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IN THIS ISSUE

TUCKER INDUSTRIAL VS. EAST BERLIN ZHB ET AL

This opinion is continued from the last issue (June 8, 2012).

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NOTICE

NOTICE IS HEREBY GIVEN that Jamison Entwistle intends to apply in open court for admission to the Bar of the Court of Common Pleas of Adams County, Pennsylvania, on August 3, 2012, and that she intends to practice law in the Law Office of Entwistle & Roberts, located at 66 West Middle Street, Gettysburg, Pennsylvania.

6/1, 8 & 15

NOTICE OF SHERIFF'S SALE
IN THE COURT OF COMMON PLEAS
OF ADAMS COUNTY, PENNSYLVANIA
NO. 10-S-1101

CITIMORTGAGE, INC.

vs.

JACK E. CHRONISTER and JERRI L. CHRONISTER

NOTICE TO: JERRI L. CHRONISTER
NOTICE OF SHERIFF'S SALE OF REAL
PROPERTY

Being Premises: 369 RIDGE ROAD,
YORK SPRINGS, PA 17372-9702

Being in LATIMORE TOWNSHIP,
County of Adams, Commonwealth of
Pennsylvania, 23-104-0015.B-000

Improvements consist of residential
property.

Sold as the property of JACK E.
CHRONISTER and JERRI L.
CHRONISTER

Your house (real estate) at 369 RIDGE ROAD, YORK SPRINGS, PA 17372-9702 is scheduled to be sold at the Sheriff's Sale on 07/20/2012 at 10 a.m., at the Adams County Courthouse, 111 Baltimore Street, Room 4, Gettysburg, PA 17325, to enforce the Court Judgment of \$360,429.87 obtained by CITIMORTGAGE, INC. (the mortgagee), against the above premises.

Phelan Hallinan & Schmieg, LLP
Attorney for Plaintiff

6/15

CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on the 15th day of March 2012, the Petition of Tyler John Landsman, an adult individual, was filed in the Court of Common Pleas of Adams County, Pennsylvania, praying for a decree to change the name of petitioner to Tyler John Hursh.

The court has affixed the 6th day of July 2012, at 8:30 a.m., in Courtroom No. 4 of the Adams County Courthouse as the time and place for the hearing of said petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of said petition should not be granted.

Gary E. Hartman, Esq.
Hartman & Yannetti
126 Baltimore Street
Gettysburg, PA 17325
Attorney for Petitioner

6/15

In zoning cases where the trial court does not receive any additional evidence, the scope of review is limited to determining whether the Board committed an error of law or a manifest abuse of discretion. *In re Petition of Dolington Land Group*, 839 A.2d 1021, 1026 (Pa. 2003). The Board, “as fact-finder, is the sole judge of credibility with power to resolve conflicts in the testimony and to reject even uncontradicted testimony that it finds to be lacking in credibility.” *Id.* The Court does not substitute its own interpretation of the evidence for that of the Board. *Pietropaolo v. Zoning Hearing Bd. of Lower Merion Twp.*, 979 A.2d 969, 976 (Pa. Commw. Ct. 2009). “A conclusion that the governing body abused its discretion may be reached only if its findings of fact are not supported by substantial evidence.” *Sutliff Enterprises, Inc. v. Silver Spring Twp. Zoning Hearing Bd.*, 933 A.2d 1079, 1081 n.1 (Pa. Commw. Ct. 2007). Evidence is substantial when a reasonable mind could accept it as adequate to support a conclusion. *Cardamone v. Whitpain Twp. Zoning Hearing Bd.*, 771 A.2d 103, 104 (Pa. Commw. Ct. 2001).

Moreover, the Board’s interpretation of the zoning ordinance it is charged with enforcing is generally entitled to a great degree of deference. *Ruley v. W. Nantemean Twp. Zoning Hearing Bd.*, 948 A.2d 265, 268 (Pa. Commw. Ct. 2008). The basis for this deference is the specific knowledge and expertise the Board possesses to interpret said zoning ordinances. *Willits Woods Assoc. v. Zoning Bd. of Adjustment City of Philadelphia*, 587 A.2d 827, 829 (Pa. Commw. Ct. 1991).

Tucker’s first claim alleges that the Board abused its discretion when it found that Tucker was not entitled to a vested right in its light industrial use of the North Avenue Expansion.

A vested right is a judicial construction used in Pennsylvania land use and zoning law to allow an equitable remedy in cases where statutory or bureaucratic inequities resulted in detrimental reliance by an individual or business entity. *Omnivest v. Stewartson Borough Zoning Hearing Bd.*, 641 A.2d 648, 651 (Pa. Commw. Ct. 1994). The vested right is applicable where a municipality, or representative of the municipality, has taken some affirmative action, such as the issuance of a permit, that is relied upon by the party seeking the vested right. *In re Kreider*, 808 A.2d 340, 343 (Pa. Commw. Ct. 2002).

In determining whether a landowner has acquired a vested right from permits issued by a local government, the Pennsylvania

Supreme Court has set forth the following standard, which considers:

1. The due diligence exercised by a landowner in attempting to comply with the law;
2. A landowner's good faith throughout the proceedings;
3. The expenditure of substantial unrecoverable funds;
4. The expiration, without appeal, of the period during which an appeal could have been taken from the issuance of the permit, and;
5. The insufficiency of the evidence to prove that the individual property rights or the public health, safety, or welfare would be adversely affected by the use of the permit.

Petrosky v. Zoning Hearing Bd. of Twp. of Upper Chichester, Delaware Cnty., 402 A.2d 1385, 1388 (Pa. 1979).

In this case, the Board found that Tucker was entitled to a vested right in the construction of the North Avenue Facility Expansion because a building permit was issued and relied upon for construction of the Expansion and all the factors of the *Petrosky* test were fulfilled. However, the Board also concluded that Tucker was not entitled to a vested right in the use of the Expansion because a Use and Occupancy Permit, as required by Section 1003 of the Zoning Ordinance, was never issued and, therefore, could not have been detrimentally relied upon by Tucker.⁶

For the following reasons, this Court finds that the Board abused its discretion when it determined that Tucker was not entitled to a vested right in the use of the North Avenue Facility Expansion.

As discussed supra, this Court is fully aware of the applicable scope of review and recognizes the deference that is to be afforded the Board's decision in this case. However, this Court finds that the Board's determination concerning Tucker's vested right in its use of the Expansion, as stated in its written Decision, is not supported by substantial evidence and therefore constitutes an abuse of discretion. *Sutliff Enterprises, Inc. v. Silver Spring Twp. Zoning Hearing Bd.*, 933 A.2d 1079, 1081 n.1 (Pa. Commw. Ct. 2007).

In order to be considered "substantial," the evidence relied upon by the Board to make its determination must be capable of being

⁶ Tucker contends, with good reason, that it did receive a Use and Occupancy Permit upon which it relied.

accepted by a reasonable mind as adequate to support the conclusion. *Cardamone v. Whitpain Twp. Zoning Hearing Bd.*, 771 A.2d 103, 104 (Pa. Commw. Ct. 2001).

In this case, in finding that Tucker was never issued the Use and Occupancy Permit required by Section 1003 of the Zoning Ordinance, the Board relied upon the testimony of current Borough President David Richards (Richards). Richards was elected in 2007 and took office in 2008, approximately eighteen (18) months after Tucker received its Use and Occupancy Permit from the Borough on September 26, 2006. Richards had no firsthand knowledge of Tucker's permitting process or of the Borough's permitting procedures at the time Tucker's Use and Occupancy Permit was issued. N.T. 5/18/10, p. 103, 19-21.

Despite Richards' complete lack of firsthand knowledge, the Board accepted his conclusion that Tucker was not in possession of, and had never been issued, the Use and Occupancy Permit that is required by Section 1003. In doing so, the Board rejected the testimony of the only Borough Manager/Zoning Officer/Codes and Building Permit Official who personally handled Tucker's entire permitting process, T. Michael Thoman. Thoman testified that when Tucker was issued the Use and Occupancy Permit from the Borough in 2006, Tucker was in compliance with all the regulations, including the Ordinance, set forth by the Borough. N.T. 4/27/10, p. 8, 12-24. Thoman further testified that no second Use and Occupancy Permit existed or was issued at any point during his tenure with the Borough, that he was fully aware of Tucker's expected light industrial use of the Expansion and that Tucker had been issued all the permits it needed to legally occupy the Expansion. *Id.*

Additionally, Tucker retained Attorney Patrick J. Fazzini, Esq. for the purpose of filing a Right to Know Request with the Borough to identify and obtain a copy of the second Use and Occupancy Permit that the Board was requiring. N.T. 5/18/10, pp. 91-99. Attorney Fazzini requested all certificates of occupancy, zoning permits, and building permits issued pursuant to the sections of the Zoning Ordinance that Tucker was alleged to be violating. *Id.* at pp. 19-23, 92. Attorney Fazzini testified that no property that was issued a building permit and subsequent use and occupancy permit by the Borough since 2000 had ever been issued the second Use and

Occupancy Permit that Tucker was purportedly lacking. Decision of the Board, Finding of Fact 29.

Attorney Fazzini further testified that he spoke with the Borough's secretary and inquired as to whether he was missing any files or if there were any other files that contained any additional, different, or modified use and occupancy permits. N.T. 5/18/10, pp. 98-99. In response to his inquiry, Attorney Fazzini testified that the Borough's secretary showed him that the Borough's computer only maintained one (1) version of a use and occupancy permit. *Id.* Attorney Fazzini stated that, upon inspection, the only version of a use and occupancy permit maintained by the Borough on its computer system was identical to the use and occupancy permit issued by the Borough to Tucker on September 26, 2006. Essentially, the Borough's own records suggest that the permit which the Board found Tucker to lack does not even exist.⁷

This Court recognizes the Board's ability, as the sole fact-finder, to determine the credibility of witnesses and reject even contradicted testimony. *In re Petition of Dolington Land Group*, 839 A.2d 1021, 1026 (Pa. 2003). Notwithstanding, this Court finds that the Board's determination that Tucker had not been issued the Use and Occupancy Permit required by Section 1003 is not supported by substantial evidence.

This Court concludes that no reasonable mind could examine the above-mentioned evidence and find the evidence used by the Board – the testimony of one witness who was without any firsthand knowledge of Tucker's permitting process or Borough procedures at the time Tucker's permits were issued – to be adequate to support the Board's finding that the use and occupancy permit issued to Tucker was not the Use and Occupancy Permit required by Section 1003. In making its finding, the Board determined that Thoman, the only Borough Zoning Officer who had contact with Tucker throughout its

⁷ The Court recognizes the Board's position that failure to uniformly enforce an ordinance provision does not preclude subsequent enforcement of said provision upon others. However, the concept of vested rights concedes, to some degree, the possibility of a zoning violation. Instead, the question is whether the applicant can rely upon the actions of the municipality in granting a permit, whether in error, or not. Here, the testimony of the witnesses shows that reliance was reasonable because Thoman's conduct was consistent with prior and subsequent practices of the Borough.

permitting process, was testifying outside of “his knowledge or expertise” when he testified about the authority and correctness of the permits *he personally issued* to Tucker in execution of his duties as a Borough Zoning Official. This Court finds the Board’s finding in this matter to be patently unreasonable and thus finds the Board’s determination to be an abuse of discretion.

Accordingly, since this Court has determined that the Board abused its discretion and finds that Tucker was issued the proper Use and Occupancy Permit, it must now determine whether Tucker is entitled to a vested right in its use of the North Avenue Facility Expansion.

After examining the record and applying the *Petrosky* test, the factors concerning the expenditure of substantial unrecoverable funds, the expiration of the time for appeal, and the likelihood of adverse affects on public health, safety, and welfare are not at issue in this case.⁸ Regarding the two remaining issues, due diligence and good faith, this Court will address them in turn.

When determining whether a landowner is entitled to a vested right, the Court must conduct an examination of whether the landowner acted with “due diligence in attempting to comply with the law.” *Id.* at 1388. In *Petrosky*, the Pennsylvania Supreme Court stated that a party who makes a zoning inquiry to the proper municipal official adequately exercises due diligence even if the party itself did not conduct independent research of the applicable zoning statutes. *Id.*

In this case, it is clear that Tucker has met its burden regarding its due diligence. In 2005, Tucker contacted Thoman, then the Borough Manager/Zoning Officer/Codes and Building Permit official, to determine and issue the appropriate building and zoning permits for the construction of the Expansion. Throughout the course of their involvement, Tucker informed Thoman of its plan to construct the Expansion and the proposed use of the Expansion, inquired as to any necessary zoning requirements, submitted a sketch plan for the

⁸ Specifically, Tucker spent in excess of \$1.2 million on the Expansion – clearly a substantial sum no matter what scale is used – that would constitute a significant amount of economic waste if the Expansion were to be torn down or left vacant. *Petrosky*, at 1388. The factors concerning the expiration of the period for a timely appeal and the likelihood of adverse affects on public health, safety, and welfare are not contested by the Board.

Expansion at Thoman's direction, relied on and received a building permit for the construction of the Expansion, and relied on and received its use and occupancy permit for the Expansion. Throughout this entire process, Thoman remained the only municipal official in the Borough who was authorized to give guidance as to zoning and building requirements.⁹

Clearly, in dealing with Thoman, Tucker exercised its due diligence by "making the inquiry of the proper official" and relying upon that official to "have knowledge about zoning." *Petrosky*, at 1388.

Regarding the second factor of the *Petrosky* test, good faith, the Board's argument that Tucker did not act in good faith predominantly rests upon its determination that Tucker was never issued the Use and Occupancy Permit required by Section 1003.

However, in its written Decision, the Board states that there is no evidence that Tucker ever misrepresented anything with regard to the permits for which it applied. Decision, pp. 8-9. Thus, since this Court has already determined that Tucker properly applied for, received, and relied upon the only use and occupancy permit in existence in the Borough at that time, the Board's argument of Tucker's bad faith is without merit.

Therefore, for the aforementioned reasons, this Court finds that Tucker has satisfied all the elements of the *Petrosky* test and is entitled to a vested right in the use of its North Avenue Facility Expansion.

Tucker's second claim alleges that the Board abused its discretion in concluding that Tucker is not entitled to the continuation of Tyco's light industrial nonconforming use at the Tyco Facility. In its written Decision, the Board stated that Tucker failed to meet the evidentiary burden necessary to prove it was entitled to claim a nonconforming use and, even if it had met its burden, that its proposed use of the Tyco Facility was no longer nonconforming.

⁹ The Board contends that Thoman issued the permit "in error" and therefore Tucker only had a vested right in the construction but not the use of the Expansion. In this case, the Board argues a distinction without a difference. The law of vested right exists to protect property owners from municipal errors when they otherwise comply with the *Petrosky* standard.

A lawful, nonconforming use is a use of a property that predates a subsequent prohibitory restrictive zoning action. *Hafner v. Zoning Hearing Bd. of Allen Twp.*, 974 A.2d 1204, 1210 (Pa. Commw. Ct. 2009). The right to maintain this nonconforming use is only available for uses that were lawful when they came into existence and which existed when the ordinance took effect. *Id.* It is the burden of the party proposing the use to prove its existence and legality before the enactment of the ordinance at issue. *Pietropaolo v. Zoning Hearing Bd. of Lower Merion Twp.*, 979 A.2d 969 (Pa. Commw. Ct. 2009). “This burden includes the requirement of conclusive proof by way of objective evidence of the precise extent, nature, time of creation and continuation of the alleged nonconforming use.” *Id.* (quoting *Jones v. Twp. of N. Huntington Zoning Hearing Bd.*, 467 A.2d 1206, 1207 (Pa. Commw. Ct. 1983)). Further, these determinations concerning the manner of use “are questions of fact on which a reviewing court defers to the fact-finder.” *Hafner*, 974 A.2d at 1211.

In zoning appeals, such as the instant matter, the Board is the sole fact-finder and is charged with determining the credibility of witnesses and the weight to be afforded to evidence. *In re Petition of Dolington Land Group*, 839 A.2d 1021, 1026 (Pa. 2003). This Court is not entitled to substitute its own interpretation of the evidence presented during the hearings for that of the Board. *Pietropaolo v. Zoning Hearing Bd. of Lower Merion Twp.*, 979 A.2d 969, 976 (Pa. Commw. Ct. 2009).

In this case, after hearing testimony on the issue, the Board determined that Tucker had not met its evidentiary burden required to establish that it was entitled to a continuation of a lawful, nonconforming use at the Tyco Facility. Specifically, the Board found that the evidence presented failed to objectively prove the precise extent, nature, time of creation, and continuation of the alleged nonconforming use. Decision, Conclusion of Law #24.

This Court is satisfied that the Board’s decision is supported by substantial evidence and thus does not constitute an abuse of discretion. *Sutliff Enterprises, Inc. v. Silver Spring Twp. Zoning Hearing Bd.*, 933 A.2d 1079, 1081 n.1 (Pa. Commw. Ct. 2007). Since Tucker’s failure to meet its evidentiary burden is dispositive of this issue, this Court will not address Tucker’s remaining contentions alleging an error of law by the Board concerning Tucker’s claim to a

nonconforming use. Therefore, the determination of the Board that Tucker is not entitled to a continuation of a light industrial, nonconforming use at the Tyco Facility is affirmed.

Tucker's two remaining claims concern its applications for Special Exceptions for both of its facilities. This Court's findings regarding Tucker's vested rights claim in its use of the North Avenue Facility Expansion render the Special Exception application for that facility irrelevant as there is no need for Tucker to procure a Special Exception when it already has a vested right in the use of the Expansion.¹⁰ Therefore, this Court will briefly address only the Board's findings concerning Tucker's application for Special Exceptions for the use of the Tyco Facility.

"A special exception is a conditionally permitted use, legislatively allowed, so long as a zoning hearing board finds that standards and conditions set forth in the [zoning] ordinance are met." *Pennsy v. Zoning Hearing Bd. of Dorrance*, 987 A.2d 1243, 1249 (Pa. Commw. Ct. 2009). Despite the name, special exceptions "are not 'exception(s)' to the zoning ordinance" but, rather, are uses that are expressly permitted in the zoning ordinance provided certain conditions and criteria are met. *Id.*

In reviewing an application for a Special Exception, the Board must follow the following standard:

[An] application for a special exception is to be granted or denied by the Board pursuant to the express standards and criteria set forth in the applicable zoning ordinance. Thus, what an applicant must demonstrate to obtain a special exception is determined on a case-by-case basis and will vary among the municipalities based upon the use requested and the language in the ordinance. Once the applicant for a special exception meets his initial burden of showing compliance with all the objective requirements of the zoning ordinance, it is presumed that the proposed use is consistent with the promotion of local concerns relating to general health, safety and welfare,

¹⁰ To the extent that the Borough believes that Tucker is not in compliance with Ordinance performance standards concerning various issues such as fire and explosion hazards, noise, odors, air pollution, etc., such issues can and should be addressed by subsequent actions for any violations.

and normally, the burden then shifts to any objectors to prove that the proposed use is, in fact, detrimental to those same concerns.

Elizabethtown/Mt. Joy Assoc., L.P. v. Mt. Joy Twp. Zoning Hearing Bd., 934 A.2d 759, 764 (Pa. Commw. Ct. 2007) (internal citations omitted).

As discussed at length, *supra*, this Court's scope of review is limited to determining whether the Board committed an error of law or a manifest abuse of discretion. *In re Petition of Dolington Land Group*, 839 A.2d 1021, 1026 (Pa. 2003).

In this case, although separate testimony was given on certain issues specific to each property, Tucker primarily combined its case for the granting of Special Exceptions to both facilities so that the evidence presented in support of the application for the North Avenue Facility Expansion also served as its evidence in support of the Tyco Facility. The Board accepted this premise and, as such, this Court will follow in the Board's acceptance and look at all the evidence presented by Tucker, including that which concerns the North Avenue Facility Expansion even though, as previously discussed, a special exception is not needed for that facility.

After a substantial amount of expert testimony and evidence was presented before the Board, the Board concluded that the Tyco Facility failed to meet the standards articulated in the Fire and Explosion Hazards section (Section 511-01) of the Ordinance.

After reviewing the record, this Court is satisfied that the Board's findings regarding Tucker's application for a Special Exception for the use of the Tyco Facility are supported by substantial evidence and do not constitute an abuse of discretion or error of law.

Thus, for the reasons set forth herein, this Court's decisions in this matter are as follows: Appellant Tucker's claim that its due process rights were violated by the Board is DENIED; Appellee East Berlin Borough Zoning Hearing Board's determination that Tucker was not entitled to a vested right in the use of its North Avenue Facility Expansion is REVERSED; all remaining findings and conclusions made by the Board with regard to this matter are AFFIRMED.

ORDER

AND NOW, this 6th day of December 2011, upon consideration of Appellant's, Tucker Industrial Liquid Coatings, Inc., Land Use Appeal and Appellee's, East Berlin Borough Zoning Hearing Board, and Intervenor's, East Berlin Borough, responses thereto, it is HEREBY ORDERED that:

1. Appellant Tucker's claim that its due process rights to a fair and impartial tribunal were violated by the Board is DENIED.
2. Appellee East Berlin Borough Zoning Hearing Board's determination that Tucker was not entitled to a vested right in the use of its North Avenue Facility Expansion is REVERSED.
3. All other findings and conclusions made by Appellee East Berlin Borough Zoning Hearing Board with regard to this matter are AFFIRMED.

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 JAMES M. CHURCH, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executor: Randy L. Church, 760 Red Hill Road, New Oxford, PA 17350

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

ESTATE OF JOYCE L. JACOBY, DEC'D

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Co-Executors: Debra A. Menchey and Steven J. Jacoby, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

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

ESTATE OF LILLIAN D. RODGERS, DEC'D

Late of Union Township, Adams County, Pennsylvania

Executors: Jeane A. R. New, 610 Wood Branch Road, Effingham, SC 29541; Robert B. Rodgers, 16612 Cutlass Drive, Rockville, MD 20853

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

ESTATE OF SHIRLEY E. WEIGAND, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: Michael E. Weigand, 59 Ruppert Road, East Berlin, PA 17316

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

SECOND PUBLICATION**ESTATE OF JOHN E. EMANUEL a/k/a JOHN E. EMANUEL SR., DEC'D**

Late of Tyrone Township, Adams County, Pennsylvania

John E. Emanuel Jr. and Michael C. Emanuel, c/o David W. Reager, Esq., Reager & Adler, PC, 2331 Market Street, Camp Hill, PA 17011

Attorney: David W. Reager, Esq., Reager & Adler, PC, 2331 Market Street, Camp Hill, PA 17011

ESTATE OF HARRY S. KRAMER, DEC'D

Late of the Borough of Fairfield, Adams County, Pennsylvania

Executor: A. J. Kramer, c/o Steven A. Widdes, Esq., Reardon & Associates, LLC, 985 Old Eagle School Road, Suite 516, Wayne, PA 19087

Attorney: Steven A. Widdes, Esq., Reardon & Associates, LLC, 985 Old Eagle School Road, Suite 516, Wayne, PA 19087

ESTATE OF KATHRYN A. LASH, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Co-Executors: Pearl A. Thorpe, 1407 New Forest Drive, Longview, TX 75601; Mark R. Fleming, 120 Ridge Drive, Dillsburg, PA 17019

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

ESTATE OF HELEN Y. OMWAKE, DEC'D

Late of the Borough of New Oxford, Adams County, Pennsylvania

Patti German, 84 Rose Lane, New Oxford, PA 17350

Attorney: Stephen D. Kulla, Esq., Kulla, Barkdoll, Ullman & Painter, P.C., 9 East Main Street, Waynesboro, PA 17268

ESTATE OF LULA V. SADLER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Janis Lyn Ball, 183 Belmont Road, Gettysburg, PA 17325

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

THIRD PUBLICATION**ESTATE OF RICHARD DENIKE a/k/a RICHARD GEORGE DENIKE, DEC'D**

Late of Tyrone Township, Adams County, Pennsylvania

Administrator: Scott Denike, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

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

ESTATE OF ROBERT C. GROVE, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executrix: Deborah E. Horn, 62 Hunterstown-Hampton Road, Gettysburg, PA 17325

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

ESTATE OF THOMAS E. LARSON, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executrix: Evelyn M. Larson, c/o Erin J. Miller, Esq., Elder Law Firm of Robert Clofine, 120 Pine Grove Commons, York, PA 17403

Attorney: Erin J. Miller, Esq., Elder Law Firm of Robert Clofine, 120 Pine Grove Commons, York, PA 17403

ESTATE OF ARLENE B. MURRAY, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Co-Executrices: Johneta M. Yingling, 432 West Middle Street, Gettysburg, PA 17325; June F. Rea, 517 4th Street, New Cumberland, PA 17070

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

ESTATE OF NORMA L. POLAND, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executrix: Donna L. Troyer, 50 Sycamore Lane, Hanover, PA 17331

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

ESTATE OF PAUL D. SCOTT, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Robert A. Scott, 640 Stone Jug Road, Biglerville, PA 17307

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

