and three one hundredths (137.03) feet to an iron pin; thence by land now or formerly of John H. Riley and wife, South thirty-one (31) degrees forty-six (46) minutes forty (40) seconds East, and through an iron pin set back eighteen (18) feet from the end of this course two hundred fifty and eighty-six one hundredths (250.86) feet to a railroad spike in the center of the road leading to Route 140, the point and place of BEGINNING. Parcel Number: 15J18-63A

TITLE TO SAID PREMISES IS VESTED IN Ronald V. Plummer, by Deed from Ronald V. Plummer and Janette L. Plummer, h/w, dated 12/13/2007, recorded 01/02/2008 in Book 5074, Page 86.

Tax Parcel: 15, J18-0063A--000

Premises Being: 68 Bollinger Road, Littlestown, PA 17340-9121

SEIZED and taken into execution as the property of **Ronald Plummer** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-486 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain property situated in the Township of Latimore, in the County of Adams, Commonwealth of Pennsylvania, and being described as follows:

BEGINNING at the corner of Mountain Road (L.R. 01009) and Lot No. 2, more particularly described in the hereinafter referred to subdivision plan: thence continuing along Lot No. 2, the following two courses and distances: 1] North 83 degrees 51 minutes 12 seconds West, 250.00 feet to a concrete monument set; thence 2] South 06 degrees 08 minutes 48 seconds West, 247.22 feet to a concrete monument set at Lot No. 3, more particularly described on the hereinafter referred to subdivision plan; thence continuing along Lot No. 3, North 87 degrees 02 minutes 25 seconds West, 332.91 feet to a steel pin set at lands now or formerly of Bruce Wagner, Jr.; thence continuing along lands now or formerly of Bruce Wagner, Jr., the following two courses and distances: 1] North 02 degrees 37 minutes 03 seconds East, 325.11 feet to a steel pin; thence 2] South 83 degrees 51 minutes 12 seconds East, 590.80 feet to a point at Mountain Road (L.R. 01009); thence continuing along Mountain Road (L.R. 01009), South 05 degrees 30 minutes 00 seconds East, 60.00 feet to the point and place of BEGINNING.

CONTAINING 2.809 acres and known as LOT NO. 1 on the Final Subdivision Plan for Paul T. & Blanche S. Lehmer recorded in the Adams County Recorder

of Deeds Office in Plan Book 42, page 17. 1498 MOUNTAIN ROAD, YORK SPRINGS PA 17372

TITLE TO SAID PREMISES IS VESTED IN Lloyd D. Runkle and Dana K. Runkle, h/w, as tenants by the entireties, by Deed from Blanche Sadie Lehmer, widow, dated 09/15/2003, recorded 09/22/2003 in Book 3307, Page 300.

Tax Parcel: (23) I 02-0003A

Premises Being: 1498 Mountain Road, York Springs, PA 17372-9793

SEIZED and taken into execution as the property of **Lloyd D. Runkle & Darla K. Runkle** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-681 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN lot or piece of ground situate in Menallen Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pin and stones on corner of land now or formerly of Joseph W. Cooley; thence running by land of same, North 74 degrees East, 97.5 feet to an iron pin and stones; thence running by land of same and public road, South 16 degrees East, 218 feet to iron pin and stones; thence running by land now or formerly of the said Joseph W. Cooley, South 74 degrees West, 97.5 feet to iron pin and stones; thence running by land of same, North 16 degrees West, 218 feet to the place of BEGINNING.

CONTAINING 77 perches and 29 square feet, more or less.

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

TITLE TO SAID PREMISES IS VESTED IN Brian C. Weigle, a single man, by Deed from Richard C. Group, a single man and Robert A. Grove and Anne E. Grove, h/w, dated 07/18/2006, recorded 08/09/2006 in Book 4525, Page 255.

Tax Parcel: (29) D 07-0011--000

Premises Being: 210 Upper Temple Road, Biglerville, PA 17307-9310

SEIZED and taken into execution as the property of **Brian C. Weigle** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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

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

10/16, 23 & 30

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-1511 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Menallen Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point on the Eastern edge of Legislative Route 010101, at corner of land now or formerly of David Taylor; thence in said Legislative Route 01010, South 33 degrees 00 minutes 00 seconds East, 171.16 feet to a railroad spike 4 feet from the Western edge of said Legislative Route 01010, at corner of land now or formerly of E.C. Anderson; thence by said land E.C. Anderson, and passing through a reference pipe set back 18.30 feet from the last mentioned point, South 49 degrees 50 minutes 10 seconds West, 106.00 feet to an existing iron pin; thence by same, South 38 degrees 55 minutes 50 seconds East, 171.48 feet to a pipe at corner of land now or formerly of Leroy Routson; thence by said land of Leroy Routson, South 49 degrees 29 minutes 30 seconds West, 819.26 feet to a pipe (said pipe being North 7.7 feet from an apple tree); thence by same, North 37 degrees 19 minutes 10 seconds West, 548.01 feet to a pipe at corner of stone row on line of land now or formerly of Janet Harder; thence by said land of Janet Harder and by land now or formerly of Frank Wageman, and passing through an iron pin at an existing stone pile on boundary line, set back 318.90 feet from the last mentioned point, North 52 degrees 34 minutes 30 seconds East, 745.91 feet to a pipe at corner of land now or formerly of David Taylor; thence by said land of David Taylor, South 32 degrees 00 minutes 00 seconds East 149.00 feet to a pipe; thence by same, and passing through a reference pipe set back 30.85 feet from the next mentioned point, North 55 degrees 00 minutes 00 seconds East 200.00 feet to a point, the place of BEGINNING.

CONTAINING 10.028 acres.

Address: 444 Bendersville Wenksville Road, Aspers, PA 17304-9415

Tax Map or Parcel ID No.: (29) E05-0046

Tax Parcel No: 29-E-5-46

SEIZED and taken into execution as the property of **Kelly S. Slate** 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 December 4, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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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.

10/16, 23 & 30

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 CHERYLANN M. BATDORF, DEC'D**

Late of the Borough of Bendersville, Adams County, Pennsylvania

Administrator: Vernon L. Batdorf, 119 Cains Road, Honeybrook, PA 19344

Attorney: Lewis P. Hannah, Esq., 1315 Walnut Street, Suite 1326, Philadelphia, PA 19107

ESTATE OF EARL S. BENTZEL, DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Executors: Max C. Bentzel, 2218 Douglas Drive, Carlisle, PA 17013; Nancy Persinger, 9 Blue Heron Drive, Hanover, PA 17331

ESTATE OF ELOISE D. CRUMRINE a/k/a ELOISE CRUMRINE, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Co-Administrators: Sunny D. Fullas, c/o Charles E. Shields, III, Esq., 6 Clouser Rd., Mechanicsburg, PA 17055; Jack H. France, Esq., 308 Fallowfield Ave., Charleroi, PA 15022

Attorney: Charles E. Shields, III, Esq., 6 Clouser Rd., Mechanicsburg, PA 17055

ESTATE OF CARMON E. GLADHILL, DEC'D

Late of Liberty Township, Adams County, Pennsylvania

Executor: Harvey C. Gladhill, c/o R. Thomas Murphy & Associates, PC, 2005 East Main Street, Waynesboro, PA 17268

Attorney: R. Thomas Murphy, Esq., R. Thomas Murphy & Associates, PC, 2005 East Main Street, Waynesboro, PA 17268

ESTATE OF JAMES THOMAS HEALEY, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Co-Executors: Robert Joseph Healey, 4709 Fox Den Court, Louisville, KY 40241; Joseph Terence Healey, 29 Fox Hunt Lane, Cold Spring Harbor, NY 11724

Attorney: Lawrence B. Abrams, Esq., Rhoads & Sinon LLP, Attorneys at Law, One South Market Square, P.O. Box 1146, Harrisburg, PA 17108

ESTATE OF ADELENE K. MARTIN, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Sandra M. Parish, 565 Brysonia Road, Biglerville, PA 17307

ESTATE OF LOIS R. THOMAS a/K/A LOIS MYERS THOMAS, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Mary Lou Andrews, 492 Hillside Drive, Mountville, PA 17554

Attorney: George D. Alspach, Esq., Alspach and Ryder LLC, 232 N. Duke Street, Lancaster, PA 17602

SECOND PUBLICATION**ESTATE OF GLADYS M. CAPEK, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Jane A. Trostle, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

ESTATE OF GERTRUDE I. CARLSON a/k/a GERTRUDE IRENE CARLSON a/k/a GERTRUDE G. CARLSON, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executrix: Shirley L. Carlson, 1114 Long Lane, Gettysburg, PA 17325

Attorney: John C. Herrold, Esq., Griest, Hlmes, Herrold, Schaumann, Ferro, LLP, 129 E. Market St., York, PA 17401

ESTATE OF LORETTA L. CHRONISTER, DEC'D

Late of Latimore Township, Adams County, Pennsylvania

Administrator: Cynthia A. Wolfe, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

ESTATE OF MARSHALL S. GARRETSON, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: James M. Garretson, 4105 Carriage Drive, Pompano Beach, FL 33069

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

ESTATE OF WILLIAM R. McCLEAF, DEC'D

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

Executor: William R. McCleaf, Jr., 180 McCleaf Lane, Fairfield, PA 17320

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

ESTATE OF GORDON P. SMITH, JR., DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Sharon M. Kress, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

ESTATE OF ROBERT W. YINGLING, DEC'D

Late of Union Township, Adams County, Pennsylvania

Executors: Timothy W. Yingling & Lesa K. Wastler, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York St., Hanover, PA 17331

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

THIRD PUBLICATION**ESTATE OF THERESA E. CHRISTIANSEN, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Executrix: Susan M. Mummert, 63 Kevin Drive, York, PA 17408

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

ESTATE OF WILLIAM J. McMAHON, JR., DEC'D

Late of the Borough of Fairfield, Adams County, Pennsylvania

Executor: William J. McMahon, III, 160 Zachary Taylor Street, Harpers Ferry, WV 25425

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

(continued on page 15)

THIRD PUBLICATION (CONTINUED)**ESTATE OF ELIZABETH T. NICHOLSON, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executor: Larry R. Nicholson, c/o Walker, Connor and Johnson, LLC, 247 Lincoln Way East, Chambersburg, PA 17201

Attorney: David F. Spang, Esq., Walker, Connor and Johnson, LLC, 247 Lincoln Way East, Chambersburg, PA 17201

ESTATE OF BOYCE J. NIX, JR., DEC'D

Late of Highland Township, Adams County, Pennsylvania

Rita D. Manis, 6529 Shenandoah Drive, Sykesville, MD 21784

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF STEWART R. ROHRBAUGH a/k/a ESTATE OF STEWART R. ROHRBAUGH, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Joanne M. Gulden, 233 W. Chestnut St., Hanover, PA 17331; Robert S. Rohrbaugh, 856 East Walnut St., Hanover, PA 17331; Richard E. Rohrbaugh, 4324 Briarwood Ct., York, PA 17408

Attorney: Amy E. W. Ehrhart, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF ERNEST E. SIMPSON, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Co-Executors: David E. Simpson & Christina M. Simpson, c/o Christina M. Simpson, Esq., Gates & Gates, P.C., 139 Baltimore St., Gettysburg, PA 17325

Attorney: Christina M. Simpson, Esq., Gates & Gates, P.C., 139 Baltimore St., Gettysburg, PA 17325

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-652 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 13th day of November, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described tract of land situate, lying and being in Union Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a corner at a steel pin at Lot No. 17 on the hereinafter mentioned subdivision plan at the right-of-way line of Fox Run Terrace; thence along Lot No. 17 South thirty-six (36) degrees fifty-three (53) minutes thirty-five (35) seconds West three hundred twenty-one and fourteen hundredths (321.14) feet to a steel pin at Lot No. 13 on the hereinafter mentioned subdivision plan; thence along Lot No. 13 North fifty-three (53) degrees six (06) minutes twenty-five (25) seconds West one hundred forty (140) feet to a steel pin; thence continuing along Lot No. 13 North thirty-six (36) degrees fifty-three (53) minutes thirty-five (35) seconds East three hundred twenty-one and fourteen hundredths (321.14) feet to a steel pin at the right-of-way line of Fox Run Terrace; thence along the right-of-way line of Fox Run Terrace South fifty-three (53) degrees six (06) minutes twenty-five (25) seconds East one hundred forty (140) feet to a steel pin at Lot No. 17 aforesaid; the point and place of BEGINNING.

CONTAINING 1.0321 acres. The foregoing property is Lot No. 18 on a final plan of Fox Run Estates, Phase III, prepared for Mummert Enterprises, Inc., by Worley Surveying. The plan is dated November 11, 1993, and is recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plat Book 64, Page 41.

SUBJECT to declaration of restrictions dated December 29, 1992, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Record Book, 714, Page 280.

ALSO subject to amendments of declaration of restrictions dated February 15, 1994 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Record Book 854, Page 219, and April 22, 1994, recorded in Record Book 876, Page 324.

TITLE TO SAID PREMISES IS VESTED IN Bernard C. Mankin and Michelle L. Mankin, h/w, as tenants by the entirety, by Deed from John R. Jacobs and Gina M. Jacobs, h/w, dated 06/27/2005, recorded 07/11/2005 in Book 4036, Page 81. TAX ID# K17-171

Tax Parcel: (41) K17-0171---000

Premises Being: 1155 Fox Run Terrace, Hanover, PA 17331-8751

SEIZED and taken into execution as the property of **Bernard Mankin & Michelle Mankin** and to be sold by me.

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

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