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IN THIS ISSUE

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NATIONAL ASSOCIATION, AS GRANTOR TRUSTEE OF
THE PROTIUM MASTOR GRANTOR TRUST VS. ADAMS
COUNTY TAX CLAIM BUREAU AND GREENVIEW, LLC

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FICTITIOUS NAME NOTICE

Registration of business name as required by law, TACTITIAN TERMINAL is announcing the filing of an application for registration of fictitious name.

8/24

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Commonwealth of Pennsylvania. The name of the corporation is CERAMIC MATERIALS WORKSHOP, INC. The corporation has been incorporated under the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania Act of December 22, 1988.

Barley Snyder

By: Jennifer M. Stetter, Esq.
Solicitor

8/24

FICTITIOUS NAME REGISTRATION

An application for registration of the fictitious name THE DIRTY SOAP, 128 Winding Lane, East Berlin, PA 17316 has been filed in the Department of State at Harrisburg, PA. File Date 07/02/2018 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Talitha Collado, 128 Winding Lane, East Berlin, PA 17316.

8/24

THE BANK OF NEW YORK MELLON TRUST COMPANY,
NATIONAL ASSOCIATION, AS GRANTOR TRUSTEE OF
THE PROTIUM MASTOR GRANTOR TRUST VS. ADAMS
COUNTY TAX CLAIM BUREAU AND GREENVIEW, LLC

1. A property owner's right to notice "prior to commencing with an upset tax sale [is] established pursuant to the Due Process Clause of the Fourteenth Amendment to the United States Constitution and by the Law."

2. There is no question that the registered owner of the Property, as set forth on the Sheriff's Deed, is the Bank of New York Mellon Trust Company, National Association, As Grantor Trustee of the Protium Mastor Grantor Trust.

3. As such, all notice in accordance with 72 P.S. § 5860.602 and 72 P.S. § 5860.607(a) should have been directed to the Bank of New York Mellon Trust Company, National Association, As Grantor Trustee of the Protium Mastor Grantor Trust. Failure to do so denied Appellee of their constitutionally mandated due process rights prior to the upset tax sale in this case.

4. Appellee presented testimony and evidence that the Fairfield tax collector and/or Fairfield School District were aware that the taxes were attempted to be paid in 2014 and were paid in 2015 and 2016 on the Property.

5. In accordance with § 5860.602(e) and § 5860.607(a), it is the responsibility of the Bureau to coordinate with the tax collector and/or school district to determine the last post office address known to said collector and/or school district. Failure to do so denies Appellee's constitutionally mandated due process rights.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, 2017-S-700, THE BANK OF NEW YORK
MELLON TRUST COMPANY, NATIONAL ASSOCIATION, AS
GRANTOR TRUSTEE OF THE PROTIUM MASTOR GRANTOR
TRUST VS. ADAMS COUNTY TAX CLAIM BUREAU AND
GREENVIEW, LLC.

Paul B. Royer, Esq., Attorney for Appellant

Michael P. Trainor, Esq., Attorney for Appellee

David K. James, Esq., Attorney for Adams County Tax Claim Bureau

Wagner, J., August 7, 2018

OPINION PURSUANT TO Pa. R.A.P. 1925(a)

Greenview, LLC (hereinafter "Appellant") appeals this Court's Order dated May 11, 2018 granting the Bank of New York Mellon Trust Company, National Association, As Grantor Trustee of the Protium Mastor Grantor Trust's (hereinafter "Appellee") Petition to Void Upset Tax Sale. For the reasons set forth below, it is respectfully requested that this Court's decision be affirmed.

Hearing on Appellee's Petition to Void Upset Tax Sale was held on January 5, 2018 before this Court and the following relevant facts

were presented. The Property in question is 34 McGinley Drive, Fairfield, Adams County, Pennsylvania consisting of tax parcel 11007-0020 (hereinafter “Property”). Appellee took title to the Property via a Sheriff’s Deed, dated June 19, 2014, that was recorded with the Adams County Recorder of Deeds on June 19, 2014 at book 5945, page 384. The Sheriff’s Deed grants and conveys the Property to the Bank of New York Mellon Trust Company, National Association, As Grantor Trustee of the Protium Mastor Grantor Trust, with a listed address of 3374 Walden Avenue, Depew, New York 14043.

On October 10, 2014, RoundPoint, the servicer and authorized representative for Appellee, mailed a check in the amount of \$1,549.50 to the Fairfield School District in connection with payment of the outstanding school taxes owed on the Property for 2014. This 2014 check was subsequently returned by Fairfield School District to RoundPoint.

Daryl Crum, director of Adams County Tax Services, testified that the Adams County Tax Claim Bureau (hereinafter “Bureau”) was notified by the Fairfield tax collector concerning uncollected taxes for 2014 for the Property. The Bureau sent Notice of Return and Claim addressed to Protium Master Grantor Trust via certified mail to 3374 Walden Avenue, Depew, New York 14043. This certified mail came back with a signature from a person located at 3374 Walden Avenue, Depew, New York 14043 indicating Notice of Return and Claim was received on May 15, 2018.

On July 24, 2015 RoundPoint mailed a check in the amount of \$1,716.88 to Fairfield School District for 2015 school taxes owed on the Property. The 2015 check was cashed and cleared on August 4, 2015. The 2015 check was applied to the 2015 tax year, not to any past due taxes owed for 2014.

On January 27, 2016 the Bureau sent a reminder statement of delinquent taxes via first-class mail to Protium Master Grantor Trust at 3374 Walden Avenue, Depew, New York 14043. The reminder statement of delinquent taxes was returned to the Bureau “not deliverable as addressed, unable to forward.”

The Bureau sent a Notice of Public Tax Sale to Protium Master Grantor Trust at 3374 Walden Avenue, Depew, New York 14043 by certified mail and such mailing was returned to the Bureau, as undelivered, on July 26, 2016. The Notice of Public Tax Sale indicated the

date of the public tax sale was September 30, 2016 at 9:00 a.m. After receiving the returned certified mail, the Bureau performed additional research to try to locate additional addresses through an internet search for Protium Mastor Grantor Trust, which provided a potential Jacksonville, Florida address for Protium Mastor Grantor Trust. No evidence was presented that the Bureau performed any research to locate an address for Bank of New York Mellon, National Association, As Grantor Trustee of the Protium Mastor Grantor Trust.

The Bureau advertised the upset tax sale in the *Hanover Evening Sun* on August 7, 2016, the *Gettysburg Times* on July 30, 2016 and *Adams County Legal Journal* on July 29, 2016. The Bureau posted a notice on the Property on August 18, 2016 concerning the September 30, 2016 upset tax sale.

On August 8, 2016 RoundPoint mailed a check in the amount of \$1,766.67 to the Fairfield School District for payment of school taxes owed on the Property for 2016. Fairfield School District received and cashed this check and issued a receipt dated August 20, 2016, which indicated that the payment satisfied the total amount due of \$1,802.72, school taxes owed on the Property for 2016.

The Bureau sent a Notice of Public Tax Sale letter (the 10-day notice) via first class mail to the following entities: Stern & Eisenberg at 1581 Main Street, Suite 200, Warrington, Pennsylvania 18976; Protium Mastor Grantor Trust at 3374 Walden Avenue, Depew, New York 14043; and Protium Mastor Grantor Trust c/o AMS Servicing, LLC at 3646W Highland Glen Way, Jacksonville, Florida 32224. The two notices sent to Protium Mastor Grantor Trust were returned to the Bureau “not deliverable as addressed, unable to forward” in September 2016 and October 15, 2016. The Bureau received no information concerning the notice sent to Stern & Eisenberg. The Bureau presented no evidence that Stern & Eisenberg was an owner of the Property or was authorized to accept service on behalf of Appellee.

On September 30, 2016 the Bureau sold the Property at an upset tax sale in the amount of \$9,768.09 to Appellant. The “County Assessed Value” for the Property as of June 19, 2014 was \$179,600.00. Appellant took title to the Property on December 27, 2016 via a Tax Claim Bureau Deed.

On October 12, 2016 the Bureau sent notice by certified mail to Protium Master Grantor Trust at 3374 Walden Avenue, Depew, New

York 14043 stating the Property was sold at tax sale. This was returned to the Bureau on November 17, 2016 as undeliverable.

In May 2017 Appellee learned of the upset tax sale and transfer of title of the Property to Appellant. Appellee timely filed its Petition to Void Upset Tax Sale on June 22, 2017.

At no time did the Bureau coordinate with Fairfield School District or Fairfield tax collector to determine if taxes had been paid on the Property since 2014. Furthermore, neither Fairfield School District or Fairfield tax collector notified the Bureau that school taxes were paid on the Property for 2015 and 2016, prior to the September 30, 2016 upset tax sale. Director Crum testified that had the Bureau known that Fairfield School District had received payment of the 2016 school taxes on August 20, 2016 this would have raised a red flag and the Bureau would have not gone forward with the upset tax sale on September 30, 2016.

Following hearing on Appellee's Petition to Avoid Upset Tax Sale on January 5, 2018, at the request of the parties, this Court entered an Order withholding any ruling in this matter for a period of sixty days to allow the parties to discuss settlement negotiations. Pursuant to Court Order of January 5, 2018, this Court directed Appellant to provide Appellee any and all records and information dealing with improvements to the Property in question since the tax sale of September 30, 2016. Appellant failed to provide the requested documents to Appellee.

Pursuant to this Court's Orders of January 5, 2018 and April 3, 2018, Appellee filed a Memorandum of Law on April 20, 2018. The Bureau filed a Memorandum of Law on April 23, 2018. Appellant failed to abide by this Court's Orders of January 5, 2018 and April 3, 2018 and never filed a Memorandum of Law in support of Appellant's position.

On May 11, 2018 this Court granted Appellee's Petition to Void Upset Tax Sale. On June 8, 2018, Appellant filed his Notice of Appeal. By Order of Court dated June 14, 2018, this Court directed Appellant to file a Concise Statement of Matters Complained of on Appeal. Appellant timely filed his Concise Statement on July 5, 2018.

The Bureau did not appeal this Court's May 11, 2018 Order granting Appellee's Petition to Void Upset Tax Sale.

LEGAL STANDARD

The Commonwealth Court set forth the constitutional notice requirement in an upset tax sale in **In Re: Consolidated Reports and Returns**, 132 A.3d 637, 644 (Pa. Cmwlth. 2016) as follows:

A property owner’s right to notice “prior to commencing with an upset tax sale [is] established pursuant to the Due Process Clause of the Fourteenth Amendment to the United States Constitution and by the Law.” **Rice v. Compro Distributing, Inc.**, 901 A.2d 570, 574 (Pa. Cmwlth. 2006). The United States Supreme Court has held that due process is implicated in any taking of property for the collection of taxes, stating:

[people] must pay their taxes, and the government may hold citizens accountable for tax delinquency by taking their property. But before forcing a citizen to satisfy his debt by forfeiting his property, due process requires the government to provide adequate notice of the impending taking.

Jones v. Flowers, 547 U.S. 220, 226, 126 S.Ct. 1708, 164 L.Ed.2d 415 (2006). Due process is satisfied when the Bureau, before commencing with a tax sale, “provide[s] ‘notice reasonably calculated, under all the circumstances, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections’”. **Id.**

The notice provisions of the Law are designed to “guard against deprivation of property without due process.” Because the government actor attempting to take property bears the constitutional duty to provide notice prior to a tax sale, our inquiry into whether adequate notice was provided must focus “not on the alleged neglect of the owner, which is often present in some degree, but on whether the activities of the Bureau comply with the requirements of the [Law].” However, even technical compliance with the statute may not always satisfy the demands of due process since the “Law states the minimum effort to be done by a tax claim bureau.” See also

Geier v. Tax Claim Bureau of Schuylkill County, 527 Pa. 41, 588 A.2d 480, 483 (1991) (holding that “even though the Bureau technically complied with the notice requirements of the tax sale statute, the Bureau failed to satisfy the demands of due process in conducting the sale”). Due process requires that the “practicalities and peculiarities of the case” are considered and given their “due regard.”

Id. at 644. (quotations and citations omitted).

The Real Estate Tax Sale Law states, in regards to an upset tax sale, the following concerning the Bureau’s notice requirement:

- (a) At least thirty (30) days prior to any scheduled sale the bureau shall give notice thereof, not less than once in two (2) newspapers of general circulation in the county, if so many are published therein, and once in the legal journal, if any, designated by the court for the publication of legal notices. Such notice shall set forth (1) the purposes of such sale, (2) the time of such sale, (3) the place of such sale, (4) the terms of the sale including the approximate upset price, (5) the descriptions of the properties to be sold as stated in the claims entered and the name of the owner.
- (d) Such published notice shall be addressed to the “owners of properties described in this notice and to all persons having liens, judgments or municipal or other claims against such properties.”
- (e) In addition to such publications, similar notice of the sale shall also be given by the bureau as follows:
 - (1) At least thirty (30) days before the date of the sale, by United States certified mail, restricted delivery, return receipt requested, postage prepaid, to each owner as defined by this act.
 - (2) If return receipt is not received from each owner pursuant to the provisions of clause (1), then, at least ten (10) days before the date of the sale, similar notice of the sale shall be given to each owner who failed to acknowledge the first notice

by United States first class mail, proof of mailing, at his last known post office address by virtue of the knowledge and information possessed by the bureau, by the tax collector for the taxing district making the return and by the county office responsible for assessments and revisions of taxes. It shall be the duty of the bureau to determine the last post office address known to said collector and county assessment office.

- (3) Each property scheduled for sale shall be posted at least ten (10) days prior to the sale.

72 P.S. § 5860.602(a)(d)(e).

Further, when notice is not received by the owner pursuant to 72 P.S. § 5860.602 then the following applies:

- (a) When any notification of a pending tax sale or a tax sale subject to court confirmation is required to be mailed to any owner, mortgagee, lienholder or other person or entity whose property interests are likely to be significantly affected by such tax sale, and such mailed notification is either returned without the required receipted personal signature of the addressee or under other circumstances raising a significant doubt as to the actual receipt of such notification by the named addressee or is not returned or acknowledged at all, then, before the tax sale can be conducted or confirmed, the bureau must exercise reasonable efforts to discover the whereabouts of such person or entity and notify him. The bureau's efforts shall include, but not necessarily be restricted to, a search of current telephone directories for the county and of the dockets and indices of the county tax assessment offices, recorder of deeds office and prothonotary's office, as well as contacts made to any apparent alternate address or telephone number which may have been written on or in the file pertinent to such property. When such reasonable efforts have been exhausted, regardless of whether or not the notification efforts have been successful, a notation shall be

placed in the property file describing the efforts made and the results thereof, and the property may be rescheduled for sale or the sale may be confirmed as provided in this act.

- (b) The notification efforts required by subsection (a) shall be in addition to any other notice requirements imposed by this act.

72 P.S. § 5860.607(a).

DISCUSSION

In his Concise Statement, Appellant argues “this Honorable Court committed an abuse of discretion or error of law in concluding that the Tax Claim Bureau failed to provide notice of the upset tax sale as required under the Tax Sale Law, 72 P.S. § 5860.602(e) and in concluding that the Tax Claim Bureau did not exercise reasonable efforts to discover the whereabouts of Petitioner as required by Tax Sale Law, 72 P.S. § 5860.607(a).” Appellant also argues “this Honorable Court committed an abuse of discretion or error of law in concluding that the Bank of New York Mellon was an “owner” of the subject premises as defined by the Tax Sale Law, 72 P.S. § 5860.102 and entitled to notice of the upset tax sale.”

Appellant’s claims are meritless. The Sheriff’s Deed dated June 19, 2014 granted and conveyed the Property to the Bank of New York Mellon Trust Company, National Association, As Grantor Trustee of the Protium Mastor Grantor Trust. In accordance with 72 P.S. § 5860.102 the definition of **owner** is as follows: “The person in whose name the property is last registered, if registered according to law, or, if not registered according to law, the person whose name last appears as an owner of record on any deed or instrument of conveyance recorded in the county office designated for recording...” There is no question that the registered owner of the Property, as set forth on the Sheriff’s Deed, is the Bank of New York Mellon Trust Company, National Association, As Grantor Trustee of the Protium Mastor Grantor Trust. This is the name the Property is registered under on Sheriff’s Deed dated June 19, 2014 that was recorded with the Adams County Recorder of Deeds at book 5945, page 384 and is the name on the Sheriff’s Deed itself. As such, all notices in accordance with 72 P.S. § 5860.602 and 72 P.S. § 5860.607(a)

should have been directed to the Bank of New York Mellon Trust Company, National Association, As Grantor Trustee of the Protium Mastor Grantor Trust. Failure to do so denied Appellee of their constitutionally mandated due process rights prior to the upset tax sale in this case.

Appellant's burden on appeal is compounded by the fact that Appellee, through its servicer and authorized representative in connection with the Property, RoundPoint, attempted to make a tax payment in 2014 and successfully made tax payments in 2015 and 2016 on the Property through the Fairfield School District and/or the Fairfield tax collector. As set forth in 72 P.S. § 5860.602(e)(2):

“If return receipt is not received from each owner pursuant to the provisions of clause (1), then at least ten days before the date of the sale, similar notice of the sale shall be given to each owner who failed to acknowledge the first notice by United States first-class mail, proof of mailing, at his last known post office address by virtue of the knowledge and information possessed by the bureau, by the tax collector for the taxing district making the return and by the county office responsible for assessments and revisions of taxes. It shall be the duty of the bureau to determine the last post office address known to said collector and county assessment office.”

Appellee presented testimony and evidence that the Fairfield tax collector and/or Fairfield School District were aware that taxes were attempted to be paid in 2014 and were paid in 2015 and 2016 on the Property. Such payments included an address for Roundpoint. In accordance with §5860.602(e) and § 5860.607(a), it is the responsibility of the Bureau to coordinate with the tax collector and/or school district to determine the last post office address known to said tax collector and/or school district. Failure to do so denies Appellee's constitutionally mandated due process rights.

Furthermore, as testified to by Director Crum of Adams County Tax Services, if the Bureau had known that Appellant had made tax payments in 2015 and 2016 prior to the upset tax sale of September 30, 2016, this would have raised a red flag and the Bureau would not have gone forward with the upset tax sale. Due process requires that “the practicalities and peculiarities of the case are considered and

given their due regard”, and this Court takes this into consideration concerning this Court’s ruling.

Appellee was not afforded proper constitutionally required due process notice concerning the upset tax sale. Therefore, Appellant’s issues are meritless and this Court respectfully requests that this Court’s Order dated May 11, 2018 granting Appellee’s Petition to Void Upset Tax Sale be affirmed.

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday, the 21st day of September 2018, at 10:00 o'clock in the forenoon at the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

No. 18-SU-235

JPMorgan Chase Bank, N.A.
vs.

Bradley D. Aleshire, Kelci N. Aleshire
Property: 15 Bonniefield Circle,
Gettysburg, PA 17325
Parcel: 06009-0060---000
Property Situate in Bonneville
Borough, Adams County, PA
Improvements Thereon: Residential
Dwelling
Judgment: \$125,128.02
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-NO-156

New Oxford Municipal Authority
vs.

**Edward W. Brinkley, Jr., Jennifer
Brinkley**
Property: 892 Poplar Rd., New Oxford,
PA 17350
Parcel: 35J12-0179---000
Oxford Township, New Oxford, Adams
County, Pennsylvania
Improvements Thereon: Residential
Judgment: \$1,961.60
Attorneys for Plaintiff:
Stock and Leader

No. 18-SU-306

**US Bank National Association As
Trustee For Cmlt Remic Series
2007-A6 - Remic Pass-Through
Certificates Series 2006-A6**
vs.

Douglas E. Cole, Kristi L. Cole
Property: 411 Delone Ave.,
McSherrystown, PA 17344
Parcel: 28006-0066---000
Property Situate in McSherrystown
Borough, Adams County, Pennsylvania
Improvements Thereon: Residential
Dwelling
Judgment: \$314,360.64
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 17-TL-353

Gettysburg Municipal Authority
vs.

**María Del Carmen-Gomez, María
Gomez**
Property: 211 Ewell Ave., Gettysburg,
PA 17325
Parcel: 38001-0018---000
Straban Township, Adams County, PA
17325
Improvements Thereon: Residential
Dwelling
Judgment: \$4,240.86
Attorney for Plaintiff:
Bernard A. Yannetti, Jr., Esq.
Gettysburg, PA 17325

No. 16-SU-303

World Business Lenders, LLC
vs.

**Eastern Shoe Company, LLC,
Pennsylvania Imports, Katrina J.
McClelland, Attai Husnain Shahzad**
Property: 35 and 51 Cashman Road,
New Oxford, PA 17350
Parcel: 40107-0039B-000
Township of Tyrone
Residential and Commercial Property
Dwelling
Judgment: \$126,285.42
Attorneys for Plaintiff:
Flaherty Fardo, LLC
412-802-6666

No. 18-SU-250

Wells Fargo Bank, NA
vs.

**Jodi L. Fisher a/k/a Jodi L. Boone,
Scott H. Fisher**
Property: 10 McCandless Dr., East
Berlin, PA 17316
Parcel: 23106-0025---000
Property Situate in Latimore Township,
Adams County, Pennsylvania
Improvements Thereon: Residential
Dwelling
Judgment: \$185,305.40
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 14-SU-940

Bank of America, NA
vs.

**Joanna M. Heintzelman, Charles H.
Heintzelman, Jr.**
Property: 720 North Street,
McSherrystown, PA 17344
UPI/Tax Parcel: 08005-0169-000
Conewago Township, Adams County,
Pennsylvania
Improvements Thereon Consist of
Residential Real Estate
Judgment: \$146,467.30
Attorneys for Plaintiff:
Stern & Eisenberg,
Warrington, PA 18976

No. 16-SU-1318

M&T Bank
vs.

Robert Dale Hicks
Property: 36 East Hanover Street,
Gettysburg, PA 17325
Borough of Bonneville, Adams
County, PA
Parcel: 06005-0088-000
Improvements Thereon: Residential
Dwelling
Judgment: \$271,453.84
Attorneys for Plaintiff:
KML Law Group, P.C.

No. 18-SU-184

**Nationstar Mortgage LLC d/b/a
Mr. Cooper**
vs.

Bonnie Jaques
Property: 1163 Hanover Rd.,
Gettysburg, PA 17325
Parcel: 38G13-0057---000
Straban Township, PA
Improvements Thereon: Residential
Dwelling
Judgment: \$140,119.20
Attorneys for Plaintiff:
Shapiro and Denardo

No. 18-SU-272

Quicken Loans Inc.
vs.

James Peter Kunder
Property: 1075 Wolf Rd., East Berlin, PA
17316
Parcel: 36K05-0056--00
Reading Township, County of Adams,
Commonwealth of Pennsylvania
Improvements: Residential Dwelling
Judgment: \$209,561.84
Attorneys for Plaintiff:
Richard M. Squire & Associates, LLC
Phone: 215-886-8790

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller
Sheriff of Adams County
www.adamscounty.us
8/24, 8/31 & 9/7

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday, the 21st day of September 2018, at 10:00 o'clock in the forenoon at the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

No. 18-SU-320**Ditech Financial LLC**

vs.

Betty Meadows, Michael W. Meadows

Property: 40 Schottie Road, Littlestown, PA 17340
Parcel: 30G18-0030-000
Improvements Thereon: Residential Dwelling
Judgment: \$122,092.33
Attorneys for Plaintiff:
KML Law Group, P.C.

No. 16-TL-525**Gettysburg Municipal Authority**

vs.

Gerard P. Michaels, Kathleen Suzanne Michaels

Property: 114 West High St., Gettysburg, PA 17325
Parcel: 16010-0245---000
Gettysburg Borough, Adams County, PA 17325
Improvements Thereon: A Residence
Judgment: \$6,453.69
Attorney for Plaintiff:
Bernard A. Yannetti, Jr., Esq.
Gettysburg, PA 17325

No. 18-SU-266**Fulton Bank, N.A.**

vs.

Midway Volunteer Fire Co. No. 1 of Adams County, a/k/a Midway Ambulance Services, Inc.

Property: 140 Linden Avenue, Hanover, PA 17331
Conewago Township, 140 Linden Avenue, PA
Parcel Nos. 08008-0160---000 and 08008-0159---000, which have been combined and are now identified collectively as 08008-0160---000.
Improvements Thereon of a Commercial Building and Parking Lot
200 Linden Avenue, 202 Linden Avenue, PA
Parcel Nos. 08008-0157---000 and 08008-0158---008, which have been combined and are now identified collectively as 08008-0158---000.
Improvements Thereon of a Commercial Building and Parking Lot
203 Linden Avenue, PA
Parcel No. 08008-0111---000

Improvements Thereon of Parking Lot

Judgment: \$304,728.68

Attorneys for Plaintiff:

Amar A. Agrawal, Esquire and
Janet Gold, Esq.
856-330-6200
Cherry Hill, NJ 08034

No. 18-SU-123**Wells Fargo Bank, N.A.**

vs.

Amy B. Nissley, Gerald E. Nissley, Jr.

Property: 597 Lake Meade Dr., East Berlin, PA 17316
Parcel: 36108-0030-000
Township of Reading
Improvements Thereon of Residential
Judgment: \$123,660.36
Attorneys for Plaintiff:
Manley Deas Kochalski LLC
614-220-5611

No. 16-SU-410**Wells Fargo Bank, NA**

vs.

Walter S. Richie, Tracy L. Richie

Property: 1840 Wenksville Rd., Biglerville, PA 17307
Parcel: 29D0S-0013B---000
Menallen Township, Adams County, Pennsylvania
Improvements Thereon: Residential Dwelling
Judgment: \$172,220.49
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-256**Federal National Mortgage Association ("Fannie Mae")**

vs.

Denis A. Rohrbaugh, Alena K. Rohrbaugh

Property: 63 East York St., Biglerville, PA 17307
Parcel: 05003-0112-000
Biglerville Borough
Improvements Thereon: Residential Dwelling
Judgment: \$114,514.55
Attorney for Plaintiff:
Martha E. Von Rosenstiel, P.C.

No. 18-SU-390**ACNB Bank**

vs.

Juan M. Santoyo, Matilde Santoyo

Property: 316 Heritage Drive, Gettysburg, PA 17325
Parcel: 30-104-0102---000
Mount Joy Township and Straban Township
Improvements Thereon: Residential Dwelling
Judgment: \$141,371.19
Attorney for Plaintiff:
Sharon E. Myers, Esquire
CGA Law Firm
717-848-4900

No. 17-SU-359**First Tennessee Bank National Association**

vs.

Charles M. Stonesifer, Ethel D. Stonesifer

Property: 120 Abbotts Drive, Abbottstown, PA 17301
Parcel: 01005-0058---000
Borough of Abbottstown
Improvements Thereon: A Residential Dwelling
Judgment: \$100,493.48
Attorneys for Plaintiff:
Shapiro and Denardo

No. 18-SU-268**JPMorgan Chase Bank, N.A.**

vs.

Michael Von Bank, II

Property: 108 Harrisburg St., East Berlin, PA 17316
Parcel: 10004-0066---000
Property Situate in East Berlin Borough, Adams County, Pennsylvania
Improvements Thereon: Residential Dwelling
Judgment: \$147,541.73
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 08-SU-886**Wilmingon Savings Fund Society**

vs.

Dorothy E. Walls, Thomas L. Walls, Jr.

Property: 765 Hunterstown Hampton Road, New Oxford, PA 17350
Parcel: 38H10-0027---000
Improvements Thereon: Residential One-Story Dwelling
Judgment: \$283,566.49 plus interest from May 13, 2016, to September 21, 2018, at per diem rate of \$29.38.
Attorneys for Plaintiff:
Hill Wallack LLP

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller
Sheriff of Adams County

www.adamscounty.us

8/24, 8/31 & 9/7

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below, the Register of Wills has granted letters, testamentary or of administration to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF MARILYN L. FEDER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Merle Lynne Feder, 173 Primrose Lane, Hanover, PA 17331

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

ESTATE OF CHARLES J. JEZEK, JR., DEC'D

Late of Mt. Joy Township, Adams County, Pennsylvania

Executor: Jeffrey C. Jezek, 3723 Mackall Street, Frederick, MD 21704

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

ESTATE OF ANNA L. MONAHAN a/k/a ANNA B. MONAHAN, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Co-Executors: Robert J. Monahan, Jr., 400 N. Flagler Drive, #1703, West Palm Beach, FL 33401; Thomas M. Monahan, 375 Ridgewood Drive, Gettysburg, PA 17325

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

ESTATE OF LINUS BENJAMIN SMITH, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Randolph Smith, 6010 Old Hanover Road, Spring Grove, PA 17362

SECOND PUBLICATION

ESTATE OF PATRICIA RAY EMERSON, DEC'D

Late of Mt. Joy Township, Adams County, Pennsylvania

Administratrix: Zoe Fox Emerson, 2621 Kentford Road, Midlothian, VA 23113

Attorney: Robert L. McQuaide, Esq., Barley Snyder, Suite 204, 18 Carlisle St., Gettysburg, PA 17325

ESTATE OF JANET E. GUISE, DEC'D

Late of Huntington Township, Adams County, Pennsylvania

Executor: Barry R. Guise, 5405 Oxford Road, Gardners, PA 17324

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

ESTATE OF DONALD E. MILLER, DEC'D

Late of Huntington Township, Adams County, Pennsylvania

Executors: Glenn A. Kern and Douglas W. Kern, c/o Scott L. Kelley, Esq., Stonesifer and Kelley, a division of Barley Snyder, 14 Center Square, Hanover, PA 17331

Attorney: Scott L. Kelley, Esq., Stonesifer and Kelley, a division of Barley Snyder, 14 Center Square, Hanover, PA 17331

ESTATE OF ANDREW R. MITCHELL, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Andrew Douglas Mitchell, c/o Kevin G. Robinson, Esq., Gates & Gates, P.C., 60 E. Middle St., Gettysburg, PA 17325

Attorney: Kevin G. Robinson, Esq., Gates & Gates, P.C., 60 E. Middle St., Gettysburg, PA 17325

ESTATE OF ELLIS N. YENTZER, DEC'D

Late of Huntington Township, Adams County, Pennsylvania

Executor: Mark D. Yentzer, 40 Bushey School Road, York Springs, PA 17372

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

THIRD PUBLICATION

ESTATE OF E. MYRTLE BOWLING, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executors: Brenda K. Bowling, 243 N. Stratton St., Gettysburg, PA 17325; Jeffrey A. Bowling, 1778 Hilltown Road, Biglerville, PA 17307

Attorney: Phillips & Phillips, 101 W. Middle St., Gettysburg, PA 17325

ESTATE OF JOHN I. DONMOYER, SR.,

Late of Cumberland Township, Adams County, Pennsylvania

Co-Executrices: Phyllis Donmoyer, 1975 Emmitsburg Road, Gettysburg, PA 17325; Joan Lee Andes, 430 Bullfrog Road, Gettysburg, PA 17325

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC., 47 W. High St. Gettysburg, PA 17325

ESTATE OF WALTER L. GREER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: John Greer, 943 Parkway Blvd., York, PA 17404

Attorney: Matthew L. Guthrie, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York St., Hanover, PA 17331

ESTATE OF RONALD E. LEHR, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Dolores Barto, 31 Millersville Road, Lancaster, PA 17603

Attorney: Thomas R. Nell, Esq., 130 W. King St., P.O. Box 1019, East Berlin, PA 17316

