

Adams County Legal Journal

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IN THIS ISSUE

OBERLIN VS. NAUGLE ET AL

This opinion continued from last issue (4/17/2009)

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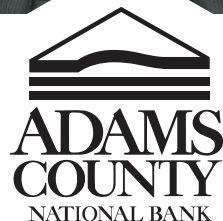
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1633 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 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 piece, parcel or tract of land situate, lying and being in the Borough of McSherrytown, Adams County, Pennsylvania, and more particularly bounded and described as follows, to wit:

BEGINNING for a corner at Main Street and Lot No. 3, now or formerly of Mary A. Rider; thence along said Lot No. 3 North twenty-four (24) degrees West, one hundred eighty-five (185) feet to a corner at a sixteen foot wide alley; thence along said alley South sixty-six (66) degrees West, thirty (30) feet to a corner at Lot No. 1, now or formerly of Martz; thence along said Lot No. 1 South twenty-four (24) degrees East, one hundred eighty-five (185) feet to a corner at Main Street aforesaid; thence along said street North sixty-six (66) degrees East thirty (30) feet to a corner, the place of Beginning and known as Lot No. 2 on a plat or plan of a series of lots laid out by Julius W. Fischer, Executor of the Last Will and Testament of Ann Eliza Zinn, deceased.

IT BEING the same which Lewis J. Bunty, single person, by his deed dated October 20, 1942 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, granted and conveyed unto Carl F. Grott and Rosie C. Kerchner, (formerly known as Rosie C. Grott), husband and wife. The said Carl F. Grott having predeceased his wife vesting right, title and interest in Rosie C. Kerchner, deceased, GRANTOR HEREIN.

TITLE TO SAID PREMISES IS VESTED IN Michael E. Appler, by Deed from James Henry Grott, Executor under the Last Will and Testament of Rosie C. Kerchner, f/k/a, Rosie C. Grott, deceased, dated 08/27/2002, recorded 09/05/2002 in Book 2791, Page 203.

Tax Parcel # (28) 002-0083

Premises Being: 37 Main Street, McSherrytown, PA 17344

SEIZED and taken into execution as the property of **Michael E. Appler** 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 June 5, 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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-1131 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 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 Conewago Township, Adams County, Pennsylvania, known on the plat of general plan of a series of lots, streets, or avenues, of lands of the Hanover Improvement Company, as Lot No. 8 on the South side of Maple Avenue in Block No. 13, adjoining Lot No. 7 on the West, a public alley on the South, Lot No. 9 on the East, and Maple Avenue on the North. Said plan or general plan being recorded in the Adams County Deed Book WW, Page 600.

SUBJECT, however, to the following restrictions: that no buildings of any kind whatsoever shall ever be erected on said lot or piece of ground within fifteen (15) feet of the inside line of said Maple Avenue.

Being Known As: 378 Maple Avenue (Conewago Township), Hanover, PA 17331

Property ID No. # (08) 008-0087

TITLE TO SAID PREMISES IS VESTED IN Mathew D. Ebaugh by deed from Ronald L. Zartman and Dorothy L. Zartman, husband and wife dated 9/10/2004 recorded 9/16/2004 in Deed Book 3707 Page 22.

SEIZED and taken into execution as the property of **Mathew D. Ebaugh** 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 June 5, 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.

4/17, 24 & 5/1

TRUST NOTICE

NOTICE IS HEREBY GIVEN that Kenneth W. Leister died December 26, 2008, a resident of Oxford Township, Adams County, Pennsylvania. All persons indebted to Mr. Leister are required to make payment, and those having claims or demands to present the same without delay to Ruth H. Leister, Rebecca A. Albrecht or Sally Y. Howe, Co-Trustees of the Kenneth W. Leister Revocable Trust, or to their attorney name below.

Elyse E. Rogers, Esq.
Keefer Wood Allen & Rahal LLP
635 North 12th Street, Suite 400
Lemoyne, PA 17043

4/24, 5/1 & 8

A determination as to the disparity between the amount of out-of-pocket expenses and the amount of the verdict is difficult. Oberlin has not sought out-of-pocket expenses due to a \$100,000 medical pay limit provision in her personal injury motor vehicle insurance policy. Oberlin suggests that this factor is irrelevant as she was prohibited from introducing evidence of her out-of-pocket expenses at trial. Indeed, there is appellate authority that this factor should not be considered by a trial court in considering remittitur where the law prevents the introduction of out-of-pocket expenses at trial. See *Ammon v. Arnold Pontiac-GMC, Inc.*, 522 A.2d 647, 650 (Pa. Super. 1987). The panel in *Ammon* reasoned that since the trial court did not have complete evidence as to the extent of the out-of-pocket expenses, consideration of only the portion of those expenses of which the court was aware was unfair. Notably, the *Ammon's* opinion did not include discussion of the policy limits available to the insured under first party benefits which, incidentally, were required to be maintained by the now repealed No-Fault Act.⁷ It is for this reason that I find *Ammon* is not wholly controlling.

While it is true that evidence of out-of-pocket expenses is not available to this Court, in her Brief, Oberlin has conceded that past out-of-pocket expenses combined with future out-of-pocket expenses related to medical treatment will not exhaust the \$100,000 insurance policy limit. It is therefore reasonable to conclude that at the very outer limit, Oberlin's total out-of-pocket expenses are \$100,000. In reaching this conclusion, I am cognizant that it works to the detriment of Baer as it is possible that out-of-pocket expenses are less than \$100,000. Nevertheless, even applying the potentially inflated figure of \$100,000 as the amount of Oberlin's out-of-pocket expenses, I determine that this factor weighs in favor of granting remittitur.

The jury's final award of approximately \$2.5 million translates to an award of 25 times Oberlin's out-of-pocket expenses including medical treatment. While there is no rule of thumb as to the appropriate ratio of out-of-pocket expenses to judgment, the experiences of this Judge teaches that a ratio of 25 to 1 is an apparition from the personal injury cases otherwise coming through this Court system. Accordingly, in weighing the relationship between out-of-pocket expenses to the award granted by the jury, I find the latter to be exorbitant.

⁷ Act of July 19, 1974, P.L. 489, No. 176, § 101 et seq., 40 P.S., § 1009.101 et seq., repealed in 1984.

Although appellate authority compels the trial court to consider the severity of the injury in assessing the propriety of granting remittitur, there is a paucity of appellate authority offering any guidance as to the scale used to measure severity. By way of example, one who might suffer from the occasional throbbing of a headache may very well consider their condition severe especially in light of the fact that the condition may be a lifetime ailment. Yet, such a condition undoubtedly pales in comparison to one who has suffered the significant loss of cognitive skills, requires 24-hour medical supervision, is a quadriplegic, or comatose. It is, perhaps, this reason that no precise measure exists as a guiding standard of fairness and reasonableness. See *Schenkel v. Pittsburgh & Birmingham Traction Co.*, 44 A. 1072, 1073 (Pa. 1899).

Although no guiding standard exists, the trial court is tasked with objectively reviewing the jury's highly subjective action in exercising its duty to prevent the miscarriage of justice. *Thompson v. City of Philadelphia*, 493 A.2d 669, 672 (Pa. 1985) (it is not only a trial court's inherent fundamental and salutary power, but its duty to grant a new trial where a miscarriage of justice has resulted). Because of the lack of any rigid guidelines in assessing pain and suffering, the court is properly permitted to rely upon its own experiences. See *Haines v. Raven Arms, supra* (Supreme Court cited with approval the experience of three civil trial judges in granting the remittitur of a jury verdict).

While undoubtedly Oberlin suffered injury as a result of the negligence of Baer, I find that injury to be moderate on the spectrum of personal injuries. A fair reading of the record indicates a lack of any significant future medical needs. There is nothing to suggest that Oberlin is subject to embarrassment or ridicule because of her injury. There is no indication that Oberlin suffered disfigurement, cosmetic injury, or substantial loss of a body organ or function. The accident caused neither broken bones nor any significant laceration or open wounds. (Trial transcript, p. 32: 11-14) Oberlin did not lose consciousness during the accident and there is a complete paucity of evidence that she required assistance in leaving the accident scene and returning to her home. In fact, there is no indication in the record that she even received medical assistance at the scene. Although she later reported to the Hanover Hospital for evaluation, she was treated and released that same day. (Trial transcript, p. 32: 8-10) She returned to her home following her release from the hospital without

assistance. (Trial transcript, p. 32: 15-18) During her visits with a variety of medical professionals throughout the course of her treatment, there is no indication that she ever required overnight hospitalization. Although she underwent injections to relieve her pain, she never underwent any surgical intervention. (Trial transcript, pp. 45: 12-15 & 46: 24-25)

While her injuries have caused some activities to be restricted, this 53-year-old woman continues to participate in a myriad of activities including traveling long distances. (Trial transcript, pp. 48: 6-8; & 53-54) Since the accident, she has carried as many as two jobs at the same time (Trial transcript, p. 66: 2-11) and, as of the time of trial, was working approximately seven-hour days. (Trial transcript, p. 54: 1-3) Oberlin bluntly and frankly indicated that she intended on working with her current employer “as long as I’m kicking I guess, as long as they’ll keep having me.” (Trial transcript, p. 62: 2-5) There is no recommendation for future surgery nor has Oberlin made a claim for significant future medical accommodations. (Trial transcript, p. 104: 14-16) She currently treats with a muscle relaxant (Trial transcript, p. 55: 8-13), warm compresses, and occasional ice. (Trial transcript, p. 32: 21-25 & 54: 11-13) As indicated, she also sporadically undergoes therapy. (Trial transcript, p. 48: 1-8 & 60: 14-15) Although undoubtedly traumatic for Oberlin, the accident was rather nondescript when compared to the horrific accidents which regularly are the subjects of litigation. Despite Oberlin’s counsel’s herculean attempts to present the accident in a different light, photographs of the physical evidence consisting of damage to Oberlin’s vehicle indicate rather minimal damage. Accordingly, I find this factor weighs in favor of granting remittitur.

In considering whether the injuries are demonstrated by objective physical evidence, I am mindful that the jury, as a finder of fact, is “free to believe all, some, or none of the testimony presented...” *Neison v. Hines*, 653 A.2d 634, 637 (Pa. 1995). Thus, while Baer’s suggestion that there is a lack of credible evidence of objective injury caused by the accident may be persuasive to some, I cannot and will not usurp the role of the jury. Oberlin’s expert testimony demonstrated that there was objective physical evidence of Oberlin’s injury. Similarly, Oberlin’s expert opined that the injury was permanent and could not be corrected by surgical intervention. As the jury’s verdict

obviously indicates their conclusion as to the credibility of this testimony, for purposes of this evaluation, I also conclude that Oberlin's injuries are demonstrated by objective physical evidence and are permanent in nature.

Finally, appellate authority instructs the trial court to consider the amount of damages requested by the plaintiff in the complaint. This direction, however, causes disconcertion. While the appellate courts direct trial courts to consider the amount of damages requested in the complaint when weighing the propriety of remittitur, I can't help but recognize that the Pennsylvania Rules of Civil Procedure impose procedures which effectively vitiate such a consideration. Specifically, the Rules prohibit the complaint from including a claim for a specific sum for non-economic damages other than to state whether the amount claimed exceeds compulsory arbitration limits. Pa. R.C.P. 1021. Under the general scenario presented by a personal injury claim, all of which generally include claims for non-economic damages, it is difficult to imagine how this factor would ever be applicable in light of specific requests for damages being routinely and customarily absent from negligence complaints. It would be reasonable, therefore, to conclude that settlement demands made by a plaintiff are a proper subject for consideration. However, as Oberlin correctly notes, such a conclusion has been specifically rejected by our appellate courts. *Ammon v. Arnold Pontiac-GMC, Inc.*, *supra* A.2d at 650 (settlement offers are not appropriate consideration in determining propriety of remittitur). It is the inherent contradiction in the direction from our appellate courts to consider a factor which routinely is not applicable that causes this writer concern. Nevertheless, I am bound to follow the instruction of *Ammon* and will not weigh this consideration as the current complaint contains no specific demand. See *Commonwealth v. Ewansik*, 520 A.2d 1189 (Pa. Super. 1987) (trial courts are bound to follow appellate authority).⁸

⁸Despite *Ammon*, Baer suggests that it is appropriate for this Court to consider Oberlin's initial demand of \$750,000 and her final demand of \$250,000. Although it is true that Oberlin made a final demand of \$250,000 as full and final settlement in this matter as trial was approaching, the rationale behind *Ammon* in precluding consideration of this final demand is sound. Parties routinely compromise claims at less than full value for a variety of reasons perhaps unrelated to the merits of the case, i.e. emotionally unable to handle the rigors of a jury trial. As *Ammon* recognized, not only is settlement without litigation to be encouraged, but offers to compromise are

(Footnote 8 continued to next page)

After consideration of the factors enunciated by the Supreme Court, I determine that a remittitur is appropriate. Although prudence dictates that courts exercise the authority to grant remittitur sparingly, it is this Court's duty to act where a miscarriage of justice is obvious. Having sat through this trial and observed the evidence as it unfolded, and having since read the cold record on several separate occasions, the amount of the verdict is a shock to this Court's sense of justice. The verdict is exorbitant and so disproportionate to the evidence that it defies common sense and logic and suggests that the jury was guided by partiality, prejudice, or mistake. I have no hesitancy in finding the verdict exorbitant as it "stands forth like a beacon."⁹ *Kiser v. Schulte*, 648 A.2d 1, 4 (Pa. 1994) (where the injustice of the verdict "stands forth like a beacon," a court should not hesitate to find it inadequate).

(Footnote 8 continued from previous page)

not in and of themselves admissions as to the merits of the case. Consideration of such a factor when determining the possible excessiveness of a verdict discourages the settlement of disputes. *Ammon*, *Id.*

Baer's invitation to consider the initial demand made by Oberlin is much more enticing. Oberlin's initial demand of \$750,000 was made relatively early in this litigation prior to the give and take which normally accompanies settlement negotiations. In fact, as of the date of pre-trial conference held in this matter on April 6, 2006, Baer had not yet responded, let alone made a counter offer in furtherance of settlement. Interestingly, Oberlin's counsel, in the correspondence tendering the initial demand, attempted to bolster her demand of \$750,000 by suggesting that "it's altogether possible that the numbers may get close to \$1,000,000 when all is said and done." (Exhibit A to Defendant's Brief in Support of Post-Trial Relief) This would seem to suggest that even under a perfect scenario from Oberlin's point of view, the value of the claim did not exceed \$1,000,000. Nevertheless, in deference to *Ammon*, I will not consider this factor.

⁹In her Brief, Oberlin cites a comment made by the Court after the verdict was announced and the jury discharged that "I guess things are changing in Adams County." While Oberlin correctly cites the language of this Court, any interpretation of the statement as evidence of judicial approval of the verdict is inaccurate. Quite frankly, I was stunned by the amount of the verdict and at a loss as to how to maintain judicial demeanor while internally processing my concern over a verdict which cried out for judicial intervention. The comment by the Court was nothing more than a non-committal release of the distress accompanying the Court's utter shock at the exorbitant award. Quite frankly, had this Court been the fact-finder, the verdict would not have exceeded five figures. Nevertheless, in considering whether to grant remittitur, I do not have the luxury, or the power, to substitute my opinion for that of the fact-finder. *Smalls v. Pittsburgh-Corning Corp.*, 843 A.2d 410, 414 (Pa. Super. 2004).

For the foregoing reasons, Baer's Motion for New Trial is denied conditioned upon the filing of a remittitur reducing the award to \$800,000, exclusive of delay damages, within fourteen (14) days of the date of this Opinion. Failure of Oberlin to comply with this condition shall result in the automatic grant of a new trial.¹⁰

ORDER

AND NOW, this 5th day of June, 2008, for the reasons set forth in the attached Opinion, the Defendants' Motion for New Trial is conditionally denied upon the condition that the Plaintiff agrees, by writing filed with the Adams County Prothonotary's Office within fourteen (14) days of the date of this Order, to a remittitur in the award entered by the jury reducing the award to \$800,000 exclusive of delay damages. In the event Plaintiff does not consent to remittitur as set forth herein, Defendants' Motion for New Trial shall be granted.

¹⁰ In light of the decision contained herein, the Court does not currently act on the claim for delay damages. In the event Oberlin consents to remittitur, the Court will rule on delay damages. In the event Oberlin does not consent to remittitur, a new trial will be Ordered in which case the claim for delay damages is moot.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1490 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 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 Mount Joy Township, Adams County, Pennsylvania, more particularly described as follows:

BEGINNING at a magnetic spike situate in the center line of Two Taverns Road (SR 2001) at corner of Lot No. 2 as designated on the hereinafter mentioned survey; thence continuing by Lot No. 2 and through a steel rod set thirty (30) feet back from the beginning of this course, South seventy-four (74) degrees zero (00) minutes zero (00) seconds East, four hundred fifty (450) feet to a steel rod at corner of Lot No. 2 as designated on the hereinafter mentioned survey; thence continuing by Lot No. 2 and also by Lot No. 1, both of which are designated on the hereinafter mentioned survey, North sixteen (16) degrees zero (00) minutes zero (00) seconds East, three hundred thirty-three and three hundredths (333.03) feet to a steel rod along line of lands now or formerly of Walter J. Franek; thence continuing by said same lands, South forty-eight (48) degrees forty-four (44) minutes five (5) seconds East, eight hundred seven and eighty-six hundredths (807.86) feet to an existing steel rod along line of lands now or formerly of Walter J. Franek; thence continuing by said same lands South fifteen (15) degrees fifty-six (56) minutes forty (40) seconds West, one hundred sixty-eight and twenty-two hundredths (168.22) feet to a steel rod at the corner of Lot No. 4 as designated on the hereinafter mentioned survey; thence continuing by Lot No. 4 and through a steel rod set thirty (30) feet back from the end of this course, North seventy-four (74) degrees zero (00) minutes zero (00) seconds West, one thousand one hundred eighty and seventy-four hundredths (1180.74) feet to a magnetic spike set in the center line of Two Taverns Road (SR 2001); thence continuing by the center line of Two Taverns Road (SR 2001) North sixteen (16) degrees zero (00) minutes zero (00) seconds East, one hundred eighty (180) feet to a magnetic spike set in the center line of Two Taverns Road (SR 2001) at the corner of Lot No. 2 as designated on the hereinafter mentioned survey, the place of BEGINNING, CONTAINING 7.572 acres.

The above description was taken from a Final Plan prepared by Adams County

Surveyors for King Investment Properties, dated August 13, 1997, Adams County Plat Book 73, at page 2, designating the above as Lot No. 3.

IT BEING the same tract of land which Monzer K. Mereby and Susan F. Mereby, husband and wife, by deed dated April 30, 2002 and recorded in the Office of the Recorder of Deeds for Adams County, Pennsylvania, in Book 2643, page 49, granted and conveyed unto Brian A. Rademacher and Kathleen A. Rademacher, GRANTORS HEREIN.

TITLE TO SAID PREMISES IS VESTED IN Shari L. Ferguson, by Deed from Brian A. Rademacher and Kathleen A. Rademacher, h/w, dated 09/11/2007, recorded 10/02/2007 in Book 4996, Page 60.

Tax Parcel # (30) H15-0081

Premises Being: 175 Two Taverns Road, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Shari L. Ferguson** 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 June 5, 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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1209 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 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, lying and being in the Borough of Gettysburg, Adams County, Pennsylvania, known as 112 York Street, more particularly bounded and described as follows:

BEGINNING at a drill hole at the southwest corner of the building herein conveyed and corner of lands now or formerly of Ralph F. Dolheimer; thence by said lands now or formerly of Ralph F. Dolheimer North 00 degrees 02 minutes

20 seconds East 181.61 feet to a magnetic spike located along the southern edge of Racehorse Alley East; thence along the same South 89 degrees 37 minutes 20 seconds East 28.20 feet to an existing magnetic spike at the northwest corner of lands now or formerly of Paul L. Beale; thence by the same South 01 degree 20 minutes 00 seconds West 181.50 feet to an existing drill hole in the sidewalk approximately 12 feet north of the curb line of York Street; thence in the said sidewalk and along the front of the building herein conveyed North 89 degrees 54 minutes 00 seconds West 25.05 feet to a drill hole at the corner of the building herein conveyed, the point and place of BEGINNING, CONTAINING 4,834 square feet.

The above description was taken from a boundary survey prepared for the Estate of Leonide V. Bowling by Adams County Surveyors, dated February 23, 2005.

TITLE TO SAID PREMISES IS VESTED IN Bradley D. Poland and Sherrin A. Poland, husband and wife, as tenants of an estate by the entireties, by Deed from David P. Knox, Executor of the last Will and Testament of Leonide V. Bowling, deceased, dated 02/25/2005, recorded 02/28/2005, in Deed Book 3878, page 87.

Tax Parcel # (16) 007-0231

Premises Being: 112 York Street, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Bradley D. Poland & Sherrin A. Poland** 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 June 5, 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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1573 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 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 or parcel of land and premises, situate, lying and being in the Township of Huntington, in the County of Adams and Commonwealth of Pennsylvania, more particularly described as follows:

Adams County Map G3 Parcel 98 BEGINNING at a railroad spike set in the center of the cartway of the Peach Glen-Idaville Road, said pin marking the common point of adjoiner of lots #10, #12, #14, and #15 on the hereinafter mentioned plan of subdivision; thence departing from the center line of the Peach Glen-Idaville Road, and extending along lot #14, south 27 degrees 00 minutes 00 seconds West, for a distance of 65.57 feet to an existing stone which marks the common point of adjoiner of the within described tract, lands now or formerly of Crestmont Orchards, Inc., lands now or formerly of Craig W. Hikes, and other lands now or formerly of Kimba, Inc.; thence extending along other lands now or formerly of Kimba, Inc., north 13 degrees 45 minutes 15 seconds west, for a distance of 268.95 feet to a concrete monument at lot #16; thence extending along lot #16, north 34 degrees 1 minutes 37 seconds east, for a distance of 504.67 feet to a point in the center of the cartway of Peach Glen-Idaville Road; thence extending in and through a point in the center of the cartway of the Peach Glen-Idaville Road, south 63 degrees 00 minutes 00 seconds east, for a distance of 175 feet to a railroad spike in the center of said roadway at lot #14, said spike marking the place of BEGINNING.

Containing 3.047 acres, and being designated as Lot # 15 on a final plan of subdivision of Peach Glen Meadows — Phase II, prepared for Kimba, Inc. by Edward L. Mort, R.S., dated March 14, 1985, and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania in Plot Book 41 at Page 127. This property being subject to existing restrictions.

BEING the same premises which Tax Claim Bureau, of the County of Adams, Pennsylvania, as Trustee, by its deed dated January 13, 2006, and recorded in the office of the Recorder of Deeds in and for Adams County in Record Book 4311, Page 156, granted and conveyed to Thomas Nell and Marcia Nell, husband and wife.

Being Known As: 250 Peach Glen Idaville Road, Gardners, Pennsylvania 17324.

TITLE TO SAID PREMISES IS VESTED IN James L. Mellott and Sue Ann Yeater by deed from Thomas Nell and Marcia Nell, husband and wife, dated July 31, 2006 and recorded August 1, 2006 in Deed Book 4516, Page 176.

Tax Parcel # (22) G03-0098

SEIZED and taken into execution as the property of **James L. Mellott & Sue Ann Yeater** 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 June 5, 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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-TL-328 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of May, 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 Hamilton Township, Adams County, Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a steel pin at Lot No. 11 and a fifty (50) feet wide right of way known as Foxtown Drive of the hereinafter referenced subdivision plan; thence along and with Foxtown Drive by a curve to the left with a radius of two hundred fifty and zero hundredths (250.00) feet, an arc distance of one hundred sixty and zero hundredths (160.00) feet and a long chord bearing and distance of South thirty-six (36) degrees thirty-two (32) minutes thirty-two (32) seconds West, one hundred fifty-seven and twenty-eight hundredths (157.28) feet to a steel pin; thence continuing along and with Foxtown Drive South eighteen (18) degrees twelve (12) minutes twenty-eight (28) seconds West twenty-four and three hundredths

(24.03) feet to a steel pin located at Lot No. 9 on the hereinafter referenced subdivision plan; thence continuing along Lot No. 9 North forty-two (42) degrees forty-two (42) minutes thirty-four (34) seconds West two hundred seventy-six and seventy-one hundredths (276.71) feet to a steel pin set at lands now or formerly of Carol E. Carbaugh; thence along said Carbaugh lands North sixty-six (66) degrees fifteen (15) zero (00) seconds East seventy-seven and zero (77.00) feet to a steel pin set at lands now or formerly of Christopher J. Newman; thence along said Newman lands North fifty-four (54) degrees fifty-seven (57) minutes thirty-four (34) seconds East one hundred twenty-nine and sixty-one hundredths (129.61) feet to a steel pin located at Lot No. 11; thence along Lot No. 11 South thirty-five (35) degrees seven (07) minutes twenty-three (23) seconds East one hundred ninety-five and nine hundredths (195.09) feet to a steel pin set along Foxtown Drive, the point and place of BEGINNING, CONTAINING 0.950 acres and being identified as Lot No. 10 on the Plan of Greystone Manor, Phase 3, in Plat Book 80, Page 62.

UNDER AND SUBJECT TO restrictions and conditions as now appear of record.

IT BEING the same premises which Dramka, Inc., a Pennsylvania corporation, by its Deed dated November 6, 2002, and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Record Book 2870, Page 317, granted and conveyed unto Scott A. Aschemeier and Diana N. Aschemeier, husband and wife.

Address Being: 161 Foxtown Drive, Abbottstown, PA 17301

Lot Number: (17) L 09 - 0179

SEIZED and taken into execution as the property of **Scott A. Aschemeier & Diana N. Aschemeier** 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 June 12, 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.

4/24, 5/1 & 8

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1560 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 15th day of May, 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 two certain tracts of land situated, lying, and being in Liberty Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

TRACT NO. 1:

BEGINNING at the East side of public road, leading from Harbaugh Valley to Fountaineale, which point is situated at the southwest corner of lands now or formerly of Junior Earl Anderson and wife; thence along said last mentioned lands North 81 degrees 45 minutes East, 200.5 feet to land now or formerly of Sam Bohrman; thence by said last mentioned lands, South 6 degrees 48 minutes East, 111 feet to an iron pin at lands now or formerly of Fred Nagle; thence by said lands, South 86 degrees 20 minutes West, 208.7 feet to a point in the center of a public road leading from Harbaugh Valley to Fountaineale; thence in the center of said road, North 2 degrees West, 95.7 feet to a point, the place of BEGINNING.

TRACT NO. 2:

BEGINNING at a point in the center of a public road, leading from Harbaugh Valley to Fountaineale; thence in said road North 2 degrees West, 173.7 feet to a point in the center of said road; thence by lands now or formerly of U.S. Government, South 72 degrees 33 minutes East, 203.3 feet to stones at lands now or formerly of Sam Bohrman; thence by said lands, South 6 degrees 48 minutes East, 85.7 feet to a pin; thence by lands now or formerly of Junior Earl Anderson, South 81 degrees 45 minutes West, 200.5 feet to a point in the center of the aforesaid public road, the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Jonathan D. Wright by deed from Jonathan D. Wright and Darla J. Wright, husband and wife dated November 15, 2001 and recorded December 6, 2001 in Deed Book 2485, Page 0213.

Tax ID # (25) A 18-0034

Being Known As: 544 Harbaugh Valley Road, Fairfield, PA 17320

SEIZED and taken into execution as the property of **John Wright a/k/a Jonathan D. Wright & Donna Wright** 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 June 5, 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.

4/17, 24 & 5/1

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-393 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of May, 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 the Borough of Littlestown, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point at a corner of Lot No. 451 on the subdivision plan hereinafter referred to; thence along Lot No. 451, North 60 degrees 03 minutes 07 seconds West 95.00 feet to a point at a corner of Lot No. 461; thence along Lot Nos. 461 and 460, North 29 degrees 56 minutes 53 seconds East, 20.00 feet to a point at corner of Lot No. 453; thence along Lot No. 453, South 60 degrees 03 minutes 07 seconds East, 95.00 feet to a point along the curb line of a parking area as shown on the subdivision plan hereinafter referred to; thence along said parking area, South 29 degrees 56 minutes 53 seconds West, 20.00 feet to a point at corner of Lot No. 451, the place of BEGINNING. CONTAINING 1,9000 Square Feet.

BEING Lot No. 452 on a plan of lots prepared by Group Hanover, Inc., which said plan is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plan Book 72 at page 23.

Having erected thereon a dwelling known as 83 S. Gala, Littlestown, PA 17340

Parcel# (27) 004-00038

BEING the same premises which Steven A. Shanebrook and Wanda Shanebrook by their deed dated 8/11/06 and recorded on 8/14/06 in the Recorder of Deeds Office of Adams County, Pennsylvania in Deed Book Volume 4531,

page 322 granted and conveyed unto Kenneth R. Skora and Austen Skora.

SEIZED and taken into execution as the property of **Kenneth R. Skora & Austen S. Skora** 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 June 12, 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.

4/24, 5/1 & 8

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 04-S-70 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of May, 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 two tracts of land situated, lying and being along the public road leading from the Hanover-Carlisle State Highway to the Hanover-Abbottstown State Highway, in Berwick Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

TRACT NO. 1:

BEGINNING at a post at the public road aforesaid (beginning on the semi-circle around Bethlehem Quarries) at other land now or formerly of Charles H. Bittinger, also known as C.H. Bittinger; thence by said lands in an Easterly direction for a distance of 168 feet to a post at other land now or formerly of Charles H. Bittinger, also known as C.H. Bittinger; thence by the same in a Southerly direction for a distance of 79 feet to a post at other land now or formerly of Charles H. Bittinger, also known as C.H. Bittinger; thence by the same in a Westerly direction for a distance of 168 feet to a post at the public road aforesaid; thence by the same in a Northerly direction for a distance of 79 feet to a post; the place of BEGINNING.

TRACT NO. 2:

BEGINNING for a corner at a point on the Easterly edge of Township Road T-509 at lands now or formerly of John E. Wolf and wife, as shown on the hereinafter referred to subdivision plan; thence from said point of beginning and along the Easterly edge of the aforesaid Township Road 1-509 North twenty-six (26) degrees thirty (30) minutes West, five (5) feet to a pin on the Easterly edge of said Township Road at Lot No. 1 as shown on the hereinafter referred to Subdivision plan; thence along the said Lot No. 1 North sixty-three (63) degrees fifty-one (51) minutes thirty-six (36) seconds East one hundred eighty-seven and forty-six hundredths (187.46) feet to an iron pin at other lands now or formerly of the C.H. Bittinger Estate; thence along said last mentioned lands South twenty-six (26) degrees eighteen (18) minutes thirteen (13) seconds East eighty-four (84) feet to an existing concrete monument; thence along lands now or formerly of Samuel W. Sipling as shown on said Subdivision plan South

sixty-three (63) degrees fifty-one (51) minutes forty (40) seconds West nineteen and seventeen hundredths (19.17) feet to a point at lands now or formerly of John E. Wolf and wife; thence binding on said lands of now or formerly of John E. Wolf and wife North twenty-six (26) degrees thirty (30) minutes West seventy-nine (79) feet to a point; thence continuing along said lands now or formerly of John E. Wolf and wife, South sixty-three (63) degrees fifty-one minutes forty (40) seconds West one hundred sixty-eight (168) feet to a point on the easterly edge of Township Road T-509 aforesaid, being the point and place of BEGINNING, CONTAINING .056 acres of land.

THE ABOVE DESCRIPTION was taken from a Subdivision Plan prepared by George M. Wildasin, bearing date of December 4, 1979 as revised June 30, 1981 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania, in Plat Book 35 at Page 141, and designated on said Subdivision Plan as Lot No. 2.

BEING THE SAME which Giovanni O. Silievar a/k/a Siliezar and Carol S. Silievar a/k/a Carol S. Siliezar by their deed dated 2/24/00 and recorded 3/21/00 in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Record Book 2018 at Page 1 granted and conveyed unto Giovanni O. Siliezar and Carol S. Siliezar, grantors herein.

Tax Parcel No.: (04) K 12-0093

Being Known As: 180 Municipal Road, Hanover, PA 17331

SEIZED and taken into execution as the property of **Giovanni O. Siliezar & Carol S. Siliezar** 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 June 12, 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.

4/24, 5/1 & 8

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1285 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of May, 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 Carroll Valley Borough, formerly Liberty Township, County of Adams, Commonwealth of Pennsylvania, being Lot No. 140 in Section K. bounded and described as follows:

BEGINNING at a point in the center of Ski Run Trail at Lot No. 141; thence by said lot, North 25 degrees 15 minutes 35 seconds East, 225 feet to lot 178; thence by said lot, South 64 degrees 44 minutes 25 seconds East, 100 feet to Lot 139; thence by said lot, South 25 degrees 15 minutes 35 seconds West, 225 feet to a point in the center of said Ski Run Trail; thence in said Ski Run Trail North 64 degrees 44 minutes 25 seconds West, 100 feet to the place of BEGINNING.

The above, description was taken from a plan of lots labeled "Section K. Chamila" dated March 3, 1969, prepared by Evans, Hagon & Holdefer, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Plat Book 1 at Page 42.

Parcel/Tax I.D. #: (43) 007 - 0114

Commonly known as 71 Ski Run Trail, Fairfield, PA 17320

SEIZED and taken into execution as the property of **Zachary J. Dimitri & Lisa M. Dimitri** 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 June 12, 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.

4/24, 5/1 & 8

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 JANE LOUISE FARNER, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Barbara J. Johnson, 988 W. Redwood Drive, Chandler, AZ 85248; Sharon L. Holtz, 107 Wyndham Way, Harrisburg, PA 17109

Attorney: Gregory S. Chelap, Esq., Skarlatos & Zonarich, LLP, 17 South 2nd Street, 6th Floor, Harrisburg, PA 17101

ESTATE OF NORMAN O. FORNESS, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: Adams County National Bank, P.O. Box 4566, Gettysburg, PA 17325

Attorney: Chester G. Schultz, Esq., 145 Baltimore Street, Gettysburg, PA 17325

ESTATE OF CHARLES S. HAMMER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Steven D. Hammer, 8015 Brooklyn Bridge Road, Laurel, MD 20707

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF CHARLES D. HARTLAUB, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Administratrix: Betty L. Hartlaub, 53 Conewago Park Dr., East Berlin, PA 17316; Carol A. Weaver, 37 Mud Run Rd., York Springs, PA 17372

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

ESTATE OF HOWARD HUDSON, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Susan M. Hudson and Dana H. Witt, 17 Tiffany Lane, Gettysburg, PA 17325

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

ESTATE OF EMMA H. JAMISON a/k/a EMMA CATHERINE JAMISON, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Donald L. Jamison, 217 East Middle Street, Hanover, PA 17331; Joan M. Crone, 5 Mobile Drive, Thomasville, PA 17364

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

ESTATE OF CHARLOTTE LOUISE MITCHELL, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Administrator: Gregory D. Gladfelter, 80 Jacqueline Drive, New Oxford, PA 17350

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

ESTATE OF CLOYD F. SHANK, DEC'D

Late of Huntington Township, Adams County, Pennsylvania

Executor: Gary E. Shank, c/o Rand A. Feder, Esq., Morris & Vedder, 32 N. Duke St., P.O. Box 544, York, PA 17405

Attorney: Rand A. Feder, Esq., Morris & Vedder, 32 N. Duke St., P.O. Box 544, York, PA 17405

SECOND PUBLICATION**ESTATE OF NORMA S. CLINGAN, DEC'D**

Late of the Borough of Biglerville, Adams County, Pennsylvania

Co-Executors: Owen S. Taylor, 188 Sycamore Road, Acme, PA 15610; Victoria T. Stallings, 910 Washington Place, Chesterbrook, PA 19087

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF EMMA V. GROVE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Mary Frances Goll, 7490 Labrador Circle, Anchorage, AK 99502

Attorney: John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF GEORGE DAVID KIER, DEC'D

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

Executrix: Noreen K. Acheson, 7 Lakeview Trail, Fairfield, PA 17320

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

ESTATE OF ROMAINE A. MOUL, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrices: Constance R. Long, 582 Orphanage Rd., Littlestown, PA 17340; Helen L. Osborne, P.O. Box 254, Codorus, PA 17311

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

ESTATE OF THELMA B. SANNO, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Administratrix: Brenda L. Whitworth, 3055 Table Rock Road, Biglerville, PA 17307

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

THIRD PUBLICATION**ESTATE OF DALE D. ECKERT, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executor: Ray R. Eckert, 2452 Beeler Avenue, York, PA 17408

Attorney: George W. Swartz, II, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF JAMES H. GARDNER, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Randy A. Gardner, 24 Brethren Court, Gettysburg, PA 17325

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

ESTATE OF LINDA M. STAUB, DEC'D

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Co-Executors: Raymond M. Staub, 29 Locust Street, Gettysburg, PA 17325; Rhonda L. Staub-Spicka, 23 Summer Drive, Gettysburg, PA 17325

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

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1714 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 22nd day of May, 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 for a point at Panther Drive and Lot No. 46; thence along Lot No. 46, North eighty-three (83) degrees thirty-nine (39) minutes thirty-one (31) seconds East, one hundred seventy (170.00) feet to a point at lands now or formerly of Arthur Brutout; thence along said lands, South six (6) degrees twenty (20) minutes twenty-nine (29) seconds East, ninety (90.00) feet to a point at Lot No. 44; thence along Lot No. 44, South eighty-three (83) degrees thirty-nine (39) minutes thirty-one (31) seconds West, one hundred seventy (170.00) feet to a point at a Panther Drive; thence along Panther Drive, North six (6) degrees twenty (20) minutes twenty-nine (29) seconds West, ninety (90.00) feet to the point and place of BEGINNING. CONTAINING 15,300 square feet and identified as Lot No. 45 on a plan of lots

entitled Conewago Valley Estates, Phases I, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Plan Book 73, Page 7.

Tax Parcel #: (08) 007-0105

Property Address: 205 Panther Drive, Hanover, PA 17331

SEIZED and taken into execution as the property of **Richard A. Runk & Deborah D. Runk** 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 June 12, 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.

4/24, 5/1 & 8

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