

The Greene Reports

Official Legal Publication for Greene County, Pennsylvania
Owned and operated by Greene County Bar Association
Greene County Courthouse, Waynesburg, PA 15370

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March 21, 2019



Table of Contents

Deed Transfers	Page 3
Estate Notices	Page 4
Legal Notice	Page 6
Sheriff's Sales	Page 7
Administrative Order	Page 9

Serving the Legal Community of Greene County
Since October 1982

The Greene Reports

2-----03/14/19-----

COURT OF COMMON PLEAS
Honorable Farley Toothman, President Judge
Honorable Louis Dayich, Judge

MOTIONS

Criminal & Civil & O.C.:
March 25, 27 & 29, 2019

CRIMINAL

Arraignments: March 18, 2019
ARDs: April 8, 2019
ARD Revocations: April 8, 2019
Parole Violations: March 18, 2019
Plea Court: April 9 & 10, 2019
License Suspension Appeals: April 15, 2019

ORPHANS

Accounts Nisi: April 1, 2019
Accounts Absolute: April 12, 2019

SUPREME COURT

SUPERIOR COURT

COMMONWEALTH COURT

Convenes in Pgh.: April 8 - 12, 2019
Convenes in Pgh.: April 1 - 5, 2019
Convenes in Pgh.: May 6 - 11, 2019

THE GREENE REPORTS

Owned and published by the GREENE COUNTY BAR ASSOCIATION
Editor: Josephine L. Ketcham
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EDITORIAL POLICY

All articles published in The Greene Reports are intended to inform, educate or amuse. Any article deemed by the editorial staff to be reasonably interpreted as offensive, demeaning or insulting to any individual or group will not be published.

The views expressed in the articles represent the views of the author and are not necessarily the views of The Greene Reports or the Greene County Bar Association.

The Greene Reports welcomes letters to the Editor both for publication and otherwise. All letters should be addressed to: Editor, The Greene Reports, Greene County Courthouse, 10 East High Street, Waynesburg, PA 15370. Letters must include signature, address and telephone number. Anonymous correspondence will not be published. All letters for publication are subject to editing and, upon submission, become the property of The Greene Reports.

THE GREENE COUNTY BAR ASSOCIATION

Jessica Phillips, President
Christopher Simms, Vice-President
Cheryl Cowen, Secretary
Timothy Ross, Treasurer
Christine N. Nash, Ex-Officio

The Greene Reports

-----03/14/19-----3

DEED TRANSFERS

The following property transfers have been recorded in the Greene County Recorder of Deeds office.

ALEPPO TOWNSHIP

Tiffany Marie Robey et con to Three Rivers Royalty LLC, 2 Tracts O&G, \$66,270.75 (3-8-19)

CUMBERLAND TOWNSHIP

Charles M Walker III et ux to Ismart Living Real Estate LLC, Lot 377, \$90,000. (3-11-19)
Mary L Kreny by POA to Jesse R Kiger et ux, Lot 198 Nemaocolin, \$1,500. (3-13-19)
Walter F Henderson et ux to Walter F Henderson et al, Tract, \$56,129. (3-14-19)

DUNKARD TOWNSHIP

Steven D Cummings by Acting Sheriff to Wells Fargo Bank NA, 17 Acres, \$80,000. (3-12-19)

FRANKLIN TOWNSHIP

James L Maley et ux to Craig A Maley, 45.208 Acres, \$45,000. (3-8-19)
Robert Baily et ux to Robert Kendrick, 1 Acre, \$60,000. (3-8-19)
LSF10 Master Participation Trust et al to Jennifer Szczyrbak, 2 Tracts, \$49,000. (3-11-19)
Rebecca L Reese to Ojeda AD4 LLC et al, 2 Tracts O&G, \$178,282.40 (3-13-19)
William H Reese to Ojeda AD4 LLC et al, 2 Tracts O&G, \$178,282.40 (3-13-19)

MONONGAHELA TOWNSHIP

Jerry Yoskovich to Christine Renae Byrne et con, 35.691 Acres, \$28,031.20 (3-12-19)

MORGAN TOWNSHIP

David M Knepp et ux to Dominion Energy Transmission Inc, R/W \$10. (3-14-19)

PERRY TOWNSHIP

Herbert L Haines to Ridgetop Appalachia LLC, 22 Acres O&G, \$150,000. (3-11-19)
Mepco LLC to Joseph Budinsky, 5.287 Acres, \$8,000. (3-12-19)
Landel Inc to Norman George et al, 2 Tracts, \$10,000. (3-14-19)
Wilmington Savings Fund Society FSB et al to US Bank NA et al, 2 Lots, \$10. (3-14-19)
US Bank Trust NA et al to Robert Haines et al, .2189 Acre, \$20,000. (3-14-19)

RICES LANDING BOROUGH

Remo E Bertugli Est to Preserved Properties LLC, 2 Tracts, \$45,000. (3-12-19)

RICHHILL TOWNSHIP

Diana Wendell to Wendell Family Trust, 53.670 Acres, \$29,614.80 (3-8-19)
Diana Wendell to Wendell Family Trust, Asgmt. 53.670 Acres, \$29,614.80 (3-8-19)
James A Dinsmore et ux to CNX Gas Company, R/W, \$20,000. (3-13-19)

RICHHILL & SPRINGHILL TOWNSHIPS

Gem Holdings LLC to Greenbrier Royalty Fund LLC, 207.92 Acres O&G, \$38,414. (3-13-19)

SPRINGHILL TOWNSHIP

Lorna Zoe Phillips et con to Three Rivers Royalty LLC, 2 Tracts O&G, \$13,082.68 (3-8-19)
Keener Oil & Gas LLP to Gail Miller, 67 Acres, \$95,000. (3-14-19)

WAYNE TOWNSHIP

Jesse Harrison et ux to EQM Gathering Opco LLC, Tracts, \$76,572. (3-13-19)

The Greene Reports

4-----03/14/19-----

ESTATE NOTICES

NOTICE is hereby given of the grant of letters by the Register of Wills to the Estates of the following named decedents. All persons having claims are requested to make known the same and all persons indebted to the decedent are requested to make payment to the personal representative or his attorney without delay.

FIRST PUBLICATION

PRESOCK, THOEDORE a/k/a THEODORE BYNUM PRESOCK

Late of Carmichaels, Greene County, Pennsylvania
Executrix: Amy Smith, 540 Old Waynesburg Road, Carmichaels, PA 15320
Attorney: Jeffrey N. Grimes, Esquire, 77 South Washington Street,
Waynesburg, PA 15370

ZIOTS, JR., CARL A., a/k/a CARL A. ZIOTS

Late of Wayne Township, Greene County, Pennsylvania
Executor: Laura Ziots, P O Box 532, Marianna, PA 15345
Attorney: Kimberly J. Simon-Pratt, Esquire, 223 East High Street,
Waynesburg, PA 15370

SECOND PUBLICATION

ANTILL, PERRY DUANE a/k/a PERRY D. ANTILL a/k/a PERRY ANTILL

Washington County Register of Wills Estate File No. 63-18-0225
Late of Non-Resident
Ancillary Co-Executor: Brenda Antill, 1300 Kentucky Highway 1469, P O Box 399,
Virgie, Kentucky 41572
Ancillary Co-Executor: Greg Antill, 307 Valley Edge Drive, Minneola, Florida 34715
Attorney: James B. Courtney, Esquire, 142 North Court Avenue, P O Box 1315,
Somerset, PA 15501-0315

MARCHESSEAU, EVA MAE

Late of Franklin Township, Greene County, Pennsylvania
Executor: David P. Baker, Sr., 634 Ridge Road, Waynesburg, PA 15370
Attorney: David F. Pollock, Esquire, Pollock Morris Belletti & Simms LLC,
54 South Washington Street, Waynesburg, PA 15370-2036

McCOLLUM, GREGORY D.

Late of Morgan Township, Greene County, Pennsylvania
Executrix: Barbara A. McCollum, 110 Short Street, Clarksville, PA 15322
Attorney: Brandon K. Meyer, Esquire, 76 North Richhill Street,
Waynesburg, PA 15370

The Greene Reports

-----03/14/19-----5

McNEELY, JOHN WILLIAM

Late of Waynesburg, Greene County, Pennsylvania
Executor: David F. Pollock, 54 South Washington Street, Waynesburg, PA 15370
Attorney: Christopher Michael Simms, Esquire, Pollock Morris Belletti & Simms LLC,
54 South Washington Street, Waynesburg, PA 15370-2036

PHILLIPS, ETHEL I. a/k/a ETHEL IONA PHILLIPS

Late of Jackson Township, Greene County, Pennsylvania
Executor: Carroll E. (Russell) Phillips, 329 Crooked Hill Road, Holbrook, PA 15341
Attorney: Dennis M. Makel, Esquire, Makel & Associates, LLC,
98 East Maiden Street, Washington, PA 15301

STACHER, WILMA JEAN a/k/a JEANNE H. STACHER

Late of Waynesburg Borough, Greene County, Pennsylvania
Administrator: MaChal Forbes, 54 South East Street, Waynesburg, PA 15370
Attorney: John W. Hardisty, Esquire, 223 East High Street,
Waynesburg, PA 15370

THIRD PUBLICATION

ALBERT, THERESE B.

Late of Waynesburg Borough, Greene County, Pennsylvania
Administratrix: Lois Ireton, % Law Office of David J. Russo, Esquire,
192 West High Street, Waynesburg, PA 15370
Attorney: Law Office of David J. Russo, Esquire, 192 West High Street,
Waynesburg, PA 15370

AREFORD, HAZEL I.

Late of Carmichaels, Greene County, Pennsylvania
Executor: John B. Areford, 1705 East Roy Furman Highway,
Carmichaels, PA 15320
Attorney: None

MC NEELY, FRANK HUFFMAN

Late of Waynesburg, Greene County, Pennsylvania
Executor: Karen S. Patterson, 806 Ridge Road, Waynesburg, PA 15370
Attorney: Loretta B. Kendall, Esquire, 364 East Lincoln Avenue,
McDonald, PA 15057

METCALF, CAROL D. a/k/a CAROL DENEEN METCALF

Late of Monongahela Township, Greene County, Pennsylvania
Co-Administrators: Tara D. Donai, Melissa J. Cramer and Brian D. Metcalf,
% Ernest P. DeHaas, III, Esquire, DeHaas Law, LLC, 51 East South Street,
Uniontown, PA 15401
Attorney: Ernest P. DeHaas, III, Esquire, DeHaas Law, LLC, 51 East South Street,
Uniontown, PA 15401

LEGAL NOTICE

To: Unknown Father

In Re: A.R., minor child, born April 14, 2017

A petition for involuntary termination of parental rights has been filed asking the court to put an end to all rights you have to your child, A.R. born April 14, 2017. The court has set a hearing to consider ending your rights to your child.

The hearing will be held in the Greene County Courthouse, 10 E. High Street, Waynesburg, PA 15370 on April 25, 2019 at 10:00 a.m. in the assigned courtroom before Judge Farley Toothman.

You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the court without you being present.

You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. Southwestern Pennsylvania Legal Aid, 63 S. Washington Street, Waynesburg, PA 15370; (724) 627-3127 or Lawyer Referral Service, 10 E. High Street, Waynesburg, PA; (724) 852-5237.

This notice given by Greene County Children and Youth Services, 150 Fort Jackson County Building, 19 South Washington Street, Waynesburg, PA 15370.

SHERIFF'S SALE

**By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. ED-1-2019**

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

**FRIDAY, APRIL 5, 2019
AT 10:00 O'CLOCK A.M.**

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

COMMUNITY BANK, NATIONAL ASSOCIATION, n/k/a COMMUNITY BANK
VS.
RICHARD A. ENOFF

ALL THE RIGHT, TITLE AND INTEREST OF THE RICHARD A. ENOFF, OWNER OR REPUTED OWNER, IN AND TO:

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

FOR PRIOR TITLE see deed dated August 1, 2000 from Richard A. Enoff, single and Dayna Lynn Enoff, single, and recorded in the Greene County Recorder of deeds Office on August 7, 2000, at Deed Book Volume 222, page 1237

Which has an address of 114 Presock Road, Greensboro, PA 15338
Tax Parcel No. 06-01-132-B

PROPERTY ADDRESS: 114 Presock Road, Greensboro, PA 15338

UPI/TAX PARCEL NUMBER: 06-01-132 B

Seized and taken into execution to be sold as the property of RICHARD A ENOFF , in suit of COMMUNITY BANK NATIONAL ASSOCIATION N/K/A COMMUNITY BANK.

Attorney for the Plaintiff:
Bassi, Vreeland & Associates, P.C.

MARCUS SIMMS, Acting Sheriff
Greene County, Pennsylvania

The Greene Reports

8-----03/14/19-----

SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. ED-8-2019

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

FRIDAY, APRIL 5, 2019
AT 10:00 O'CLOCK A.M.

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

Bayview Loan Servicing, LLC, a Delaware Limited Liability Company
vs
Catherine M. Thomas

BEGINNING at a point in the intersection of the Browns Ferry Road and a Township Road; thence by the former, South 75° 05' East 56.65 feet to a point corner to Lot No. 2; thence by said Lot North 16°43' East 150 feet to a point corner to Lots Nos. 2 and 7; thence by the latter, North 75° 05' West 52.82 feet to a point; thence by the said Township Road, South 16°43' West 150.07 feet to a point the place of BEGINNING.

BEING Lot No. 1 in the Biddle Acres Plan of Lots as laid out by Kenneth G. Baily and recorded in the Office of the Recorder of Deeds of Greene County, Pennsylvania on March 14, 1950, in Plot Book Vol. 1, page 142.

Fee Simple Title Vested in Catherine E. Thomas, Widow and Catherine M. Thomas, Single, as Joint Tenants with Right of Survivorship and not as Tenants in Common by deed from Catherine E. Thomas, Widow, dated 4/24/1975, recorded 4/28/1975, in the Greene County Clerk's Office in Deed Book 599, Page 602... and the said Catherine E. Thomas, died, whereupon title to premises in question became vested in Catherine M. Thomas, by right of survivorship.

PROPERTY ADDRESS: 1 Biddle Acre, Carmichaels, PA 15320

UPI/TAX PARCEL NUMBER: 05-19-420

Seized and taken into execution to be sold as the property of CATHERINE M THOMAS in suit of BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY

Attorney for the Plaintiff:
Stern & Eisenberg, PC
Warrington, PA

MARCUS SIMMS, Acting Sheriff
Greene County, Pennsylvania

The Greene Reports

-----03/14/19-----9

ADMINISTRATIVE ORDER

COMMONWEALTH OF PENNSYLVANIA, COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL DISTRICT - GREENE COUNTY

IN RE: OFFICE OF PRESIDENT JUDGE) Court Administration
ADMINISTRATIVE ORDER) Docket No. 3, 2019

ORDER

"COUNTY BOARD OF ELECTIONS"

AND NOW THIS 13 day of March and pursuant to the Rules of Judicial Administration, and the authority granted to the President Judge, to appoint a judge or an elector of the County to serve, pursuant to Pa. R.J.A. 103(a)(3) and Title 25 P.S. 2641(c), 2868, and

FURTHER, in consideration of the Department of State Memo dated January 23, 2019 (attached hereto) this Court recognizing that each member of the Board or Commissioners is a declared candidate for re-election, and therefore the Election Board is currently vacant, and

and THAT the final day for filing of Nomination Petition was Tuesday, March 12, 2019,

and FURTHER, we determine that the immediate promulgation of this Administrative Order is required in the interest of justice and efficient administration, and

and THAT pursuant to Pennsylvania Law, Title P.S. 2642© the President Judge of the Court of Common Pleas shall appoint a judge or an elector of the county to serve, and

NOW THEREFORE, this Court appoints the following elector and judge to serve on the Greene County Board of Elections:

- 1) Jeffry Grimes, Esq. Republican
2) Farley Toothman, PJ Democrat
3) Vacant until further Order Democrat

The Greene Reports

10-----03/14/19-----

THAT THE DISTRICT COURT ADMINISTRATOR shall file the original of this Order in the Office of the Prothonotary, Court Administrative Order Docket (CA), and distribute one copy to the following Offices:

1. Office of President Judge
2. Magisterial District Judge of 13-03-01
3. Magisterial District Judge of 13-03-02
4. Magisterial District Judge of 13-03-03
5. Chief Clerk, County Board of Commissioners
6. County Solicitor
7. County Controller
8. County Treasurer
9. Clerk of Criminal Court Judicial Records
10. Clerk of Orphans Court Judicial Records
11. Register of Wills & Recorder of Deeds Judicial Records
12. County Sheriff
13. County Coroner
14. County District Attorney
15. County Public Defender
16. Greene Reports Legal Journal, for publication
17. on file: Law Library
18. President of Greene County Bar Association
19. Director, County Elections Office

SO ORDERED AND DECREED

Susan K. White
Prothonotary

Farley Toothman
President Judge