

# Adams County Legal Journal

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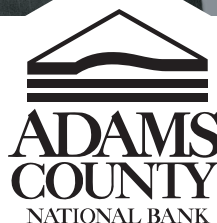
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## ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-263 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

That tract of land situate, lying and being in Reading Township, Adams County, Pennsylvania, being more particularly described as Lot No. 284 on a plan of lots of Lake Meade subdivision, duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 1 at Page 1, and subject to all legal highways, easements, rights-of-way and restrictions of record.

TOGETHER WITH the rights and subject to restrictions referred to in the above recited Deed and contained in Deed Book 327 at Page 18.

Parcel No. (37) 011-0099

BEING the same premises which Lynn E. Palmer and Debbie Palmer, by Deed dated May 2, 2006 and recorded in the Recorder of Deeds of Adams County on May 12, 2006, granted and conveyed unto Andrew J. Biesecker and Reagan N. Biesecker.

SEIZED and taken into execution as the property of **Andrew J. Biesecker & Reagan N. Biesecker** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/21, 28 & 9/4

IN THE COURT OF  
COMMON PLEAS OF  
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW  
CASE NO. 09-S-59  
NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE

OPTION ONE MORTGAGE CORPORATION, PLAINTIFF

vs.

JOHN J. CALLOWAY a/k/a JOHN J. CALLAWAY, MARY FRANCIS J. CALLOWAY a/k/a MARY FRANCIS J. CALLAWAY and BONNIE MICHELE STILLHAMMOND, DEFENDANTS

TO: JOHN J. CALLOWAY a/k/a JOHN J. CALLAWAY, AND UPON ANY AND ALL UNKNOWN HEIRS OF JOHN J. CALLOWAY a/k/a JOHN J. CALLAWAY, DEFENDANT(S), whose last known address is 130 Cashman Road, Gettysburg, PA 17325

AMENDED COMPLAINT IN  
MORTGAGE FORECLOSURE  
PURSUANT TO COURT ORDER

You are hereby notified that Plaintiff, OPTION ONE MORTGAGE CORPORATION, has filed an Amended Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Adams County, Pennsylvania, docketed to NO. 09-S-59, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 130 Cashman Road, Gettysburg, PA 17325, whereupon your property would be sold by the Sheriff of Adams County.

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the notice above, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH THE INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LAWYERS REFERRAL SERVICE

Court Administrator  
Adams County Courthouse  
Gettysburg, PA 17325  
717.337.9846

Louis A. Simoni, Attorney for Plaintiff  
Udren Law Offices, P.C.  
111 Woodcrest Rd., Ste. 200  
Cherry Hill, NJ 08003  
856.669.5400

9/4

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Corporation Bureau of the Pennsylvania Department of State, at Harrisburg, Pennsylvania, for the purpose of forming a domestic business corporation under the Pennsylvania Business Corporation Law of 1988 (P.L. 1444, No. 177), 15 Pa.C.S.A. §1301 *et seq.*, as amended, having unlimited power to engage in and do any lawful act permitted thereunder.

The name of the corporation is: KM2 PARTNERS, INC.

Arnold B. Kogan, Esq.  
Goldberg Katzman, P.C.  
320 Market Street, 3rd Floor  
P.O. Box 1268  
Harrisburg, PA 17108-1268

9/4

YORK SPRINGS AUDIT  
*Continued from last issue (8/28/2009)*

DISCUSSION

We must begin our discussion with the obvious understanding that a borough has the right to contract for police services. **53 P.S. § 46401.** Here, as stated in the Agreement, these neighboring municipalities had been contracting for joint police services since 1978. The 1984 Agreement was just the most recent version of this cooperative venture. One can assume that the parties, for the most part, found this arrangement to be mutually beneficial.

Surcharges assessed against borough officials must be based upon a showing that the official by vote, act, or neglect approved or permitted an unauthorized expenditure. In assessing a surcharge, the Borough Code provides:

The amount of any balance or shortage, or of any expenditure of a kind, or made in a manner, prohibited or not authorized by statute, which causes a financial loss to the borough, shall be a surcharge against any officer against whom such balance or shortage shall appear, or who by vote, act, or neglect, has permitted or approved such expenditure, but no elected or appointed official of a borough shall be surcharged for any act, error or omission in excess of the actual financial loss sustained by the borough, and any surcharge shall take into consideration as its basis the results of such act, error or omission and the results had the procedure been strictly according to law. The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of officers, nor to any penalty enuring to the benefit or payable to the Commonwealth.

**53 P.S. § 46041(c) (emphasis added).**

Here, the Auditors contend that the expenditure of \$10,973.94 was in excess of the express provisions of the Agreement and that Council member Shull, acting in his capacity as the Borough's representative on the Commission and as member of Council, inappropriately committed that amount of Borough funds towards the Commission budget of \$186,000 for the 2005 fiscal year.<sup>8</sup>

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<sup>8</sup> Auditors' arguments are taken from Appellee's Proposed Findings And Conclusions for the 2005 audit, filed February 29, 2008.

Auditors argue that the Agreement requires that each party's contribution to the Commission budget be calculated on a per-capita basis but that the calculation for 2005 was on a percentage basis. They further contend that the police budget was not presented to Council for approval by November 1st as required by the agreement. The Auditors assert that the Borough's contribution should have been \$34,526 based on the per-capita distribution provided for in the Agreement. They contend that Mr. Shull was the only member of Council who was privy to the Agreement and was therefore the only one who would have been aware of the miscalculation. It is the position of the Auditors that Mr. Shull should be surcharged for the excess because he failed to make full disclosure to Council of its financial obligations to the Commission under the Agreement and that he verbally committed the Borough to paying more than its contracted share of the police budget.

Shull argues that in 2002 there was pressure to modify the budget formula or the Township would exercise its right to terminate the Agreement. A proposal was presented to have the Borough contribute 27.5% of the 2003 police budget.<sup>9</sup> Shull contends that this information was shared with and agreed to by the 2002 members of Council. Although the minutes do not corroborate that discussion one way or the other neither the Auditors nor Shull have produced any of the 2002 Council members to support or contradict that discussion.

Clearly, however, the Auditors did not recommend a surcharge as part of the 2003 audit for expenditures in excess of the Agreement despite the fact that the percentage formula would have resulted in nearly a 25% increase in the Borough's share of the police budget from the prior year.

Likewise, it appears that the percentage formula was used again in 2004. No minutes or Council members were produced to clarify any discussion in 2003 regarding the 2004 police budget. However, again the audit for 2004 did not recommend a surcharge for overpayment.

The Auditors claim that Mr. Shull is precluded from arguing that he advised Council of the new calculation before adopting the 2005 budget. They argue that section 705 of the Sunshine Act, **65 Pa.C.S.A. §§ 701-716**, provides that all official actions are to be recorded in meeting minutes. They suggest that because Mr. Shull is

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<sup>9</sup>Using the per capita formula the Borough's share would have been 18.4%.

unable to produce evidence of a meeting where the minutes reveal any such disclosure that he is unable to sustain any requirement for him to demonstrate disclosure.

For several reasons the Court concludes that Auditor's position is untenable. First, Section 56041 of the Borough Code permits surcharges only where the conduct of the municipal official causes an expenditure to be made "in a matter, prohibited or not authorized by statute." The only statute which the Auditors argue was violated here is the Sunshine Act.

That Act is not applicable here. The Sunshine Act was adopted with the express intention of guaranteeing members of the public the right to be present when agencies, such as the borough, discuss an act upon business of that agency. There is absolutely no evidence in this case that when the Commission met to discuss a proposed budget for 2005 or that when Borough Council met to discuss and vote upon the police budget that those meetings were not properly open to the public as required by the act. The auditors have pointed to no other statute that prohibited the expenditure made toward the Commission's budget by the Borough.

Second, it appears that the Auditors wish to impose the surcharge solely upon Mr. Shull based upon their conclusion that he failed to disclose critical information to Council. That type of alleged neglect does not appear to be the type for which surcharges can be assessed under Section 46041. However, assuming, for the sake of argument, that nondisclosure of contractual terms could be so sanctioned, there is inadequate evidence to impose a surcharge in this case.

It is clear that the Borough's portion of the police budget for 2005 was not in conformity with the express terms of the Agreement. It was appropriate, therefore, for the Auditors to, at least, make inquiry about the discrepancy.<sup>10</sup> However, the conclusions they reached are not supported by the record.

The Court received uncontradicted testimony that in 2002 Commission members began discussing dissatisfaction with the per-capita method of calculating the apportioned shares of the parties to

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<sup>10</sup> Perhaps that same inquiry should have been made for fiscal years 2003 and 2004 but for reasons unknown in this record no surcharge was assessed for those years even though the Borough's portion of the police budget was based upon the percentage calculation instead of the per-capita calculation.

the Agreement. The Commission proposed a budget for fiscal year 2003 which designated the Borough's share as 27.5%. Mr. Shull and the other Borough representative to the Commission agreed with the proposal and reported that change to Council. There was a concern at the time that unless the Borough agreed to pay an increased share that the Township would terminate the Agreement. As a result Council agreed to pay the requested amount. It does not appear that the Agreement was amended in writing to reflect this change. However, Borough paid the same percentage in 2004.

The Auditors contend that Mr. Shull had a duty to Council in late 2004 to again specifically reveal to its members the content of the Agreement.<sup>11</sup> Without any supporting documentation or testimony the Auditors assume that the 2004 and 2005 Council members were not aware of the Agreement or its express per capita formula. Presumably, this conclusion was reached because Mr. Harris contends that he was not privy to the Agreement. However, Mr. Harris' lack of knowledge, standing alone, cannot be attributed to other members of Council, especially regarding discussions that occurred before he began serving his term on Council. There is absolutely no evidence in the record as to what was known by Council member Vance, Howe, or Megonnell. It is equally possible that, beginning in 2002, Council members were aware of the potential disintegration of the police force and elected to agree to an informal modification of the Agreement. Subsequently, Council continued to annually and monthly approve its modified share of the police budget. Absent a clear record of the understanding of the respective Council member, it would be improper to sanction Mr. Shull solely because he was a member of the Commission when it is entirely possible that Council intended by its conduct to consent to and ratify an unwritten amendment to the formula.

Third, § 46041(c) requires that any surcharge take into consideration the results of the act calling for the surcharge. The Borough determined that a joint police agreement with Latimore Township

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<sup>11</sup>In an ideal world perhaps Mr. Shull should have expressly repeated the conversation in 2003 and 2004 he purportedly had in 2002. However, it is somewhat naïve to believe that council members in small communities would know to repeat information for which there was prior consent and agreement. More realistically most ordinary people would find no reason to repeat what had become a "way of doing business."

was in the interest of its citizens. However, by 2002 it had become clear that, absent modification of the payment formula, the agreement would be terminated and the police department disbanded. In 2004 Borough Council agreed to expend \$45,500 to provide police protection for its citizens. Had the Borough determined not to informally modify the payment arrangement in 2002 it is possible that the agreement would not have survived until 2004.<sup>12</sup> It cannot be said that the Borough did not receive services in the amount budgeted. There is no evidence that Mr. Shull acted fraudulently or received any personal benefit, directly or indirectly, on account of the increased funding.

Accordingly, Shull's appeal is granted and the surcharge is stricken.

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<sup>12</sup> Incidentally, this Court takes judicial notice of the fact that on June 13, 2006 Latimore Township notified the Borough of its intent to terminate the joint police force effective June 30, 2007. The reason for termination is not stated therein. Litigation stemming from that termination is still pending. See *York Springs Borough v. Latimore Township-York Springs Borough Joint Police Commission*, 2007-SU-1097. The undersigned was not aware of that litigation, initiated September 12, 2007, when testimony was received, however, a recent review of exhibits contained therein shows budget and population figures which do not conform with testimony offered in this case.

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-301 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THOSE TWO TRACTS of land situate in Hamiltonban Township, Adams County, Pennsylvania, bounded and described as follows:

TRACT NO. 1:

BEGINNING at an iron pin at the Northwest edge of a public road leading to Mt. Hope Church thence by an original line across said public road and along lands now or formerly of Mrs. William Shindledecker, South 16 degrees East, 330 feet to a marked locust at corner of lands now or formerly of Mrs. William Shindledecker and Mary C. Kepner; thence along lands formerly of William F. Kepner and Mary C. Kepner, now or formerly of Carl C. and Ethel R. Kepner, North 76 degrees West 259 feet to a state on the northwest edge of said public road; thence along original line and lands now or formerly of Charles Sites, North 32 degrees East 301 feet on an iron pin, the place of BEGINNING.

TRACT NO. 2:

BEGINNING at an iron pin on the North side of the public road running between Mt. Hope and the Iron Springs-Greentown State Highway, at corner of other land formerly of Paul L. Knott and of Glatfelter Pulp Wood Company, said corner also being a corner on line of lands now or formerly of Dwight Sites; thence crossing said public road and through the original tract of the estate of Susan C. Shindledecker, deceased, South 40 degrees 53 minutes East 202.2 feet, crossing an unimproved road, to an iron pin at angle point, thence continuing through same original tract, South 33 degrees 50 minutes East, crossing a small stream, 223.3 feet to a pin and stones; thence continuing through the original tract, South 26 degrees 52 minutes West 225 feet to a pin at a 16 inch oak on line of lands now or formerly of Frank Bell; thence re-crossing said small stream and by said lands now or formerly of Frank Bell, touching a corner of lands now or formerly of Carl Kepner (at a presently existing copper pin) and by the aforesaid other land or formerly of Paul L. Knott, North 16 degrees West 562 feet to the above described place of BEGINNING.

The foregoing description of Tract No. 2 was taken from a draft of survey made

by Harry Knox, Registered Surveyor, dated May 4, 1956 and further identified by the legend: 'Wm. Shindledecker Estate, Hamiltonban Township, Adams County, Pennsylvania, to Paul L. Knott'.

TITLE TO SAID PREMISES IS VESTED IN Samson Clingan, single man, by Deed from Charles A. Hostetter, Jr., single man, dated 03/31/2006, recorded 04/05/2006 in Book 4369, Page 190.

Tax Parcel: 18-B14-0088

Premises Being: 2130 Mount Hope Road, Fairfield, PA 17320-9412

SEIZED and taken into execution as the property of **Samson Clingan** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/21, 28 & 9/4

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-429 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING for a point along the southwesterly right-of-way line of Hickory Lane and Lot No. 250 of the hereinafter referred to subdivision plan; thence along said Lot No. 250 South forty-six (46) degrees forty-two (42) minutes forty-five (45) seconds West, one hundred forty and zero hundredths (140.00) feet to a point at Lot No. 239; thence along said Lot No. 239 North sixty-five (65) degrees fourteen (14) minutes seventeen (17) seconds West, one hundred ten and zero hundredths (110.00) feet to a point at Lot No. 240; thence along said Lot No. 240 North twenty-nine (29) degrees fifty-six (56) minutes thirty (30) seconds East,

one hundred forty and zero hundredths (140.00) feet to a point along the southwesterly right-of-way line of Hickory Lane; thence along the southwesterly right-of-way line of Hickory Lane South sixty-one (61) degrees thirty-four (34) minutes thirty-eight (38) seconds East, one hundred fifty and zero hundredths (150.00) feet to a point, the place of BEGINNING.

CONTAINING 17,638.12 square feet and being identified as Lot No. 241 on the final subdivision plan of Meadowview Estates, Phase V, which plan is recorded in the Adams County Recorder of Deeds Office in Plan Book 74, page 77. Said tract of land is subject to the declaration of restrictions recorded in the Adams County Recorder of Deeds Office in Record Book 1661, page 225.

BEING THE SAME PREMISES which Douglas A. Armacost and Tami L. Armacost, husband and wife, and Thomas A. Armacost and Virginia E. Armacost, husband and wife, by Deed dated January 2, 2002 and recorded January 10, 2002 in the Office of the Recorder of Deeds in Adams County in Deed Book 2527, Page 116, granted and conveyed unto Douglas A. Armacost and Tami L. Armacost, husband and wife.

PARCEL ID 41003-0111-000

BEING KNOWN AS 4 Hickory Lane, Littlestown, PA 17340

SEIZED and taken into execution as the property of **Douglas A. Armacost & Tami L. Armacost** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/21, 28 & 9/4



## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1756 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land situated, lying and being in Gettysburg Borough, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a post at a corner of lot now or formerly of Priscilla Carter on the North side of Breckenridge Street; thence by lot now or formerly of said Priscilla Carter, North 141 feet, more or less, to a post in an alley; thence along said alley, West 23 feet, more or less, to a stone at corner of the Colored Baptist Church and Edward Carter lots; thence with same, South 141 feet, more or less, to a post at Breckenridge Street; thence with said Street, East 30 feet, more or less, to a post, the place of BEGINNING.

BEING known and numbered as 143 Breckenridge Street, Gettysburg, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Bryan Klingensmith and Paula Klingensmith, h/w, by Deed from David R. Yeager, a single man, dated 01/23/2007, recorded 02/05/2007 in Book 4732, Page 226.

Tax Parcel: 16-010-0222-000

Premises Being: 143 Breckenridge Street, Gettysburg, PA 17325-2504

SEIZED and taken into execution as the property of **Bryan Klingensmith & Paula Klingensmith** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/21, 28 & 9/4

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-754 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING for a corner at a point in the center of Legislative Route 01046 (Green Springs Road) at lands now or formerly of Edna B. Becker as shown on the hereinafter referred to survey; thence along said last mentioned lands now or formerly of Edna B. Becker, the following three (3) courses and distances: 1) through an existing pin set fifteen and seventy-five hundredths (15.75) feet from the beginning of this course North twenty-four (24) degrees West, one hundred forty-seven and sixty-eight hundredths (147.68) feet to a point; 2) South sixty-four (64) degrees forty (40) minutes West, forty (40) feet to a point; 3) South sixty-four (64) degrees forty-three (43) minutes twenty (20) seconds West, one hundred twenty-eight and eighty-five hundredths (128.85) feet to an existing iron pin at lands now or formerly of Mary B. White as shown on the hereinafter referred to survey; thence along said last mentioned lands now or formerly of Mary B. White and also along other lands now or formerly of Samuel W. Sipling, lands now or formerly of John E. Wolfe, other lands now or formerly of Mary B. White, lands now or formerly of Robert A. Foltz Jr. and lands now or formerly of Helen Miller, North twenty-six (26) degrees eighteen (18) minutes thirteen (13) seconds West, five hundred ninety-two and seventy-two hundredths (592.72) feet to a point at lands now or formerly of Bethlehem Steel Corp. as shown on the hereinafter referred to survey; thence along said last mentioned lands now or formerly of Bethlehem Steel Corp., the following two (2) courses and distances: 1) North fifty-three (53) degrees eight (8) minutes forty-five (45) seconds East, twenty-one (21) feet to a point; 2) North sixty-nine (69) degrees three (03) minutes zero (00) seconds East, two hundred eighty-five (285) feet to a point at the northwestern most corner of a 3.561 acre tract on the hereinafter referred to survey; thence along said 3.56 feet tract South twenty-nine (29) degrees thirty-three (33) minutes twenty-four (24) seconds East, five hundred twenty-six and

eight hundredths (526.08) feet to a point of lands now or formerly of Donald A. Kibler as shown on the hereinafter referred to survey; thence along said last mentioned lands now or formerly of Donald A. Kibler and also along lands now or formerly of Raymond G. Berkett Jr. as shown on the hereinafter referred to survey South sixty-four (64) degrees fifty (50) minutes zero (00) seconds West, one hundred thirty-seven and six-tenths (137.6) feet to a point; thence continuing along lands now or formerly of Raymond G. Berkett, Jr. South twenty-four (24) degrees eighteen (18) minutes zero (00) seconds, East, one hundred ninety-eight and six-tenths (198.6) feet to a point in the center of Legislative Route 01046 (Green Springs Road) aforesaid; thence in and along the center of Legislative Route 01046 (Green Springs Road) South sixty-four (64) degrees forty (40) minutes zero (00) seconds West, twenty-six and ninety-eight hundredths (26.98) feet to a point in the center of Legislative Route 01046 (Green Springs Road), the point and place of BEGINNING.

CONTAINING 4.243 acres.

TAX PARCEL 4-K-12-92B

BEING KNOWN AS: 300 Green Springs Road, Hanover, PA 17331

SEIZED and taken into execution as the property of **Betty J. Harsha & Andrew R. Harsha** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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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8/28, 9/4 & 11

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1460 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a steel rod set along Victor Drive at corner of Lot No. 24 as shown on the hereinafter identified subdivision plan; thence along Lot No. 24, South 66 degrees 19 minutes 40 seconds West, 107.48 feet to a steel rod set along lands now or formerly of Loy Hoke and at corner of Lot No. 24 thence by said lands now or formerly of Loy Hoke and Purcell Bohner, North 12 degrees 29 minutes 55 seconds West, 193.00 feet to a steel rod set along Alley No. 15 at corner of Lot No. 26; thence by said Lot No. 26, South 56 degrees 03 minutes 15 seconds East, 174.21 feet to a steel rod set along Victor Drive at corner of Lot No. 26; thence along Victor Drive, on a curve to the left, the radius of which is 50.00 feet, having an arc distance of 50.28 feet, and a chord bearing and distance of South 05 degrees 08 minutes 15 seconds West, 48.19 feet to a steel rod set along Victor Drive at corner of Lot No. 24, the point and place of BEGINNING. CONTAINING 13,650 square feet, more or less.

Being the same premises conveyed to Laura Baker, single, by Deed of Fritz, LLC, dated 10/19/2005 and recorded 10/21/2005 in Adams County Deed Book 4174, Page 302.

IDENTIFIED as TAX PARCEL ID#: 6-169 in the Deed Registry Office of Adams County, PA.

Dwelling Known As 20 Victor Drive, Biglerville, PA 17307

SEIZED and taken into execution as the property of **Laura Baker** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/28, 9/4 & 11

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-327 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

## LEGAL DESCRIPTION

ALL that lot of ground situate on the East side of Ridge Road (Township Road T-404) in Cumberland Township, Adams County, Pennsylvania, more particularly bounded and described as follows;

BEGINNING at a road nail in the center of Ridge Road aforesaid at lands of Harold L. Wherley and Vonnay C. Wherley, husband and wife; thence leaving said Ridge Road (Township Road T-404) and through a steel pin set back 25 feet from the beginning hereof and by lands of Harold L. Wherley and Vonnay C. Wherley, husband and wife, North 88 degrees 58 minutes 48 seconds East, 42.60 feet to a steel pin; thence continuing by lands of Harold L. Wherley and Vonnay C. Wherley, husband and wife, South 54 degrees 4 minutes 8 seconds East, 164.43 feet to an iron pipe; thence continuing by lands of Harold L. Wherley and Vonnay C. Wherley, husband and wife, South 89 degrees 56 minutes 57 seconds East, 195.59 feet to a steel pin; thence continuing by lands of Clarence E. Eyler and Lucy V. Eyler, husband and wife, South 3 degrees 26 minutes 12 seconds East, 162.32 feet to a steel pin; thence continuing by lands of William F. Brawner and Cecelia M. Brawner, husband and wife, and through a steel pin set back 30 feet from the end hereof North 77 degrees 14 minutes 12 seconds West, 380 feet to a road nail in the center of Ridge Road aforesaid; thence in and along the center line of Ridge Road (Township Road T-404), North 3 degrees 26 minutes 12 seconds West, 174.29 feet to a road nail, the point and place of BEGINNING. CONTAINING 1.2437 Acres.

SUBJECT, NEVERTHELESS, to the restrictions as contained in Record Book 613 at page 1093.

TITLE SAID PREMISES IS VESTED IN James E. Carson, a single man, by Deed from Gene G. Dickerson and Dorothy S. Dickerson, h/w, dated 10/13/2006, recorded 10/13/2006 in Book 4604, Page 269.

Tax Parcel: 09- F16-0031F-000

Premises Being: 458 Ridge Road, Gettysburg, PA 17325-8796

SEIZED and taken into execution as the property of **James Carson** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/28, 9/4 & 11

## FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, in compliance with the requirements of Section 311, Act 1982-295 (54 Pa.C.S. No. 311), that the undersigned entity has filed in the Office of the Secretary of the Commonwealth of Pennsylvania a certificate for the conducting of business in Adams County, Pennsylvania under the assumed or fictitious name, style or designation of **GARY KAUFFMAN RACING**, with its principal place of business at 304 Carlisle Road, Biglerville, Pennsylvania 17307. The name and address of the person owning an interest in said business is Gary Kauffman, 304 Carlisle Road, Biglerville, Pennsylvania 17307. The character or nature of the business is sprint car racing.

9/4

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-198 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

BEGINNING at a spike driven in the center of the State Highway between Fairfield, Pennsylvania, and Emmitsburg, Maryland, known as the 'Lower Tract Road', at corner of land now or formerly of Francis J. Kritz; thence running in the center of said State Highway, South 2 degrees 15 minutes West 100 feet to a point in the center of said State Highway; thence running through the lands now or formerly of John M. Mort and Anna M. Mort, husband and wife, North 87 degrees 45 minutes West 321 feet to a point; thence through lands of the same, North 2 degrees 15 minutes East 187 feet to a point on line of land now or formerly of Mervin Tate; thence by said Tate land, North 85 degrees 30 minutes East 121.85 feet to a stake at the northwest corner of said land now or formerly of Francis J. Kritz; thence by said Kritz land, South 2 degrees 15 minutes West 101.33 feet to an iron pin at the southwest corner of said Kritz land; thence by said Kritz land, South 87 degrees 45 minutes East 200 feet, running through an iron pin on the west side of State Highway, to the above described place of BEGINNING.

The above description was taken from a draft of records made in May, 1968, by LeRoy H. Winebrenner, County Surveyor, showing the above lot to be hereby conveyed and said Kritz lot.

TITLE TO SAID PREMISES IS VESTED IN Bernard J. Esposito, II, by Deed from Bernard J. Esposito, Jr., single, dated 02/23/2005, recorded 03/01/2005 in Book 3880, Page 17.

Tax Parcel: 25,D18-0043--000

Premises Being: 1941 Tract Road, Fairfield, PA 17320

SEIZED and taken into execution as the property of **Bernardo J. Esposito, II** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/28, 9/4 & 11

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-355 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

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

LOT 52: BEGINNING at a point at the only common corner of Lots, 51, 52 and the northern edge of a 60 foot right-of-way known as Dakota Drive on the subdivision plan described below; thence along the eastern edge of Lot 51, North 25 degrees 14 minutes 45 seconds West, 110.06 feet to a point on the southern edge of lands now or formerly of Nelson R. Warner and Jacqueline A. Warner; thence along the southern edge of said lands and lands now or formerly of James A. Miller, the following two courses and distances: (1) North 64 degrees 44 minutes 03 seconds East, 19.33 feet to a pin; (2) North 65 degrees 27 minutes 57 seconds East, 55.68 feet to a point at the corner of Lot 53 of said plan; thence along the western edge of Lot 53, South 25 degrees 14 minutes 45 seconds East, 109.38 feet to a point on the northern edge of a 60 foot right-of-way known as Dakota Drive; thence along the northern edge of Dakota Drive, South 64 degrees 45 minutes 15 seconds West, 75.00 feet to a point at the corner of Lot 51 of said plan, the point and place of BEGINNING. Containing 8,235.9574 square feet.

The above description was taken from a plan of lots entitled 'Final Plan, Phase Three-Indian Ridge', prepared by Worley Surveying dated February 21, 1994, File No. C-1350, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 66, Page 66, and designated thereon as Lot No. 52.

TITLE SAID PREMISES IS VESTED IN Mark A. Pevarnik and Shannon R. Pevarnik, h/w, as tenants by the

entireties, by Deed from J. C. P., Inc., a Pennsylvania corporation with its principal office at 217 Frederick Street, dated 06/15/2000, recorded 06/22/2000, in Deed Book 2074, page 25.

Tax Parcel: 8,012-0072

Premises Being: 11 Dakota Drive, Hanover, PA 17331-7727

SEIZED and taken into execution as the property of **Mark Pevarnik & Shannon Pevarnik** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/28, 9/4 & 11

## CERTIFICATE OF ORGANIZATION

NOTICE IS HEREBY GIVEN, that a Certificate of Organization was filed with the Department of State of the Commonwealth of Pennsylvania, for a Limited Liability Company on August 25, 2009, formed under the Limited Liability Company Law of 1994. The name of the company is CALBAT, LLC.

John A. Wolfe, Esq.  
Wolfe & Rice, LLC  
47 West High Street  
Gettysburg, PA 17325  
(717) 337-3754

9/4

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-574 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THE FOLLOWING described tract of land, situate, lying and being in the Borough of Abbottstown, Adams County, Pennsylvania, and being more particularly bounded and described on Exhibit 'A' attached hereto:

UNDER AND SUBJECT to all restrictions, easements, covenants, conditions and agreements of record.

TRACT NO. 2: BEGINNING for a corner at a point on the southerly edge of Town Circle at the northeasternmost corner of Lot No. 40 as shown on the hereinafter related to Subdivision Plan; thence in and along the southerly edge of Town Circle, the following two (2) courses and distances; 1) North eighty-five (85) degrees forty-nine (49) minutes fifty-three (53) seconds East, three and fifty-three hundredths (3.53) feet to a point; 2) by a curve to the left having a radius of fifty (50.00) feet, the long chord of which is North sixty-nine (69) degrees thirty-one (31) minutes six (06) seconds East twenty-eight and nine hundredths (28.09) feet for an arc distance of twenty-eight and forty-seven hundredths (28.47) feet to a point at Lot No. 5A on the hereinafter referred to Subdivision Plan; thence along said Lot No. 5A, South thirty-six (36) degrees forty-seven (47) minutes forty-two (42) seconds East one hundred twenty-eight and ten hundredths (128.10) feet to a point at lands now or formerly of Mount Olive Cemetery as shown on the hereinafter referred to Subdivision Plan; thence along said last mentioned lands now or formerly of Mount Olive Cemetery, South, eighty-five (85) degrees forty-nine (49) minutes fifty-three (53) seconds West ninety-nine and fifty-six hundredths (99.56) feet to a point at Lot No. 4A aforesaid; thence along said Lot No. 4A, North four (04) degrees ten (10) minutes seven (07) seconds West one hundred (100.00) feet to the point and place of BEGINNING. CONTAINING 6.843 square feet.

For Identification purposes only, being known as Parcel No. 4-93 in the Office of the Adams County Tax Assessor.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Westerfield and Tiffany Westerfield, h/w, by Deed from Charles Kulynych and Shirley D. Kulynych, trustees under the Charles Kulynych Living Trust and Shirley D. Kulynych and Charles Kulynych, trustees under the

Shirley D. Kulynych Living Trust and Wintrode Associates, LLC, dated 09/15/2006, recorded 10/06/2006, in Deed Book 4596, page 258.

Tax Parcel: 01-004-0093-000

Premises Being: 31 Town Circle, Abbottstown, PA 17301

SEIZED and taken into execution as the property of **Robert E. Westerfield & Tiffany Westerfield** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/28, 9/4 & 11

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1205 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT LOT of ground situate, lying and being along the State Highway leading from Bonneauville to Two Taverns in Adams County, Pennsylvania, which is bounded and described as follows:

BEGINNING at a point in the center of the state highway aforesaid at lands of Harold Noble, said point is South thirty-two and one-fourth (32-1/4) degrees West one hundred eighty (180) feet from another point, which last mentioned point is in the center of the state highway aforesaid at land of Francis V. Staub; thence by lands of said Harold Noble through an iron pin on the East side of said state highway South fifty-seven and three-fourths (57-3/4) degrees East one hundred seventy-five (175) feet to an iron pin at other land of the grantor, thence by said lands South thirty-two and one-fourth (32-1/4) degrees West one hundred (100) feet to an iron pin at other land of the grantor; thence by said lands North fifty-seven and three-fourths (57-3/4) degrees West one hundred

seventy-five (175) feet through an iron pin on the East side of the state highway to a point in the center of said state highway; thence by the center of said state highway North thirty-two and one-fourth (32-1/4) degrees East one hundred (100) feet to a point, the place of BEGINNING.

PARCEL NO. (06) 8-6

BEING THE SAME PREMISES which Martin David Seymore, also known as Martin David Seymore, Sr. and Hilda Marie Seymore, husband and wife, by Indenture dated 06-01-92 and recorded 06-04-92 in the Office of the Recorder of Deeds in and for the County of Adams in Deed Book 629, Page 508, granted and conveyed unto Marcia D. Seymore, single.

PARCEL NO. - 06, 008-0006

BEING KNOWN AS: 9 Locust Street, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Marcia Seymore** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

8/28, 9/4 & 11

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-476 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain piece, parcel or tract together with the improvements thereon erected, situate lying and being in Conewago Township, Adams County, Pennsylvania, more particularly bounded limited and described as follows, to wit:

BEGINNING at a concrete monument on the East side of North Oxford Avenue at lands now or formerly of Fred F. Borwager and Joan L. Borwager; thence along the East side of North Oxford Avenue, North twenty-five (25) degrees forty-five (45) minutes West, forty-six and eight-tenths (46.8) feet to an iron pin on the East side of North Oxford Avenue at lands now or formerly of Rosie A. Garvick; thence by lands now or formerly of Rosie A. Garvick, North sixty-four (64) degrees fifteen (15) minutes East, one hundred fifty and six-tenths (150.6) feet to a point on the West side of a twenty (20) feet wide public alley; thence said twenty (20) feet wide, public alley South twenty-six (26) degrees twelve (12) minutes East, forty-seven and thirty-hundredths (47.30) feet to a concrete monument on the West side of said twenty (20) feet wide alley at lands now or formerly of Fred F. Borwager and Joan L. Borwager, aforesaid; thence by lands now or formerly of Fred E. Borwager and Joan L. Borwager South sixty-four (64) degrees twenty-two (22) minutes West, one hundred fifty-one and five hundredths (151.05) feet to a concrete monument on the East side of North Oxford Avenue the point and place of BEGINNING (Being known as Lot No. 1 a draft of survey prepared for Louis H. Smell by J.H. Rife, R.S., dated February 5, 1949.) (Being known as numbered as 114 North Oxford Avenue, McSherrytown, Pennsylvania.)

PARCEL NO. 08, 004-0018-000

Property Address: 114 N. Oxford Avenue, McSherrytown, Pa 17344

SEIZED and taken into execution as the property of **Donald T. Fringer, III** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

9/4, 11 & 18

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-272 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

## LEGAL DESCRIPTION

ALL that certain lot of ground situate in the Borough of Littlestown, Adams County, Pennsylvania as shown on the subdivision plan for 'Lakeview Village - Phase Two' prepared by Donald E. Worley, Registered Surveyor of Worley Surveying dated April 21, 1989, revised September 11, 1989, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 54 at page 65, more particularly bounded and described as follows:

LOT NO. 48: BEGINNING at a steel pin on the northern right-of-way line of Starlite Drive at corner of Lot No. 49 on the plan of lots hereinabove identified; thence by said Lot No. 40, North 22 degrees 22 minutes 32 seconds West 120.27 feet to a steel pin on line of land of Pennsylvania Classics Inc.; thence by said land of Pennsylvania Classics, Inc. North 55 degrees 43 minutes 36 seconds East, 355.55 feet to a steel pin at corner of Lot No. 47; thence by said Lot No. 47, South 44 degrees 22 minutes 32 seconds East, 114.03 feet to a steel pin on the northern right-of-way line of Starlite Drive; thence by said northern right-of-way line of Starlite Drive, South 45 degrees 37 minutes 28 seconds West, 35.00 feet to the above-described place of BEGINNING. CONTAINING 4,100 square feet.

BEING - 1615/0331 Dirk A. Brilhart and Christine M. Brilhart unto Franklin W. Hahn and Lisa A. Hahn, 6/29/98. The improvements thereon now known as 29 Starlite Drive, Littlestown, PA 17340.

TITLE SAID PREMISES IS VESTED IN Brian Holland, single person, by Deed from Franklin W. Hahn and Lisa A. Hahn, h/w, dated 08/11/2006, recorded 03/27/2007 in Book 4782, Page 258.

Tax Parcel: 27, 011-0130---000

Premises Being: 29 Starlite Drive, Littlestown, PA 17340-1660

SEIZED and taken into execution as the property of **Brian Holland** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

9/4, 11 & 18

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-504 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

All that tract of land situate in Franklin Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center line of the Buchanan Valley Road (PA Traffic Route 234), said point marking the common place of adjoiner of Lots #3 and #4 on the hereinafter mentioned plan of subdivision with the center line of the Buchanan Valley Road; thence departing from the center line of said roadway, and extending along Lot #3, North 45 degrees 49 minutes 20 seconds West, through a steel pin set on the Northwesternmost dedicated right-of-way line of said roadway, a distance of 30.00 feet from the origin of this call, for a total distance of 591.15 feet to a steel pin at lands now or formerly of Henry Kimple; thence extending along lands now or formerly of Henry Kimple, North 43 degrees 51 minutes 15 seconds East, for a distance of 281.23 feet to a steel pin at Lot #9 on the hereinafter mentioned plan; thence extending along Lot #9, #8 and #7 on the hereinafter mentioned plan, South 43 degrees 1 minute 30 seconds East, for a distance of 293.09 feet to a steel pin at Lot #5 on the hereinafter mentioned plan; thence extending along Lot #5 the following two courses and distances: South 44 degrees 10 minutes 40 seconds West, for a distance of 166.92 feet to a steel pin; thence continuing South 45 degrees 49 minutes 20 seconds East, through a steel pin set on the Northwesternmost dedicated right-of-way line of the Buchanan Valley Road, a distance of 30.00 feet from the terminus of this call, for a total distance of 300.00 feet to a point in the center line of the Buchanan Valley Road; thence extending in and through the center line of the Buchanan Valley Road, South 44 degrees 10 minutes 40 seconds West, for a distance of 100.00 feet to a point in the center line of said roadway at Lot No. 3 on the hereinafter mentioned plan, said point marking the place of BEGINNING. CONTAINING 2.525 acres and being designated as Lot No. 4 on the final plan of subdivision of Buchanan Valley Manor prepared for Harmon-Graves Company and Kimba, Inc., by Mort, Brown and Associates, dated November 20, 1986, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Plat Book 46 at Page 67. Together with the perpetual right to use

an existing gravel driveway as set forth in the above recited deed. Under and subject, nevertheless, to all notes and conditions as set forth on the plan of subdivision, and to the conditions and restrictions as referred to in the above recited deed.

BEING KNOWN AS: 1600 Buchanan Valley Road (Franklin Township), Orttanna, PA 17353

PROPERTY ID NO.: B, 08-0049

TITLE TO SAID PREMISES IS VESTED IN Gervase J. Willis and Rose Mary Willis, husband and wife, as tenants of an estate by the entirety by deed from Carmelo Dominguez, Sr. and Alice M. Dominguez, husband and wife dated 8/21/92 recorded 8/24/92 in Deed Book 638 page 1108.

SEIZED and taken into execution as the property of **Gervase J. Willis & Rose Marie Willis** and to be sold by me.

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

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on November 6, 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.

9/4, 11 & 18

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-419 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land lot of land situate in the Tyrone Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a nail in the center line of Pennsylvania Route No. 234 leading from Biglerville to East Berlin at the southwestern corner of land now or formerly of Robert W. Decker and wife which land is referred to as Tract No. 1 on a draft of survey of Wilbur L. Plank, dated September 24, 1969; thence running in the center line of Pennsylvania

234, South 88 degrees 30 minutes 00 seconds West, 497.16 feet to a nail in the center line of said road; thence by land now or formerly of Frank Weigle, North 9 degrees 37 minutes 00 seconds East, 349.23 feet to a point near the Western edge of an access ramp to U.S. Route 15; thence crossing said access ramp to U.S. Route 15 and by land of Franklin L. Weigle, South 82 degrees 42 minutes 20 seconds East, 450.58 feet to an iron pin at the Northwestern edge of Tract No. 1 on the hereinbefore-mentioned survey (land now or formerly of Robert W. Decker); thence by Tract No. 1 and through a railroad spike in the base of an ash tree set back 27.04 feet from the end of this course, South 1 degree 44 minutes 00 seconds West, 274.33 feet to a nail in the center of Pennsylvania Route 234, the point and place of BEGINNING, CONTAINING 3.367 acres.

The above description was taken from a draft of survey of Wilbur L. Plank, R.E., dated September 24, 1969, and referred to as Tract No. 2 on said draft of survey.

TITLE TO SAID PREMISES IS VESTED IN Alexander N. Kozlowski and Karla M. Kozlowski, h/w, by Deed from Dewane C. Walls, single and Ruth A. Griffiths, single, fka, Ruth A. Walls, formerly h/w, dated 07/30/2004, recorded 08/02/2004 in Book 3656, Page 228.

Tax Parcel: 40, H 07-13

Premises Being: 78 East Berlin Road, York Springs, PA 17372-9595

SEIZED and taken into execution as the property of **Karla M. Kozlowski & Alexander N. Kozlowski** and to be sold by me.

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

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9/4, 11 & 18

**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 RUTH HOFF, DEC'D**

Late of Huntingdon Township, Adams County, Pennsylvania

Co-Executors: Brian T. Hoff, Tracey L. Hoff and Kevin L. Hoff, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

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

**ESTATE OF MARION M. PACKARD, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Champlain Smith Packard, III, 1355 Fairfield Road, P.O. Box 4283, Gettysburg, PA 17325

Attorney: Barbara Jo Entwistle, Esq., Pyle and Entwistle, 66 West Middle Street, Gettysburg, PA 17325

**ESTATE OF LOUIS B. TOLER, DEC'D**

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Executor: Adams County National Bank, c/o Christine R. Settle, Trust Officer, 16 Lincoln Square, Gettysburg, PA 17325

Attorney: Ronald J. Hagarman, Esq., 110 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF PATRICIA C. WINDER, DEC'D**

Late of Conewago Township, Adams County, Pennsylvania

Russell C. Williams, P.O. Box 339, Hanover, PA 17331

**SECOND PUBLICATION****ESTATE OF ARLENE J. JURY, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Executor: Adams County National Bank, Lincoln Square, Gettysburg, PA 17325

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

**ESTATE OF JACQUELYNN RICHTER, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Lynn M. Richter, 25 East Hanover Street, Gettysburg, PA 17325

Attorney: Nathan W. Ramsey, Esq., R.J. Marzella & Associates, P.C., 3513 N. Front St., Harrisburg, PA 17110

**ESTATE OF JAMES A. WOLF, DEC'D**

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executrices: Linda C. Neiman and Dorothy L. Kibler, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

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

**THIRD PUBLICATION****ESTATE OF STANLEY G. EBERLY, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executor: Manufacturers and Traders Trust Company, by: Anna M. Lamond, VP, 21 East Market Street, York, PA 17401

Attorney: Ronald L. Hershner, Esq., Stock and Leader, Susquehanna Commerce Center East, 221 West Philadelphia St., Suite E600, York, PA 17401-2994

**ESTATE OF RANDY J. FRAIM, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Administratrix: Lori M. Colgan, 412 Debbie Court, Hanover, PA 17331

Attorney: Crabbs & Crabbs, 202 Broadway, Hanover, PA 17331

**ESTATE OF PHARES HENRY HARGET, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Diana M. Harget, 3684 Chambersburg Road, Biglerville, PA 17307

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

**ESTATE OF ROGER D. LaFLESH, DEC'D**

Late of Menallen Township, Adams County, Pennsylvania

Charles LaFlesh, 402 Watch Hill Lane, Gaithersburg, MD 20878

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore St., Gettysburg, PA 17325

**ESTATE OF NORMA J. SANDERS a/k/a NORMA JEAN SANDERS, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Carol Hawbaker Kelley, 259 Clapsaddle Road, Gettysburg, PA 17325

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore St., Gettysburg, PA 17325

**ESTATE OF MARY FRANCES WASTLER, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Connie M. Ernst, 113 Sherry Drive, McSherrystown, PA 17344; Alana F. Stroh, 238 Eichelberger Street, Hanover, PA 17331

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

**ESTATE OF PATRICIA A. WHITTAKER, DEC'D**

Late of Tyrone Township, Adams County, Pennsylvania

Executor: Stephen L. Bloom, Esq., Irwin & McKnight, P.C., 60 West Pomfret St., Carlisle, PA 17013

Attorney: Stephen L. Bloom, Esq., Irwin & McKnight, P.C., 60 West Pomfret St., Carlisle, PA 17013

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-875 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain parcel of land situated in the Township of Conewago, County of Adams and Commonwealth of Pennsylvania, being known and designated as follows:

BEGINNING at a point along the right-of-way line of Derby Drive, a 60 feet wide right-of-way, and corner of Lot No. 39 on the hereinafter referred to subdivision plan; thence along Lot No. 39, North 41 degrees 23 minutes 08 seconds West 135.00 feet to a point at corner of Lot No. 69 on the hereinafter referred to subdivision plan; thence along Lot No. 69, North 49 degrees 2 minutes 26 seconds East, 152.97 feet to a point along the right-of-way line of South Allwood Drive, a 60 feet wide right-of-way; thence along the right-of-way line of South Allwood Drive, South 40 degrees 32 minutes 34 seconds East, 109.07 feet to a point at the intersection of South Allwood Drive with Derby Drive; thence along the intersection of South Allwood Drive with Derby Drive, by a curve to the right, having a radius of 15.00 feet, and a long chord bearing and distance of South 04 degrees 27 minutes 26 seconds West 21.21 feet to a point along the right-of-way line of Derby Drive, aforesaid; thence along the right-of-way line of Derby Drive, the following 3 courses and distances; (1) South 49 degrees 27 minutes 26 seconds West, 32.39 feet to a point; thence (2) by a curve to the left, having a radius of 360.00 feet, an arc length of 4.58 feet, and a long chord bearing and distance of South 45 degrees 30 minutes 41 seconds West, 49.54 feet to a point; thence (3) South 41 degrees 33 minutes 56 seconds West, 54.69 feet to the point and place of BEGINNING.

Tax Parcel ID: 8-036-0024

PROPERTY ADDRESS: 144 Derby Drive, Hanover, PA 17331

SEIZED and taken into execution as the property of **Rick A. Waite & Anne M. Waite** and to be sold by me.

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

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after the filing thereof. Purchaser must settle for property on or before filing date.

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9/4, 11 & 18

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-345 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 16th day of October, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that improved lot of ground situate on the Southeast side of Township Road T-498, in Oxford Township, Adams County, Pennsylvania, more particularly bounded and described, as follows:

BEGINNING for a corner at a point in the center of said Township Road T-498 at lands of Michael R. Schreiber and Carolyn A. Schreiber; thence leaving said township road and through an existing iron pin set back 20.43 feet from the beginning hereof and by lands of Michael R. Schreiber and Carolyn A. Schreiber, South 51 degrees 50 minutes East, 475.43 feet to an iron pin; thence continuing by lands of Verna J. Feeser, South 38 degrees 10 minutes West 200 feet to an iron pin; thence continuing by lands of Verna J. Feeser and through an iron pin set back 25 feet from the end hereof, North 51 degrees 50 minutes West 395.77 feet to a point in the center of Township Road T-498; thence in and along the center line of Township Road T-498, North 16 degrees 27 minutes East 215.28 feet to a point in the center of said Township Road, the place of BEGINNING. CONTAINING 2 acres.

The foregoing description was taken from a draft of survey prepared for Larry B. Feeser and Verna J. Feeser dated August 12, 1981, as revised July 18, 1983, and recorded in Adams County Plat Book 35, Page 132, said survey being prepared by Donald E. Worley, registered surveyor, and identified on said plot plan as Lot No. 2.

The improvements thereon being commonly known as 552 Poplar Road, Oxford, PA 17350.

TITLE SAID PREMISES IS VESTED IN Gordon D. Staub and Charlotte M. Staub, h/w, as tenants of an estate by the entireties, of an undivided sixty percent interest and Michael Dale Staub

and Catherine L. Staub, h/w, as tenants of an estate by the entireties, of an undivided forty (40%) percent interest, each undivided percentile interest to be owned and vested as joint tenants with right of survivorship, by Deed from Gordon D. Staub and Charlotte M. Staub, h/w, dated 05/14/1996, recorded 05/20/1996 in Book 1196, Page 28.

Tax Parcel: 35, J12-0030A--000

Premises Being: 552 Poplar Road, New Oxford, PA 17350-8404

SEIZED and taken into execution as the property of **Gordon, Charlotte, Michael & Catherine Staub** and to be sold by me.

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

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