

Erie County Legal Journal

January 2, 2009

Vol. 92 No. 1

USPS 178-360



92 ERIE 1 - 9
Keegan v. O'Malley

Erie County Legal Journal

*Reporting Decisions of the Courts of Erie County
The Sixth Judicial District of Pennsylvania*

Managing Editor: Paula J. Gregory

Associate Editor: Heidi M. Weismiller

PLEASE NOTE: NOTICES MUST BE RECEIVED AT THE ERIE COUNTY BAR ASSOCIATION OFFICE BY 3:00 P.M. THE FRIDAY PRECEDING THE DATE OF PUBLICATION.

All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. Neither the Erie County Bar Association nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content.

The Erie County Legal Journal makes no representation as to the quality of services offered by an advertiser in this publication.

INDEX

NOTICE TO THE PROFESSION ----- 4

OPINION ----- 7

COURT OF COMMON PLEAS

Incorporation Notice ----- 16

Legal Notices ----- 16

Marshal's Sale ----- 17

Sheriff's Sales ----- 18

ORPHANS' COURT

Audit List ----- 38

Estate Notices ----- 39

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS ----- 42

ERIE COUNTY LEGAL JOURNAL (ISSN 0730-6393) is published every Friday for \$55 per year (\$1.50 single issues/\$5.00 special issues, i.e. Seated Tax Sales). Owned and published by the Erie County Bar Association (Copyright 2009©) 302 West 9th St., Erie, PA 16502 (814/459-3111). Periodical Postage paid at Erie, PA 16515. POSTMASTER: Send Address changes to THE ERIE COUNTY LEGAL JOURNAL, 302 West 9th St., Erie, PA 16502-1427.

Erie County Bar Association

Calendar of Events and Seminars

THURSDAY, JANUARY 15, 2009

Trial Advocacy: Making the Most of What 'Ya Got
ECBA Video Seminar
Erie County Bar Association Office
9:00 a.m. - 12:00 p.m.
\$81 (member and/or staff) \$119 (nonmember)
3 hours substantive

FRIDAY, JANUARY 23, 2009

The New ADA Amendments Act of 2008:

What you need to know
PBI Groupcast Seminar
Bayfront Convention Center
8:30 a.m. - 12:00 p.m.
\$214 (member) \$194 (admitted after 1/1/05)
\$234 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:
\$189 (member) \$169 (admitted after 1/1/05) \$209 (nonmember)
3 hours substantive

MONDAY, JANUARY 26, 2009

View from the U.S. Trustee's Office

PBI Groupcast Seminar
Bayfront Convention Center
12:00 p.m. - 3:15 p.m.
LUNCH is INCLUDED in Pricing
\$194 (member) \$174 (admitted after 1/1/05)
\$214 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:
\$169 (member) \$149 (admitted after 1/1/05) \$218 (nonmember)
2 hours substantive / 1 hour ethics

WEDNESDAY, JANUARY 28, 2009

Gas Leasing Update
PBI Groupcast Seminar
Erie County Bar Association
** seating is limited **
12:30 p.m. - 4:15 p.m.
LUNCH is INCLUDED in Pricing
\$224 (member) \$204 (admitted after 1/1/05)
\$244 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:
\$199 (member) \$179 (admitted after 1/1/05) \$219 (nonmember)
4 hours substantive

WEDNESDAY, FEBRUARY 11, 2009

Auto Law Update
PBI Groupcast Seminar
Bayfront Convention Center
9:00 a.m. - 1:15 p.m.
\$204 (member) \$184 (admitted after 1/1/05)
\$224 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:
\$179 (member) \$159 (admitted after 1/1/05) \$199 (nonmember)
3 hours substantive / 1 hour ethics

THURSDAY, FEBRUARY 12, 2009

Local, State & Federal Taxes
PBI Video Seminar
Bayfront Convention Center
9:00 a.m. - 1:30 p.m.
\$119 (member) \$99 (admitted after 1/1/05)
\$139 (nonmember)
4 hours substantive

TUESDAY, FEBRUARY 17, 2009

Jurors by the Generations
PBI Video Seminar
Bayfront Convention Center
9:00 a.m. - 12:30 p.m.
\$119 (member) \$99 (admitted after 1/1/05)
\$139 (nonmember)
3 hours substantive

WEDNESDAY, FEBRUARY 18, 2009

Trial Advocacy: Making the Most of What 'Ya Got
ECBA Video Seminar
Erie County Bar Association Headquarters
9:00 a.m. - 12:00 p.m.
\$81 (ECBA member) \$119 (nonmember)
3 hours substantive

FRIDAY, FEBRUARY 20, 2009

Hot Topics in Employment Law
PBI Groupcast Seminar
Bayfront Convention Center
12:00 p.m. - 4:30 p.m.
Prices forthcoming
4 hours substantive

2009 BOARD OF DIRECTORS

Mary Payton Jarvie, President

J.W. Alberstadt, Jr., First Vice President

Lisa Smith Presta, Second Vice President

Robert G. Dwyer, Past President

John A. Lauer, Treasurer

Patricia A. Ambrose

Neal R. Devlin

Donald F. Fessler, Jr.

John C. Melaragno

Melissa Lafata Pagliari

Matthew J. Parini

David J. Rhodes

Richard T. Ruth

Edwin W. Smith

Richard A. Vendetti

RE: JUDICIAL PLEBISCITE

Please find below the Resolution regarding judicial elections that was passed by the membership. Note that any potential judicial candidate must submit a resume to the Executive Director of the Erie County Bar Association no later than February 1, 2009 and will be given the opportunity to address the membership at the February membership meeting to be held on February 3, 2009 at noon.

RESOLUTION

Be it resolved as follows:

- I. In any year in which there is an election for initial terms as Common Pleas Judges, the Erie County Bar Association will conduct a plebiscite whereby candidates shall be rated by members of the Bar Association as:

HIGHLY RECOMMENDED; RECOMMENDED; NOT RECOMMENDED; NO OPINION

- II. The evaluation of prospective candidates should be directed primarily to professional qualifications, i.e., competence, integrity and temperament.

Professional competence encompasses such qualities as intellectual capacity; judgement; legal writing and analytical ability; industry; knowledge of the law; scholarship and academic talent; professional contributions; professional experience, including such areas as years in practice, trial experience, work with administrative agencies and arbitration boards, law school teaching and public service.

Temperament encompasses such qualities as compassion; decisiveness; open-mindedness; sensitivity; courtesy; patience; freedom from bias and commitment to justice.

Ratings' Definitions

Highly Recommended

The candidate possesses the highest reputation for competence, integrity and temperament, and would be capable of outstanding performance as judge.

Recommended

Based on competency, integrity, and temperament, the candidate would be able to perform satisfactorily as a judge.

Not Recommended

Based on competence, integrity, or temperament, or any combination thereof, at the present time, the candidate is inadequate to perform satisfactorily as a judge.

If a voting member does not know a candidate well enough to evaluate his or her competence, integrity or temperament, then he or she should indicate **NO OPINION**.

III. The procedure for the conduct of the plebiscite shall be as follows:

1. The Erie County Bar Association shall publish in each edition of the *Erie County Legal Journal* during the month of January, a notice inviting prospective judicial candidates to submit a resume of not more than two 8 1/2 x 11 typewritten pages. The resumes will be submitted to the Erie County Bar Association Executive Director no later than the first day of February.
2. Each potential candidate who has submitted a resume shall be given the opportunity to address the Erie County Bar at a membership meeting to be scheduled in February with each candidate being allocated an equal amount of time.
3. The resumes and appropriate ballots will be distributed to the active membership within three days of the February meeting and shall be returned by mail postmarked no later than fifteen days after the date of distribution.
4. A two-envelope system shall be used. Each voting member shall sign the outer envelope and shall leave the inner envelope unsigned. An accounting firm shall act as teller.
5. Each candidate who agrees not to release the plebiscite results until such time the Erie County Bar Association releases the plebiscite results shall be privately advised of their own results in the plebiscite by the President of the Erie County Bar Association before the end of February.
6. If more than 50% of the February plebiscite ballots have been returned, and if there are any candidates after the last day for filing petitions who did not participate, then a separate ballot as to those persons only shall be distributed to the active membership of the Bar accompanied by ballots to be returned within ten days and tabulated in the same manner as the February plebiscite.
7. The results of any plebiscite for which more than 50% of the ballots are returned shall be published through a press release to be issued as soon as possible after the receipt of the results of the second plebiscite. In the event that a second plebiscite is not necessary, the results of the February plebiscite will be published as soon as possible after the last date for filing petitions for judicial office. Publication of the results shall also be in the form of a paid advertisement to be run on the two Sundays immediately preceding the primary election.
8. There shall be no publication of the results of the February plebiscite as to any person who is not a candidate for judicial office at the time of the publication.
9. The press release and the paid advertisement shall contain raw data only without comment on individual candidates. Raw data shall be actual count and actual percentage of ballots returned. The press release and paid ad shall specify that the results are based on ballots received, not total active membership. However, the publication shall specifically identify those candidates who were found to be "Highly Recommended", "Recommended" or "Not Recommended" by more than 50% of the membership returning ballots. For the purpose of determining whether a candidate has been found to be "Recommended" by more than 50% of the membership returning ballots, votes received by candidates in the category "Highly Recommended", shall be added to the votes received by a candidate in the category "Recommended". The press release and the paid advertisement shall also set forth the definitions of the categories as set forth above.

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

JANUARY 2009 NOTICE

**In Re: SCHEDULING PROCEDURES
MOTION COURT DATES FOR THE HON. WARREN W. BENTZ**

SCHEDULING PROCEDURES EFFECTIVE FEBRUARY 3, 2003

JUDGE WARREN W. BENTZ, ERIE DIVISION CASES

Bankruptcy Courtroom
U.S. Courthouse
17 South Park Row, Erie, PA 16501

All motions and adversary proceedings are electronically filed with the Court. The Court will fix a hearing.

At the option of the movant, the following motions may be self-scheduled for hearing at the same time that the motion is filed:

Relief from stay	Chapter 13 Trustee's motion to dismiss (not
Lien avoidance	including a Chapter 13 Trustee's Certificate of
Objection to claims	Default Requesting Dismissal of Case)
Abandonment	Determination of secured status
Sale	Redemption

Chapter 7 and 11 Motions

Monday, January 5, 2009	1:30 PM and 2:30 PM
Monday, January 12, 2009	1:30 PM and 2:30 PM
Tuesday, January 27, 2009	2:00 PM and 3:00 PM
Monday, February 2, 2009	1:30 PM and 2:30 PM
Monday, February 9, 2009	1:30 PM and 2:30 PM
Tuesday, February 17, 2009	2:00 PM and 3:00 PM
Monday, March 2, 2009	1:30 PM and 2:30 PM
Monday, March 9, 2009	1:30 PM and 2:30 PM
Monday, March 16, 2009	1:30 PM and 2:30 PM
Monday, March 30, 2009	1:30 PM and 2:30 PM

Chapter 12 and 13 Motions

Friday, January 23, 2009	11:00 AM and 1:30 PM
Friday, February 20, 2009	11:00 AM and 1:30 PM
Friday, March 20, 2009	11:00 AM and 1:30 PM

ALL OF THE ABOVE DATES ARE SUBJECT TO REVISION. Please continue to check the Court's website for schedule changes.

PLEASE NOTE THAT THIS SCHEDULE IS AVAILABLE TO BE VIEWED ON PACER (Public Access to Court Electronic Records) and on our Court's Web Site (www.pawb.uscourts.gov). For more information, call the Clerk's office.

John J. Horner
Clerk, U.S. Bankruptcy Court

Jan. 2

THOMAS C. KEEGAN, Plaintiff,
v.
ROBERT O'MALLEY, Defendant

JURISDICTION / SITUS

When Pennsylvania is the chosen forum state for a civil action, the Commonwealth's rules of procedure govern issues of procedure . . . no matter what substantive law must be applied in resolving the underlying legal issues.

CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT

The PA Civil Rules § 1035.2, provides that summary judgment is appropriate when the record demonstrates there exists "no genuine issue of material fact as to a necessary element of the cause of action or defense that could be established by additional discovery or expert report;" or "an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury."

CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT

Any party may move for summary judgment, in whole or in part, after the relevant pleadings are closed.

CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT

It is the burden of the moving party to prove that no genuine issues of material fact exist. The Court must examine the record in a light most favorable to the nonmoving party and accept as true all well-pleaded facts in the nonmoving party's pleadings.

CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT

All doubts as to the existence of a genuine issue of material fact are to be resolved against the moving party.

CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT

The nonmoving party, however, may not rest upon the mere allegations or denials of its pleadings, but must set forth, either by affidavit or otherwise, specific facts showing there is a genuine issue for trial.

CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT

Plaintiff is entitled to judgment as a matter of law if, after assessing the relevant facts, it is clear to the Court that no reasonable jury could find in favor of Defendant.

CONTRACTS / INTERPRETATION

The Court, as a matter of law, has the authority to interpret the Contract between Plaintiff and Defendant provided the terms therein are unambiguous.

CONTRACTS / INTERPRETATION

Provided the Contract is unambiguous, the Court will give effect to Plaintiff's and Defendant's expressed intentions; however, their unexpressed intentions shall be deemed to have no existence. Conversely, if the terms of the Contract are ambiguous, the Contract may be subject

to several reasonable interpretations, and the resolution of the ambiguity is then an issue for the trier of fact.

CONTRACTS / INTERPRETATION

When the language of contracts is unclear or ambiguous, extrinsic evidence may then be considered in an effort to give effect to the parties' intentions.

CONTRACTS / INTERPRETATION

The Court, in testing for ambiguity within the Contract's terms, shall give the "common words" found within the Contract their ordinary meaning, "unless manifest absurdity results, or unless some other meaning is clearly evidenced from the [Contract's] face or [its] overall contents."

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,
PENNSYLVANIA CIVIL DIVISION No. 15032-2006

Appearances: Gregory P. Zimmerman, Esq., Attorney for Plaintiff
 Neal R. Devlin, Esq., Attorney for Defendant

OPINION

Connelly, J., September 8, 2008

This matter is before the Erie County Court of Common Pleas (hereinafter "the Court") pursuant to a Motion for Partial Summary Judgment filed by Thomas C. Keegan (hereinafter "Plaintiff") against Robert O'Malley (hereinafter "Defendant"). Defendant opposes Plaintiff's Motion.

Procedural History

Plaintiff filed a Complaint before the Court on December 5, 2006. *Complaint*, ¶¶ 1-10. Defendant filed an Answer and New Matter on January 2, 2007. *Answer and New Matter*, ¶¶ 1-10, ¶ 1. Plaintiff, in return, filed a Reply to Defendant's New Matter on January 10, 2007. *Reply to New Matter*, ¶ 1. Plaintiff filed his Motion for Partial Summary Judgment and Brief in Support on April 28, 2008, stating the calculation of the net proceeds from the sale of the Avalon Hotel in Erie, Pennsylvania (hereinafter, "the Hotel"), from which Plaintiff would receive any money owed him, should be based on its total \$5,100,000.00 sale price; and the calculation of the total costs of improvements made to the Hotel subtracted from the net proceeds should only include those improvements made solely by Defendant, as an individual, after December 31, 2001. *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, ¶¶ 1-55; *Brief in Support of Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, pp. 1-18. Defendant filed his Response to Plaintiff's Motion for Partial Summary Judgment on May 28, 2008. *Defendant*,

Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment, pp. 1-17. On June 16, 2008, Plaintiff filed a Reply Brief to Defendant's May 28, 2008 Response. *Plaintiff's Reply to Defendant's Response to Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, pp. 1-3.

Statement of Facts

Plaintiff and Defendant owned Avalon Inn Services, Inc.¹ *Pretrial Narrative Statement of Plaintiff Thomas C. Keegan*, p. 2; Defendant, *Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment*, p. 2. Avalon Inn Services, Inc., owned the Avalon Inn located in Warren, Ohio (hereinafter, "the Inn"). *Id.* In addition to Avalon Inn Services, Inc., a partnership named Avalon Hotel Partners² was also formed between Plaintiff and Inn Services, Inc.³ *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, ¶¶ 8, 9; Defendant, *Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment*, p. 2. In 1992, Avalon Hotel Partners purchased the Hotel for \$500,000.00. *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, ¶ 8.

Prior to December 31, 2001, Plaintiff proposed to Defendant that they sever their joint ownership of the Hotel and the Inn through an exchange of their respective interests, i.e., Plaintiff sell his one-third partnership interest in the Hotel to Defendant, and Defendant sell his two-thirds outstanding stock in the Inn to Plaintiff. *Brief in Support of Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, p. 3; Defendant, *Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment*, p. 2. Defendant agreed to this proposal and Plaintiff and Defendant retained separate counsel. *Id.* To facilitate this exchange, Plaintiff and Defendant became parties to both a Purchase Agreement and Promissory Note (hereinafter, "the Contract"

¹ Plaintiff owned one-third of Avalon Inn Services, Inc.'s outstanding stock, while Defendant owned the remaining two-thirds. *Pretrial Narrative Statement of Plaintiff Thomas C. Keegan*, p. 2; Defendant, *Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment*, p. 2.

² In regards to Avalon Hotel Partners, Plaintiff owned a partnership interest of one-third, while Inn Services, Inc. owned a partnership interest of two-thirds. *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, ¶¶ 8, 9; Defendant, *Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment*, p. 2. Avalon Hotel Partners is incorrectly referred to as "Avalon Inn Partners" in the Promissory Note. *Promissory Note*, Dec. 31, 2001; see, *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, Ex. D; Defendant, *Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment*, p. 4.

³ Inn Services, Inc., is a wholly-owned corporation of which Defendant is the sole shareholder. *Id.*

when referred to collectively)⁴ on December 31, 2001, which outlined the above-stated exchange of interests and properties. *Id.*

On October 30, 2006, the Hotel sold for \$5,100,000.00. *Complaint*, ¶¶ 6, 7; *Answer and New Matter*, ¶ 6, 7; *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, ¶¶ 8, 17. Plaintiff claims as a result of the sale of the Hotel and pursuant to the terms of the Promissory Note, of which he is the Payee, he is owed \$400,000.00. *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, ¶ 19.

Analysis of Law

The Contract contains a choice of law clause indicating Ohio law governs interpretation of the agreement. *Purchase Agreement, Dec. 31, 2001, p. 8*; see, *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan, Ex. C*. Therefore, the Court shall apply Ohio substantive law to the present case. See, *Chestnut v. Pediatric Homecare of Am., Inc.*, 617 A.2d 347, 350 (Pa. Super. 1992)(holding such clauses to be valid in Pennsylvania). However, "when Pennsylvania is the chosen forum state for a civil action, the Commonwealth's rules of procedure govern issues of procedure . . . no matter what substantive law must be applied in resolving the underlying legal issues." *Stivason v. Timberline Post & Beam Structures Co.*, 947 A.2d 1279, 1281 (Pa. Super. 2008).

The general issue before the Court is whether Plaintiff, as the moving party, is entitled to partial summary judgment pursuant to the *Pennsylvania Rules of Civil Procedure* (hereinafter "PA Civil Rules") § 1035.1 *et seq.* The PA Civil Rules provide that summary judgment is appropriate when: the record⁵ demonstrates there exists "no genuine issue of material fact as to a necessary element of the cause of action or defense that could be established by additional discovery or expert report;" or "an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury." *Pa.R.C.P. § 1035.2*.

Any party may move for summary judgment, in whole or in part, after the relevant pleadings are closed. *Ertel v. The Patriot-News Co.*, 674

⁴ Both the Purchase Agreement and the Promissory Note shall be interpreted together as one individual contract as they incorporate one another and are part of the same transaction. See, *Panagouleas Interiors, Inc., v. Silent Partner Group, Inc.*, 2002 WL 441409, *10 (Ohio Ct. App. 2002)(holding, writings executed as part of the same transaction should be read together); citing, *Edward A. Kemmler Mem'l Found. v. 691/733 East Dublin-Granville Rd. Co.*, 584 N.E.2d 695, 698 (Ohio 1992).

⁵ The "record" includes: pleadings, depositions, answers to interrogatories, admissions on file, together with the affidavits, and reports signed by an expert witness that would, if filed, comply with PA Civil Rule § 4003.5(a)(1), whether or not the reports have been produced in response to interrogatories. *Pa.R.C.P. § 1035.1*.

A.2d 1038, 1041 (Pa. 1996). It is the burden of the moving party to prove that no genuine issues of material fact exist. *Id.* The Court must examine the record in a light most favorable to the nonmoving party and accept as true all well-pleaded facts in the nonmoving party's pleadings. *Brecher v. Cutler*, 578 A.2d 481, 483-84 (Pa. Super. 1990); *citing*, *Green v. K & K Ins. Co.*, 566 A.2d 622, 623 (Pa. 1989). Also, all doubts as to the existence of a genuine issue of material fact are to be resolved against the moving party. *Ertel*, 674 A.2d at 1041. The nonmoving party, however, may not rest upon the mere allegations or denials of its pleadings, but must set forth, either by affidavit or otherwise, specific facts showing there is a genuine issue for trial. *Id.* at 1042. Plaintiff is entitled to judgment as a matter of law if, after assessing the relevant facts, it is clear to the Court that no reasonable jury could find in favor of Defendant. *See, Washington v. Baxter*, 719 A.2d 733, 737 (Pa. 1998). The Court, in determining whether Plaintiff is entitled to partial summary judgment, has viewed the record in the light most favorable to Defendant, and has weighed applicable law⁶ as it relates to the facts of this case as well as the merit of the arguments presented by both parties.

Though the general issue before the Court is whether Plaintiff is entitled to partial summary judgment, the Court, in order to determine such, must address the following specific issues: whether calculation of the net proceeds from the sale of the Hotel, from which Plaintiff would receive any money owed him, should be based on its total \$5,100,000.00 sale price; and whether calculation of the total costs of any improvements made to the Hotel subtracted from the net proceeds should only include those improvements made solely by Defendant as an individual after December 31, 2001.

I. WHETHER CALCULATION OF THE NET PROCEEDS FROM THE SALE OF THE HOTEL SHOULD BE BASED ON ITS TOTAL \$5,100,000.00 SALE PRICE

As previously stated, summary judgment is appropriate when the record demonstrates there exists "no genuine issue of material fact as to a necessary element of the cause of action or defense that could be established by additional discovery or expert report;" or "an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury." *Pa.R.C.P. §§ 1035.1, 2.* Defendant believed at the time of executing the Purchase Agreement that only the one-third interest he was buying from Plaintiff would be involved under the Contract; however he now acknowledges the Contract had not

⁶ The applicable law in the present case is composed of Ohio substantive law and Pennsylvania procedural law. *See, Stivason*, 947 A.2d at 1281; *Chestnut*, 617 A.2d at 350.

memorialized such a belief. *Defendant, Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment*, p. 14. Defendant further acknowledges "net proceeds" are defined on page three (3) of the Purchase Agreement solely as the "amount of the purchase price for the property [less identified deductions]." *Id.* Therefore, Defendant concedes that the calculation of the net proceeds from the sale of the Hotel, from which Plaintiff would receive any money owed him, must be based on the Hotel's total \$5,100,000.00 sale price as opposed to one-third of said price. *See, Id.*

The Court, therefore, finds no genuine issue of material fact as to this element of the present cause of action, and the calculation of the net proceeds from the sale of the Hotel must be based on the Hotel's total \$5,100,000.00 sale price as opposed to one-third of said price. The Court, however, shall make no determination as to the amount remaining from the \$5,100,000.00 less the deductions as identified in the Purchase Agreement and Promissory Note.

II. WHETHER CALCULATION OF THE TOTAL COSTS OF IMPROVEMENTS SUBTRACTED FROM THE NET PROCEEDS SHOULD ONLY INCLUDE THOSE IMPROVEMENTS MADE SOLELY BY DEFENDANT AS AN INDIVIDUAL AFTER DECEMBER 31, 2001

Plaintiff argues partial summary judgment should be granted as: (1) Defendant is the Maker of the Promissory Note; (2) Plaintiff is the Holder of the Promissory Note; (3) the Promissory Note unambiguously states the Holder shall only look to the net proceeds of the sale of the Hotel, less the amount of the costs of any improvements made to the Hotel by the Maker; (4) because Defendant did not obtain a partnership interest in Avalon Hotel Partners until the execution of the Purchase Agreement on December 31, 2001 (as Avalon Hotel Partners was comprised of Plaintiff and Inn Services, Inc., prior to the Purchase Agreement), he could not have possibly paid for any improvements to the Hotel as he was not a partner in the entity that owned the Hotel; therefore, (5) the unambiguous language of the Contract shows that the requisite calculation of the total costs of improvements subtracted from the net proceeds, can only include those improvements made solely by Defendant in an individual capacity after December 31, 2001. *Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, ¶¶ 53-55; *Brief in Support of Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan*, pp. 16, 17. Defendant argues against partial summary judgment, stating Plaintiff's argument is: (1) not supported by any language in the Contract; (2) contrary to the provisions and terms of the Contract; (3) inconsistent with Plaintiff's argument that the calculation must include 100% of the net proceeds; and (4) directly contrary to Defendant's, or any party's, reasonable interpretation of the

Contract. *Defendant, Robert O'Malley's, Response to Plaintiff's Motion for Partial Summary Judgment*, p. 8.

The Court, as a matter of law, has the authority to interpret the Contract between Plaintiff and Defendant provided the terms therein are unambiguous. *See, The Long Beach Ass'n, Inc., v. Jones*, 697 N.E.2d 208, 209 (Ohio 1998); *Alexander v. Buckeye Pope Line Co.*, 374 N.E.2d 146 (Ohio 1978); *United States Fid. & Guar. Co., v. St. Elizabeth Med. Ctr.*, 716 N.E.2d 1201, 1208 (Ohio Ct. App. 1998). Provided the Contract is unambiguous, the Court will give effect to Plaintiff and Defendant's expressed intentions; however, their unexpressed intentions shall be deemed to have no existence. *United States Fid. & Guar. Co.*, 716 N.E.2d at 1208.

Conversely, if the terms of the Contract are ambiguous, the Contract may be subject to several reasonable interpretations, and the resolution of the ambiguity is then an issue for the trier of fact. *See, Cent. Ohio Joint Vocational School Dist. Bd. of Educ. v. Peterson Constr.*, 716 N.E.2d 1210, 1214 (Ohio Ct. App. 1998); *Clarke v. Hartley*, 454 N.E.2d 1322, 1326 (Ohio Ct. App. 1982) (holding when provisions of a contract are ambiguous, the court should submit the matter to the jury, with appropriate instructions, for a resolution of those ambiguities). When the language of contracts is unclear or ambiguous, extrinsic evidence may then be considered in an effort to give effect to the parties' intentions.⁷ *See, Shifrin v. Forest City Enter., Inc.*, 597 N.E.2d 499, 501 (Ohio 1992). The Court, in testing for ambiguity within the Contract's terms, shall give the "common words" found within the Contract their ordinary meaning, "unless manifest absurdity results, or unless some other meaning is clearly evidenced from the [Contract's] face or [its] overall contents." *See, Alexander*, 374 N.E.2d at 150.

According to the Contract, Defendant promised to pay \$400,000.00 to Plaintiff:

Due and payable only from the Net Proceeds, *as that term is defined in the Purchase Agreement*, of the sale of [the Hotel]. . . . *less the costs of any improvements made to [the Hotel] and paid for by the Maker* to [Avalon Hotel Partners],⁸. . . . the holder hereof shall only look to the Net Proceeds of the sale of [the Hotel], *less the amount of the cost of any improvements made to [the Hotel] by the Maker* not paid from mortgage proceeds or from the proceeds of a then unpaid loan to [Avalon Hotel Partners]⁹

⁷ If the interpretation of a contract requires consideration of evidence extrinsic to the contract, that, too, is an issue for the trier of fact." *Certified Computer Solutions, Inc., v. Rieth & Antonelli, Co.*, 841 N.E.2d 866, 871 (Ohio Mun. 2005); *citing, Davis v. Loopco Indus., Inc.*, 609 N.E.2d 144 (Ohio 1993).

⁸ Note 2, *supra*.

⁹ *Id.*

Promissory Note, Dec. 31, 2001; see, Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan, Ex. D (emphasis added). As agreed to by Plaintiff and Defendant, "Net Proceeds" are defined in the Purchase Agreement, via the Promissory Note, as the sale price of the Hotel:

[L]ess \$100,000.00 to be retained by the seller of the subject property for the payment of income taxes, *less the costs of any improvements made to the property by the owner thereof*, not including the cost of any improvements made to the property and paid from mortgage proceeds or a then unpaid loan made by [Plaintiff] or [Defendant] (*Inn Services, Inc.*), as the case may be, and less the amount of any unpaid loans made by [Plaintiff] to the Corporation or made by [Defendant] to the Partnership, as the case may be.

Purchase Agreement, Dec. 31, 2001, pp. 2, 3; see Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan, Ex. C (emphasis added).

The Promissory Note indicates Defendant, in an individual capacity, is the Maker of the Note, and that only improvements made to the Hotel by the Maker shall be deducted from the net proceeds, which are defined in the Purchase Agreement. *Promissory Note, Dec. 31, 2001; see, Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan, Ex. D.* However, the Purchase Agreement indicates Defendant, acting through his wholly-owned corporation, Inn Services, Inc., is the Owner of the Hotel, and that only improvements made to the Hotel by the Owner, i.e., Inn Services, Inc., shall be deducted from the Net Proceeds. *Purchase Agreement, Dec. 31, 2001, pp. 2, 3; see Motion for Partial Summary Judgment on Behalf of Plaintiff Thomas C. Keegan, Ex. C.* Based on such discontinuity between the Promissory Note and the Purchase Agreement (which supposedly is to define terms contained in the Promissory Note) the Court, giving words contained in the Contract their ordinary meaning, finds a reading of the Contract clearly shows there to be an ambiguity regarding to whom improvements made to the Hotel are to be attributed in order to ascertain the net proceeds. Due to such ambiguity, the Court further finds the Contract subject to several reasonable interpretations, and therefore interpretation of the Contract is a matter for the trier of fact. Furthermore, the Court finds no mention of improvements made solely after December 31, 2001, to be contained in the Contract.

Pursuant to the above analysis, partial summary judgment in favor of Plaintiff is proper only as to whether calculation of the net proceeds from the sale of the Hotel should be based on its total \$5,100,000.00 sale price. Because Defendant has admitted such, the provided evidence as

viewed in a light most favorable to Defendant clearly reveals a reasonable jury may find in favor of Plaintiff regarding this claim. Consequently, Plaintiff's Motion for Partial Summary Judgment is granted as to whether calculation of the net proceeds from the sale of the Hotel should be based on its total \$5,100,000.00 sale price as no genuine issue of material fact remains as to whether net proceeds should be based on the Hotel's sale price.

However, pursuant to the above analysis, judgment in favor of Plaintiff is not proper as to whether calculation of the total costs of improvements subtracted from the net proceeds should only include those improvements made solely by Defendant, as an individual, after December 31, 2001. Because the Contract contains clear ambiguities, which have resulted in several reasonable interpretations of the Contract, the provided evidence as viewed in a light most favorable to Defendant clearly reveals a reasonable jury may find in favor of Defendant regarding this claim. Consequently, Plaintiff's Motion for Partial Summary Judgment is denied as to whether calculation of the total costs of improvements subtracted from the net proceeds should only include those improvements made solely by Defendant, as an individual, after December 31, 2001, as genuine issues of material fact remain as to whom improvements made to the Hotel are to be attributed in order to ascertain the net proceeds.

ORDER

AND NOW, TO-WIT, this 8th day of September, 2008, it is hereby **ORDERED, ADJUDGED, and DECREED** that, for the reasons set forth in the foregoing Opinion, Plaintiff's Motion for Partial Summary Judgment is **GRANTED** as to Plaintiffs claim the calculation of the net proceeds from the sale of the Hotel should be based on its total sale price, while Plaintiff's Motion for Partial Summary Judgment is **DENIED** as to Plaintiff's claim the calculation of the total costs of any improvements made to the Hotel subtracted from the net proceeds should only include those improvements made solely by Defendant after December 31, 2001.

BY THE COURT:

/s/ **Shad Connelly, Judge**

INCORPORATION NOTICE

Notice is hereby given that CivicPulse, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988.

Craig A. Zonna, Esq.
Elderkin, Martin, Kelly & Messina
150 E. 8th St.
Erie, PA 16501

Jan. 2

LEGAL NOTICE

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA
CIVIL ACTION - LAW
No. 15192-2008

ACT PROPERTIES LLC, Plaintiff
vs.

Unknown Heirs of
Carmen M. Guzman, Deceased &
ISMAEL SILVA TIRADO,
Mortgagor and Real Owner,
Defendants

TO: Unknown Heirs of Carmen M. Guzman, Deceased, MORTGAGOR AND REAL OWNER, DEFENDANT(S), whose last known address is 1029 Filmore Avenue, Erie, PA 16505.

This firm is a debt collector and we are attempting to collect a debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff, ACT PROPERTIES LLC, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Erie County, Pennsylvania, docketed to No. 15192-2008, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 1029 Filmore Avenue, Erie, PA 16505, whereupon your property will be sold by the Sheriff of Erie County.

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the 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 claim in the Complaint of 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 or cannot afford one, go to or telephone the office set forth below. This office can provide you with 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.

Erie County Bar Association
PO Box 1792, Erie, PA 16507
814-459-4411

Northwestern Legal Services
1001 State St., Ste. 700, Erie, PA 16501
800-753-5704

Michael T. McKeever
Attorney for Plaintiff
Goldbeck McCafferty
& McKeever, P.C.
Suite 5000, Mellon Independence
Center, 701 Market St.
Philadelphia, PA 19106-1532
215-627-1322

Jan. 2

LEGAL NOTICE

ATTENTION:

UNKNOWN FATHER
INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS

IN THE MATTER OF THE
ADOPTION OF MINOR
MALE CHILD (G.T.M.C.);
DOB: 08-14-07

#140 IN ADOPTION, 2008

If you could be the parent of the above mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House,

Judge Bozza, Court Room No. 1, City of Erie on January 15, 2009, at 9:30 a.m. and then and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child. 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 your 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.

Family/Orphan's
Court Administrator
Room 204-205

Erie County Court House
Erie, Pennsylvania 16501
(814) 451-6251

Jan. 2

LEGAL NOTICE

ATTENTION:

RASHELLE LOUISE JORDAN
AND UNKNOWN FATHER
INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS

IN THE MATTER OF THE
ADOPTION OF MINOR MALE
CHILD (T.A.D.J.); DOB: 05-20-08
#137 IN ADOPTION, 2008

If you could be the parent of the above mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be

and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Bozza, Court Room No. 1, City of Erie on January 15, 2009, at 9:45 a.m. and then and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child. 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 your 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.

Family/Orphan's
Court Administrator
Room 204-205
Erie County Court House
Erie, Pennsylvania 16501
(814) 451-6251

Jan. 2

LEGAL NOTICE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the U. S. Court for the W. D. of PA at suit of the USA at Civil No. 1:08-cv-187. I shall expose to public sale the real property of Joseph H. Markiewicz and Terri L. Markiewicz known as 5441 Decker Drive, Edinboro, PA 16412, being fully described in the Deed dated August 22, 1990, and recorded in the Office of the Recorder of Deeds

of Erie County, Pennsylvania, at Deed Book Volume 134, Page 904.

TIME AND LOCATION OF SALE: Tuesday, January 20, 2009 at 9:00 A.M. at the Erie County Sheriff's Office, Room 209, 140 West Sixth Street, Erie, PA 16501.

TERMS OF SALE: Successful bidder will pay ten percent (10%) by cashier's check, certified check or bank money order at the time of the sale and the remainder of the bid within thirty (30) days from the date of the sale and in the event bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Ms. Sheila Blessing, Room 241, U.S. Post Office & Courthouse, Pittsburgh, PA 15219. Notice is hereby given that a Schedule of Distribution will be filed by the Marshal's Office on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. The successful bidder takes the real estate subject to, and shall pay all taxes, water rents, sewer charges, municipal claims, and other charges and liens not divested by the sale. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Purchaser shall furnish Marshal with Grantee information at the time of the sale. Marshal's costs, fees and commissions are to be borne by seller. Thomas M. Fitzgerald, United States Marshal. For additional information visit www.resales.usda.gov or contact Ms. Raquel Henderson-Crowell at 1-800-349-5097 Ext. 4500.

Dec. 26 and Jan. 2, 9, 16

SHERIFF SALES

Notice is hereby given that by virtue of sundry Writs of Execution, issued out of the Courts of Common Pleas of Erie County, Pennsylvania, and to me directed, the following described property will be sold at the Erie County Courthouse, Erie, Pennsylvania on

**January 23, 2009
at 10:00 AM**

All parties in interest and claimants are further notified that a schedule of distribution will be on file in the Sheriff's Office no later than 30 days after the date of sale of any property sold hereunder, and distribution of the proceeds made 10 days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

All bidders are notified prior to bidding that they MUST possess a cashier's or certified check in the amount of their highest bid or have a letter from their lending institution guaranteeing that funds in the amount of the bid are immediately available. If the money is not paid immediately after the property is struck off, it will be put up again and sold, and the purchaser held responsible for any loss, and in no case will a deed be delivered until money is paid.

Bob Merski

Sheriff of Erie County

Jan. 2, 9, 16

NOVEMBER SALE #57

Ex. #12913 of 2008

LASALLE BANK NATIONAL ASSOCIATION, as Trustee for First Franklin Mortgage Loan Trust 2007-FF1, Mortgage Asset-Backed Certificates, Series 2007-FF1, Plaintiff
v.

TANYA M. BISH and EDWARD A. BISH, Defendants

SHERIFF'S SALES

By virtue of a Writ of execution filed to No. 12913-08, LaSalle Bank National Association, et al vs. Tanya M. Bish and Edward A. Bish, owner(s) of property situated in Wesleyville Borough, Erie County, Pennsylvania being 2904 East 29th Street, Erie, PA 16510.

Dimensions: 80 x 123
Assessment Map Number: (50) 5-60-11
Assess Value figure: \$80,100.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

Jan. 2, 9, 16

SALE NO. 1

Ex. #10289 of 2008

**Marquette Savings Bank
v.**

**Rick Buziewicz, a/k/a
Richard D. Buziewicz, and
Mary Beth Buziewicz, a/k/a
Mary Beth Peskorski**

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 10289-2008, Marquette Savings Bank vs. Rick Buziewicz, a/k/a Richard D. Buziewicz, and Mary Beth Buziewicz, a/k/a Mary Beth Peskorski, owners of property situate in Fairview Township, Erie County, Pennsylvania being: 785 Gunton Drive, Fairview, Pennsylvania 16415.

90 X 298.66

Assessment Map Number:
(21) 11-11-72

Assessed Value Figure: \$34,500.00
Improvement Thereon: Dwelling house and lot

Will J. Schaaf, Esq.

Marsh Spaeder Baur Spaeder & Schaaf, LLP

Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

Jan. 2, 9, 16

SALE NO. 2

Ex. # 13863 of 2008

**Marquette Savings Bank
v.**

Jeffrey M. Flowers
SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 13863-2008, Marquette Savings Bank vs. Jeffrey M. Flowers, owner of property situate in Millcreek Township, Erie County, Pennsylvania being: 1842 High Street, Erie, Pennsylvania 16509.

80' x 210'

Assessment Map Number:
(33) 98-419-15

Assessed Value Figure: \$102,200.00
Improvement Thereon: Dwelling house and lot known as 1842 High Street, Erie, Pennsylvania 16509.

Will J. Schaaf, Esq.

Marsh Spaeder Baur Spaeder & Schaaf, LLP

Suite 300, 300 State Street
Erie, Pennsylvania 16507

(814) 456-5301

Jan. 2, 9, 16

SALE NO. 3

Ex. #13393 of 2008

**The CIT Group/Consumer
Finance, Inc., Plaintiff
v.**

**Everett Bennett
Thelma Bennett**

Edna Bush, Defendant(s)

LEGAL DESCRIPTION

ALL the following described real property in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: being the southerly ninety (90) feet of Lot No. 20 according to the plan of the subdivision of Out Lot 584, made by Joseph M. Sterrett and Samuel A. Davenport, Executors of the will of Anna C. Cunningham, said lot having a frontage on the north side of East Ninth Street of approximately forty-one (41) feet and a depth of approximately ninety (90) feet, and having erected thereon premises known as 520 East Ninth Street, Erie, Pennsylvania, and bearing Erie County Assessment Index No. (15) 2026-234 in Sheriff's Deed Book Volume 0042, Page 0474 on February 22, 1988.

PARCEL NO. 20-26-234

Currently set forth as Deed Book volume 993 page 1853 recorded 4-02-2003

Also commonly known as: 520 East 9th Street, Erie, Pennsylvania 16503

BEING KNOWN AS: 520 EAST 9TH STREET, ERIE, PA 16503

PROPERTY ID NO.: 20-26-234

TITLE TO SAID PREMISES IS VESTED IN Everett Bennett, Thelma Bennett and Edna Bush by

Deed from Glis Management, Inc., James Glispy and Charlene P. Gee-Glispy date 3/27/03 recorded 4/2/03 in Deed Book 993 page 1853.
Udren Law Offices, P.C.
Chandra M. Arkema, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 2, 9, 16

SALE NO. 4

Ex. #14571 of 2008
Beneficial Consumer Discount
Company d/b/a Beneficial
Mortgage Co. of Pennsylvania,
Plaintiff

v.

Carolyn I. Kuhn, Defendant(s)
LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Borough of Girard, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at the northwest corner of the piece at an iron pipe at the intersection of the easterly line of Lake Street with the southerly line of Hathaway Street; Thence, North 55° 48' East, along the southerly line of Hathaway Street, one hundred eighty-three and five tenths (183.5) feet to an iron pipe; Thence, by the residue of the piece, South 34° 12' East, twenty-four and four tenths (24.4) feet to an iron pipe; Thence, by the residue of the piece, South 28° 22' West, one hundred fifty-one and seventy-eight hundredths (151.78) feet to an iron pipe in the easterly line of Lake Street; Thence, North 61° 30' West, along the easterly line of Lake Street, one hundred six and seventeen hundredths (106.17) feet to the place of beginning. Having a two-story frame dwelling and out buildings erected thereon. SAID premises are further identified by Erie County Assessment Index No. (23) 9-10-11, and are commonly known as 639 Lake Street, Girard, Pennsylvania.
BEING KNOWN AS: 639 LAKE

STREET, GIRARD, PA 16417
PROPERTY ID NO.: 23-9-10-11
TITLE TO SAID PREMISES IS VESTED IN Carolyn I. Khun by Deed from Ernest F. Kemling and Marjorie E. Kemling, husband and wife, by Gary L. Kemling, their attorney-in-fact dated 2/27/02 recorded 3/1/02 in Deed Book 858 page 64.
Udren Law Offices, P.C.
Chandra M. Arkema, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 2, 9, 16

SALE NO. 5

Ex. #14272 of 2008
Beneficial Consumer Discount
d/b/a Beneficial Co. of
Pennsylvania, Plaintiff
v.

Craig T. McAvoy
Michelle M. McAvoy,
Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Third Ward of the City of Corry, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the south line of Mound Street, 251.19 feet east of the intersection of the south line of Mound Street with the east line of Marion Street, at the northeast corner of premises now or formerly of Jon M. Miller, as recorded in Erie County Deed Book 1009 at page 595; thence South 1° 9' West, 147.19 feet to a point; thence South 89° 14' East, 118.31 feet, be the same more or less, to an original iron pipe; thence North 1° 9' East, 147 feet, be the same more or less, to a point in the south line of Mound Street; thence West along the south line of Mound Street 120.81 feet, be the same more or less, to the place of beginning.
AND being the same premises conveyed to Grantors herein, by Deed dated March 19, 1992 and recorded in Erie County Record Book 201 at page 945 on March 23, 1992.
BEING KNOWN AS: 274 MOUNT

STREET, CORRY, PA 16407
PROPERTY ID NO.: 7-14-15-1.09
TITLE TO SAID PREMISES IS VESTED IN Craig T. McAvoy and Michelle M. McAvoy, his wife, as tenants by the entireties with the right of survivorship by Deed from Richard G. Cassell and Lauren M. Cassell, his wife dated 8/4/95 recorded 8/7/95 in Deed Book 396 page 2168.
Udren Law Offices, P.C.
Chandra M. Arkema, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 2, 9, 16

SALE NO. 6

Ex. # 13717 of 2008
The Bank of New York Mellon
f/k/a The Bank of New York as
successor to JPMorgan Chase
Bank, National Association,
as Trustee for the C-BASS
Mortgage Loan Asset-Backed
Certificates, Series 2005-CB8,
Plaintiff

v.

William Miner
Susan Miner
United States of America,
Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of Summit, County of Erie and State of Pennsylvania, bounded and described as follows to-wit: BEGINNING at a point in the New Road (formerly the Lynch and Pollock Road) as the southwest corner of property owned by Karl W. Roth, et ux; thence North twenty-four degrees seven minutes West five hundred sixty-one (561) feet to a point; thence North fifty-six degrees five minutes East three hundred ninety and eighty-five hundredths (390.85) feet to a point; thence south twenty-five degrees East, five hundred sixty and thirty-nine hundredths (560.39) feet to a point in the New Road; thence South sixty-five degrees West for hundred (400) feet along said New Road to the place of beginning, containing five and one-tenth acres more or

less. Said premises being more commonly known as 2246 New Road, Waterford, Pennsylvania and bearing County of Erie Index No. (40) 20-83-35.

BEING KNOWN AS: 2246 NEW ROAD, WATERFORD, PA 16441
PROPERTY ID NO.: 40-20-83-35
TITLE TO SAID PREMISES IS VESTED IN William Miner and Susan Miner, his wife, as tenants by the entireties with the right of survivorship by Deed from Jeanne E. Gdanetz, unmarried widow dated 6/23/03 recorded 6/27/03 in Deed Book 1028 page 2361.

Udren Law Offices, P.C.
Chandra M. Arkema, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 2, 9, 16

SALE NO. 7

Ex. #14041 of 2008
National City Mortgage Co. dba
Accubanc Mortgage, Plaintiff
v.

Robert H. Schiefelbein,
Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in Lawrence Park Realty Company Plot of portions of Tracts No. 246 and 247 in Lawrence Park Township, Erie County, Pennsylvania, as recorded in Erie County Map Book No. 3, Page 39, 40 and 41, subject to the terms and conditions therein and herein mentioned, and being a part of Lot 1, Block 173, more particularly described as follows, to-wit:

BEGINNING at a point in the southerly line of Main Street 55.845 feet westwardly from the westerly line of Priestley Avenue;
THENCE, southwardly parallel with the westerly line of Priestly Avenue, 100 feet to the northerly line of a 16 foot alley;

THENCE, westwardly along the northerly line of said 16 foot alley, 19.43 feet to a point;

THENCE, northwardly parallel with the westerly line of Priestley Avenue, 100 feet to the

southerly line of Main Street; THENCE, eastwardly along the southerly line of Main Street 19.43 feet to the point of beginning, being known as 3819 Main Street, and bearing Erie County Tax Index No. (29) 188-55-8.

BEING the same premises conveyed to Donald Paul Blair, Party of the First Part herein, by an undivided one-third interest awarded him by Decree of Distribution of the Orphans' Court of Erie County, Pennsylvania entered in the Estate of Mary W. Wright, deceased, an excerpt of which is recorded in Erie County Deed Book 1055, Page 265, an undivided one-third interest by deed from Maynard Batts, an unmarried widower, dated September 18, 1993 and recorded October 1, 1993 in Erie County Record Book 295, at Page 87, et seq., and an undivided one-third interest by deed from Donald P. Blair, Executor of the Estate of Frances W. Blair, deceased, dated May 16, 1997 and recorded May 22, 1997 in Erie County Record Book 499, at Page 1448, et seq., thereby constituting the entire interest in said property.

THE division lines between the property hereby conveyed and the properties located immediately east and west thereof pass through the center of the walls between the apartment located on the property hereby conveyed, known as 3819 Main Street, and the apartments located on the lots immediately east and west thereof, known as 3821 and 3817 Main Street, which walls are to be considered as party walls; and said grantee, his heirs and assigns, shall have no right to remove or interfere with said walls, except by and with the consent of the adjoining party wall property owner or owners;

SUBJECT to all valid and subsisting conditions, covenants, restrictions, reservations, exceptions, setbacks, rights-of-way and easements of record and/or those that are visible to a physical inspection and all laws, regulations, and restrictions, including building and zoning ordinances, or municipal and other

governmental authorities applicable to and enforceable against the above-described property.

BEING KNOWN AS: 3819 Main Street, Erie, PA 16511
PROPERTY ID NO.: 29/18-55-8
TITLE TO SAID PREMISES IS VESTED IN Robert H. Schiefelbein, single by Deed from Donald Paul Blair, single dated 7/17/2003 recorded 7/23/2003 in Deed Book 1039 page 1389.
Udren Law Offices, P.C.
Chandra M. Arkema, Esquire
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 2, 9, 16

SALE NO. 8

Ex. #13063 of 2008
1st Choice Community Federal
Credit Union, Plaintiff
v.

Edward W. Hatch, Defendant
DESCRIPTION OF PROPERTY
Please levy, post and sell the real property of the defendant located at: 1225 West 36th Street, Erie, PA 16508.
Edwin W. Smith, Esq.
305 W. 6th St.
Erie, PA 16507
(814) 452-6800

Jan. 2, 9, 16

SALE NO. 9

Ex. #10689 of 2008
Wells Fargo Bank, N.A., Plaintiff,
v.

David J. Farrell, and
Karen T. Farrell, Defendant
LONG FORM DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, being Lot No. 3 of the North Point Woods Subdivision, Section No. 2, as recorded in Erie County Map Book 23 at page 139 and more commonly known as 4785 Elsie Street, Erie, Pennsylvania. Erie County Tax Index No. (27) 7-79-25.

BEING the same premises which Donald J. Smith and Sonya R. Smith, by Deed dated April 15,

1996 and recorded in the Office of the Recorder of Deeds of Erie County on May 6, 1996, in Deed Book 438, Page 531, granted and conveyed unto David J. Farrell and Karen T. Farrell.
Grenen & Birsic, P.C.
Kristine M. Anthou, Esquire
Attorney for Plaintiff
One Gateway Center, Ninth Floor
Pittsburgh, PA 15222
(412) 281-7650

Jan. 2, 9, 16

SALE NO. 10

Ex. #11346 of 2002
Washington Mutual Bank, F.A.,
Successor To Washington Mutual
Home Loans, Inc., f/k/a PNC
Mortgage Corp. of America,
Plaintiff,
v.

Darryl E. Weed and

Cheryl M. Weed, Defendants

LONG FORM DESCRIPTION

All that certain piece or parcel of land situate in the First Ward of the Borough of Union City, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Commencing on Putnam Street at the northwest corner of the land now or formerly of Glenn E. Kendall and Claudia M. Kendall; thence south along line of land now or formerly of Glenn L. Kendall and Claudia M. Kendall, two hundred and fifty-four (254) feet to line of land now or formerly of J.C. Caffisch; thence west along line of land now or formerly of J.C. Caffisch fifty-four (54) feet to line of land formerly of H.B. Skinner; THENCE north along line of land formerly of H.B. Skinner two hundred and sixty-eight (268) feet to line of Putnam Street; thence east along Putnam Street fifty-four (54) feet to corner of land now or formerly of Kendall, the Place of Beginning.

Having erected thereon a frame dwelling house and other improvements, commonly known as 52 Putnam Street, Union City, Pennsylvania and having Erie County Tax Assessment Number (41) 6-12-13.

Being the same premises which Federal National Mortgage Association, by Deed dated December 17, 1996 and recorded in the Recorder of Deeds of Erie County on December 19, 1996 in Deed Book 476, page 1630, granted and conveyed unto Darryl E. Weed and Cheryl M. Weed.
Grenen & Birsic, P.C.
Kristine M. Anthou, Esquire
Attorney for Plaintiff
One Gateway Center, Ninth Floor
Pittsburgh, PA 15222
(412) 281-7650

Jan. 2, 9, 16

SALE NO. 11

Ex. #14618 of 2008

Northwest Savings Bank

v.

Mary Frances Schenley

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 14618-2008, Northwest Savings Bank vs. Mary Frances Schenley, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 2621 Jackson Avenue, Erie, Pennsylvania.

86.125' x 32.5' x 86.125' x 32.5'

Assessment Map Number:
(18) 5056-224

Assessed Value Figure: \$44,600.00

Improvement Thereon: Residence

Kurt L. Sundberg, Esq.

Marsh Spaeder Baur Spaeder

& Schaaf, LLP

Suite 300, 300 State Street

Erie, Pennsylvania 16507

(814) 456-5301

Jan. 2, 9, 16

SALE NO. 12

Ex. #14043 of 2008

GreenPoint Mortgage Funding,

Incorporated

v.

Scott A. Fuller a/k/a

Scott Alan Fuller

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14043-08 GreenPoint Mortgage Funding, Incorporated vs. Scott A. Fuller a/k/a Scott Alan Fuller, owners of property situated in Township of Millcreek, Erie County, Pennsylvania being 2214-2216 Midland Drive, Erie, PA

16506
Assessment Map number:
33-053-211.0-28.07
Improvement thereon: Residential
Dwelling
Mary L. Harbert-Bell, Esquire
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Jan. 2, 9, 16

SALE NO. 15

Ex. #13648 of 2008

PNC Bank, NA

v.

Vivian L. Roseberry n/k/a

Vivian L. Karuba and

Thomas P. Roseberry

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13648-08 PNC Bank, NA vs. Vivian L. Roseberry n/k/a Vivian L. Karuba and Thomas P. Roseberry, owner(s) of property situated in the City of Erie, Erie County, Pennsylvania being 256 E. 6th Street, Erie, PA 16507

82½ x 133½

Assessment Map number:
(14) 1008-138

Assessed Value figure: \$35,830.00

Improvement thereon: single family dwelling

Patricia L. Blais

436 Seventh Ave.

1400 Koppers Bldg.

Pittsburgh, PA 15219

(412) 434-7955

Jan. 2, 9, 16

SALE NO. 16

Ex. #15002 of 2007

National City Mortgage

Company

v.

Ronald S. Filippi and

Joseph J. Herbert

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15002-2007 National City Mortgage Company v. Ronald S. Filippi and Joseph J. Herbert, Owners of property situated in Millcreek Township, Erie County, Pennsylvania being 3294 Lakefront Drive, Erie, PA 16505

Lot 53.70 X 108.65

Assessment Map number:
33-7-19.1-2

THE DOWNTOWN Y M C A

Keeping Erie's Legal Community
Healthy for 148 Years!

*Get fit and feel great with classes, programs
and the latest in cardio equipment at the
Downtown YMCA.*

NEW MEMBER SPECIAL

Join now and receive three months free
Health Center Membership (a \$60 savings!)
Including private locker, steam room, sauna & whirlpool

STOP AT THE DOWNTOWN YMCA!
10TH & PEACH OR CALL 452-3261



YMCA

We build strong kids, strong families, strong communities.

www.ymcaerie.org



DENNIS LAGAN & ASSOCIATES, INC

INVESTIGATORS AND CONSULTANTS

- ✦ DOMESTIC, CIVIL, CRIMINAL
- ✦ WRITTEN STATEMENTS
- ✦ SURVEILLANCE
- ✦ WIRETAP/"BUG" DETECTION
- ✦ POLYGRAPH

814-455-7007
ERIE, PENNSYLVANIA

877-99-LAGAN
(TOLL-FREE)

Dennis Lagan
27 Years- PSP

Gerald Nichols
30 Years - FBI

Benjamin Suchocki
30 Years - FBI/IRS

Jennifer Mazur
Investigator

NORTHWEST PENNSYLVANIA'S PREMIER INVESTIGATIVE TEAM

TechnoSecure, Inc.

(814) 873-5035

www.TechnoSecureInc.com

Your Partner for Computer Forensics and Digital Discovery

Experienced, Certified Computer Forensic Examiners

**Computer Forensic Examinations
Electronic Discovery
Litigation Support**

Assessed Value figure: 226,600.00
Improvement thereon: single family
frame dwelling
Robert S. Bernstein, Esquire
Bernstein Law Firm, P.C.
Suite 2200 Gulf Tower
Pittsburgh, PA 15219
(412) 456-8100

Jan. 2, 9, 16

SALE NO. 17

Ex. #11471 of 2008

**WM Specialty Mortgage, LLC
v.**

**Barry A. Brumett and
Melissa A. Brumett
SHERIFF'S SALE**

By virtue of a Writ of Execution
filed to No. 11471-08 WM Specialty
Mortgage, LLC vs. Barry A.
Brumett and Melissa A. Brumett,
owner(s) of property situated in the
Borough of Wattsburg, County of
Erie, Pennsylvania being 14405-
14407 Church Street, Wattsburg, PA
16442

56 X 16

Assessment Map Number: (48) 1-5-3

Assessed Value figure: 67,440.00

Improvement thereon: Single
Family Dwelling

Scott A. Dietterick, Esquire

Kimberly A. Bonner, Esquire

Richard P. Haber, Esquire

Eric Santos, Esquire

Zucker, Goldberg & Ackerman, LLC

200 Sheffield Street, Suite 301

Mountainside, NJ 07092

(908) 233-8500

Jan. 2, 9, 16

SALE NO. 18

Ex. #13702 of 2008

**First National Bank of
Pennsylvania, Plaintiff**

v.

**Margie A. Macnabb and
Kenneth Macnabb, Jr.,
Defendants**

SHORT DESCRIPTION

ALL that certain piece or parcel of
land situate in Township of Union,
County of Erie, and Commonwealth
of Pennsylvania, being known and
numbered as 15010 Kimball Hill
Road, Union City, Pennsylvania
16438, and bearing Erie County Tax
ID No. (43) 1-2-2.

Susan Fuhrer Reiter

Pa. Supreme Court ID No. 43581
MacDonald, Illig, Jones
& Britton LLP
100 State Street, Suite 700
Erie, Pennsylvania 16507-1459
(814) 870-7760

Jan. 2, 9, 16

SALE NO. 19

Ex. #13936 of 2008

**U.S. Bank National Association,
as Trustee, on Behalf of the
Holders of the Asset Backed
Securities Corporation Home
Equity Loan Trust, Series NC
2005-HE8, Asset Backed Pass-
Through Certificates, Series NC
2005-HE8**

v.

**Laura Slyker and Charles Pyle
SHERIFF'S SALE**

By virtue of a Writ of Execution filed
to No. 13936-2008, U.S. BANK
National Association, as Trustee, on
Behalf of the Holders of the Asset
Backed Securities Corporation Home
Equity Loan Trust, Series NC 2005-
HE8, Asset Backed Pass-Through
Certificates, Series NC 2005-HE8 v.
Laura Slyker And Charles Pyle,
Owner(s) of the property situated
in Township of Harborcreek being
known as 4801 Reese Road, Erie,
PA.

Tax Map Number: 27-66-198-14
and 27-66-198-15

Assessed Value Figure: \$132,510.00

Improvement(s) thereon: One Story
Ranch Style Residential Dwelling

Barbara A. Fein, Esquire

The Law Offices of

Barbara A. Fein, P.C.

425 Commerce Drive, Suite 100

Fort Washington, PA 19034

(215) 653-7450

Jan. 2, 9, 16

SALE NO. 20

Ex. #13209 of 2008

PNC Bank, National Association

v.

**Frank Conti & Susanne I. Conti
SHERIFF'S SALE**

By virtue of a Writ of Execution
filed to No. 13209-2008 PNC
Bank, National Association vs.
Frank Conti & Susanne I. Conti,
owner(s) of property situated in the
Township of Summit, Erie County,

Pennsylvania being 175 Kayla Way,
Waterford, PA 16441

3.834 Acres

Assessment Map number:
(40) 24-106-3-07

Assessed Value Figure: \$235,500.00

Improvement thereon: Residential
Dwelling

Brett A. Solomon

Michael C. Mazack

1500 One PPG Place

Pittsburgh, PA 15222

412-594-3913

Jan. 2, 9, 16

SALE NO. 21

Ex. #12640 of 2008

**PNC Bank, National Association
v.**

**Doris E. Dunlap
SHERIFF'S SALE**

By virtue of a Writ of Execution
filed to No. 12640-08 PNC Bank,
National Association vs. Doris E.
Dunlap, owner(s) of property
situated in City of Erie, Erie County,
Pennsylvania being 451 E. 24th
Street, Erie, Pennsylvania 16503

0.064 Acres

Assessment Map number:
(18) 5019-206

Assessed Value figure: \$15,710.00

Improvements thereon: Residential
Dwelling

Brett A. Solomon, Esq.

Michael C. Mazack, Esq.

1500 One PPG Place

Pittsburgh, PA 15222

412-594-5506

Jan. 2, 9, 16

SALE NO. 22

Ex. #12805 of 2008

**PNC Bank, National Association
v.**

**Matthew L. Harris and
Melanie R. Harris
SHERIFF'S SALE**

By virtue of a Writ of Execution
filed to No. 12805-08 PNC
Bank, National Association vs.
Matthew L. Harris and Melanie R.
Harris, owner(s) of property situated
in the City of Erie, Erie County,
Pennsylvania being 920 W. 18th
Street, Erie, PA 16502

0.0930 Acres

Assessment Map number:
(16) 30-43-136

Assessed Value figure: \$32,410.00
Improvement thereon: Residential Dwelling
Brett A. Solomon, Esq.
Michael C. Mazack, Esq.
1500 One PPG Place
Pittsburgh, PA 15222
412-594-5506

Jan. 2, 9, 16

SALE NO. 23

Ex. #14128 of 2006
PNC Bank, National Association
v.

Charles J. Schmidt
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14128-06 PNC Bank, National Association vs. Charles J. Schmidt, owner(s) of property situated in Township of Venango, Erie County, Pennsylvania being 10427 Jamestown Road, Wattsburg, PA 16442.
2.76 Acres
Assessment Map number:
(44) 13-21-1-01
Assessed Value figure: \$35,820.00
Improvement thereon: Residential Dwelling
Brett A. Solomon, Esq.
Michael C. Mazack, Esq.
1500 One PPG Place
Pittsburgh, PA 15222
412-594-5506

Jan. 2, 9, 16

SALE NO. 24

Ex. #12950 of 2008
PNC Bank, National Association
v.

Mark A. Sheldon and
Catherine A. Sheldon
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12950-08 PNC Bank, National Association vs. Mark A. Sheldon and Catherine A. Sheldon, owner(s) of property situated in Harborscreek Township, Erie County, Pennsylvania being 4481 Holbrook Avenue, Erie, PA 16511
0.2204 Acres
Assessment Map number:
(27) 6-93-6
Assessed Value figure: \$89,680.00
Improvement thereon: Residential Dwelling
Brett A. Solomon, Esq.

Michael C. Mazack, Esq.
1500 One PPG Place
Pittsburgh, PA 15222
412-594-5506
Jan. 2, 9, 16

SALE NO. 25

Ex. #11237 of 2008
PNC Bank, National Association
v.

Jerry M. Stephens and
Betty L. Stephens
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11237-08 PNC Bank, National Association vs. Jerry M. Stephens and Betty L. Stephens, owner(s) of property situated in the Borough of Lake City, Erie County, Pennsylvania being 1831 Cherry Street, Lake City, PA 16423
0.1721 Acres
Assessment Map number:
(28) 9-14-16
Assessed Value figure: \$69,020.00
Improvement thereon: Residential Dwelling
Brett A. Solomon, Esq.
Michael C. Mazack, Esq.
1500 One PPG Place
Pittsburgh, PA 15222
412-594-5506

Jan. 2, 9, 16

SALE NO. 26

Ex. #13718 of 2008
U.S. Bank National Association,
as Trustee for the Structured
Asset Investment Loan Trust,
2005-8, Plaintiff,
v.

Kevin Arrington
Sheila Arrington, Defendant(s)
LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:
BEGINNING at a point in the south line of Tenth Street, one hundred and thirty (130) feet east of the east line of Cranberry Street; thence southwardly and parallel with the east line of Cranberry Street, one hundred and sixty-five (165) feet to a point; thence eastwardly and parallel with the south line of Tenth Street, thirty-five (35) feet to a point;

thence northwardly and parallel with the east line of Cranberry Street one hundred and sixty-five (165) feet to a point in the south line of Tenth Street; thence westwardly along the south line of Tenth Street, thirty-five (35) feet to the place of beginning.
ALSO, ALL that certain piece or parcel of land situate in City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follow's, to-wit:
BEGINNING at the middle point in the south line of In Lot No. 451, said point being 123 3/4 feet Eastwardly from the East line of Cranberry Street; thence Northwardly parallel with Cranberry Street, Thirty-two and one-half (32 1/2) feet to a point; thence Eastwardly parallel with Tenth Street, Six and one-fourth (6 1/4) feet to a point; thence Southwardly parallel with Cranberry Street, Thirty-two and one-half (32 1/2) feet to a point in the South line of In Lot No. 451; thence Westwardly parallel with Tenth Street, Six and one-fourth (6 1/4) feet to the place of beginning.
HAVING erected thereon a dwelling commonly known as 1149 West Tenth Street, Erie, Pennsylvania, 16502, and being further identified by Erie County Tax Parcel Index No. (16) 3056-221.
BEING the same premises as conveyed to the grantor herein by deed dated April 27, 2001 and recorded in Erie County Record Book 769, page 1272.
TITLE TO SAID PREMISES IS VESTED IN Kevin Arrington and Sheila Arrington, h/w, by Deed from Christine M. Grabowski and Joseph E. Ingoglia, w/h, dated 06/14/2005, recorded 06/20/2005 in Book 1243, Page 2163.
Tax Parcel: 16-030-056.0-221.00
Premises being: 1149 WEST 10TH STREET, ERIE, PA 16502-1140
Jan. 2, 9, 16

SALE NO. 27

Ex. #10444 of 2008
The Bank of New York Trust
Company, N.A. as Successor to
JPMorgan Chase Bank, N.A.
as Trustee, s/b/m Bank One,
National Association, as Trustee,

**Plaintiff,
v.**

**Kenneth J. Bruce, Defendant(s)
LEGAL DESCRIPTION**

ALL THAT CERTAIN Piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at an iron pin one hundred sixty-six and seventy hundredths (166.70) feet eastwardly along the south line of East Twenty-eighth Street from the intersecting point of the east line of Holland Street and the south line of East Twenty-eighth Street; thence eastwardly twenty-nine and thirty hundredths (29.30) feet along the south line of East Twenty-eighth Street to an iron pin; thence southwardly, parallel with Holland Street one hundred forty (140) feet to a point; thence westwardly parallel with East Twenty-eighth Street twenty-nine and thirty hundredths (29.30) feet to a point; thence northwardly parallel with Holland Street one hundred forty (140) feet to an iron pin in the south line of East Twenty-eighth Street, the place of beginning. Said premises having erected thereon a two-story frame dwelling commonly known as 219 East 28th Street, Erie, Pennsylvania. Being further identified as County of Erie Tax Index Number (18) 5082-222.

TITLE TO SAID PREMISES IS VESTED IN Kenneth J. Bruce, single, by Deed from Robert L. Adams and Claire M. Adams, his wife, dated 03/07/1994, recorded 03/08/1994, in Deed Book 322, page 1227.

Tax Parcel #: 18-050-0820-222.00
Premises being: 219 EAST 28TH STREET, ERIE, PA 16504
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 2, 9, 16

SALE NO. 28

Ex. #13649 of 2008

The Bank of New York as

**Trustee for the Certificateholders
CWABS, Inc. Asset-Backed
Certificates, Series 2002- BC3,
Plaintiff,
v.**

**Michael E. Dvorak, Defendant(s)
LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Millcreek, City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows:

BEING Lot No. Forty-seven (47) of West Lake Park Subdivision, as shown upon a plot of said subdivision recorded in Erie County Map Book No. 3, at pages 296-5, fronting sixty (60) feet on the east side of Hart Road, between West Tenth Street and West Twelfth Street, and with a depth of one hundred forty-five (145) feet.

SAID premises commonly known as 1115 Hartt Road, Erie, Pennsylvania 16505.

ERIE COUNTY TAX ASSESSMENT NO. (33) 26-95-9.

BEING the same premises conveyed to Dennis J. Kwiatkowski and Diane M. Laniewicz by deed dated December 6, 1983 and recorded on December 7, 1983 in Erie County Deed Book 1518 at page 461. Dennis J. Kwiatkowski and Diane M. Kwiatkowski, husband and wife transferred the same premises conveyed to themselves, the parties of the first part, herein by Deed dated June 24, 1986 and recorded June 24, 1986 in Erie County Record Book 1635 at page 4, in which Diane M. Kwiatkowski is one and the same person as Diane M. Laniewicz, who took title with Dennis J. Kwiatkowski on December 6, 1983.

TITLE TO SAID PREMISES IS VESTED IN Michael E. Dvorak, by Deed from Dennis J. Kwiatkowski and Diane M. Kwiatkowski, also known prior to marriage as Diane M. Laniewicz, h/w, dated 12/29/2000, recorded 01/02/2001 in Book 0745, Page 1851.

Tax Parcel #: 33-026-095.0-009.00
Premises being: 1115 HARTT ROAD, ERIE, PA 16505

Jan. 2, 9, 16

SALE NO. 29

Ex. #13635 of 2008

**U.S. Bank National Association,
as Trustee for the Structured
Asset Securities Corporation
Mortgage Loan Trust, 2006-NC1,
Plaintiff,
v.**

**Michael L. Gonzales
Kara J. Gonzales, Defendant(s)
LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of Summit, County of Erie and Commonwealth of Pennsylvania, being Lot No. 89 as set forth on a subdivision plan of Valley View Farms Subdivision, Phase VI, dated April 27, 2004 and recorded August 20, 2004 in Erie County Map 2004-193, to which plan reference is herein made for a more complete description thereof; being commonly known as 8707 Robin Drive, Erie, PA 16509 and bearing Erie County Index No. (40) 31-81.2-6.

BEING part of the same premises conveyed to Party of the First Part by Deed recorded in Erie County Record Book 599 page 2031.

TITLE TO SAID PREMISES IS VESTED IN Michael L. Gonzales and Kara J. Gonzales, his wife, by Sumprop Investments, Inc., dated 02/24/2006, recorded 02/24/2006 in Book 1308, Page 1435.

Tax Parcel #: 40-031-081.2-006-00
Premises being: 8707 ROBIN DRIVE, ERIE, PA 16509

Jan. 2, 9, 16

SALE NO. 31

Ex. #13251 of 2008

**Wells Fargo Bank, NA, Plaintiff,
v.**

**Shawn M. Hoyer
Jennifer M. Vojtko a/k/a
Jennifer M. Hoyer, Defendant(s)
LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Girard (now Borough of Lake City), County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at the point of intersection of the southerly line of the road leading from Girard

Borough to the Lake Road near the mouth of Elk Creek with the westerly line of Lake Street; THENCE southwesterly along the westerly line of Lake Street to the northeast corner of Lot No. 3, now owned by Frank Stafford; THENCE northwesterly and along the northerly line of land of Frank Stafford, 68 1/2 feet to the southeast corner of Lot No. 2, now owned by Miller;

THENCE northeasterly along the easterly line of Lot No. 2 to the southerly line of said first mentioned road;

THENCE southeasterly along the northerly line of said road 68 1/2 feet to the place of beginning; containing 32 rods of land, dwelling house and garage.

Said premises are commonly known as 2478 Maple Avenue, Lake City, Pennsylvania 16423, bearing Erie County Tax ID # (28) 14-28-18.

BEING and intended to be the same premises conveyed to Shawn M. Hoyer and Jennifer M. Vojtko by deed dated April 21, 1999 and recorded April 23, 1999 in Erie County Record Book 631 at page 1369.

TITLE TO SAID PREMISES IS VESTED IN Shawn M. Hoyer, by Deed from Jennifer M. Vojtko, now by marriage, Jennifer M. Hoyer, dated 10/15/2007, recorded 10/18/2007 in Book 1454, Page 904.

Tax Parcel #: 08-014-028.0-018.00
Premises being: 2478 MAPLE AVENUE, LAKE CITY PA 16423-1339

Jan. 2, 9, 16

SALE NO. 32

Ex. #13606 of 2008

**GMAC Mortgage, LLC, s/i/i to
GMAC Mortgage Corporation,
Plaintiff,**

v.

Leon Jackson

Winnie L. Jackson, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate and being in Tract 63, formerly of Millcreek Township, now City of Erie, County of Erie and State of Pennsylvania, bounded

and described as follows, to-wit:

BEGINNING at a point in the south line of Pine Avenue in the northwest corner of land heretofore conveyed to Albert Shaw and wife by deed recorded in Erie County Deed Book 381, page 495; thence southwardly, along the west line of land conveyed to Albert Shaw and wife, four hundred fifty-six and three hundredths (456.03) feet to a point, being the southwest corner of land conveyed to Albert Shaw and wife; thence westwardly, being the extension westwardly of the south line of land conveyed to Albert Shaw and wife, one hundred forty-one and thirty-two hundredths (141.32) feet to a point; thence northwardly and parallel with the east line of Lake Pleasant Road, five hundred thirty-one and forty-six hundredths (531.46) feet to a point in the south line of Pine Avenue; thence eastwardly, along the south line of Pine Avenue, one hundred sixty and nineteen hundredths (160.19) feet to the place of beginning.

Same premises having erected thereon a one-story brick dwelling and an attached two-car garage commonly known as 4110 Pine Avenue, Erie, Pennsylvania and being further identified by Erie County Assessment Index No. (18) 5205-107.

BEING the same premises conveyed to the parties of the First Part by deed dated December 17, 1993, and recorded December 20, 1993, in Erie County Record Book 310 at page 925.

TITLE TO SAID PREMISES IS VESTED IN Leon Jackson and Winnie L. Jackson, h/w, as tenants by the entireties with the right of survivorship to the entirety in the survivor thereof, by Deed from Andrew P. Dick and Patricia A. Dick, h/w, dated 11/17/1997, recorded 11/18/1997 in Book 529, Page 2199.

Tax Parcel #: 18-052-005.0-107.00
Premises being: 4110 PINE AVENUE, ERIE, PA 16504-2334

Jan. 2, 9, 16

SALE NO. 33

Ex. #10414 of 2008

**US Bank National Association as
Trustee for JPM ALT, Plaintiff,**

v.

**John W. Kreider, Jr.,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Borough of Cranesville, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Beginning at a point in the West line of Bateman Avenue, said point being South along the West line of Bateman Avenue 563 feet more or less from the intersection of the West line of Bateman Avenue with the South line of Thrasher Avenue; thence West and parallel with Thrasher Avenue 264 feet, more or less, to land of Bessemer and Lake Erie Railroad; thence South along land of the Bessemer and Lake Erie Railroad 75 feet; thence East and parallel with Thrasher Avenue 264 feet, more or less, to a point in the West line of Bateman Avenue; thence North along the West line of Bateman Avenue 75 feet to the place of beginning., being commonly known as 9852 Bateman Ave., Cranesville, Pennsylvania and bearing Erie County Index No.: 9-1-1-8.

Being the same premises conveyed to Grantor and Marie Germaine Conway by deed dated June 23, 1998, and recorded June 25, 1998, in Erie County Record Book 570 at page 173, et seq.

TITLE TO SAID PREMISES IS VESTED IN John W. Kreider, Jr., single, by Deed from Michael J. Conway, single, dated 09/27/2006, recorded 09/28/2006, in Deed Book 1364, page 1107

Tax Parcel #: 09-001-001.0-008-00
Premises being: 9852 BATEMAN AVENUE, CRANESVILLE, PA 16410

Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 2, 9, 16

SALE NO. 34

Ex. #14086 of 2008

Wells Fargo Bank, National Association, Plaintiff,

v.

Jeffrey S. Kuzdzal

Lori A. Kuzdzal, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania.

BEING Lots Nos. Nine (9) and Ten (10) of the Crowley Farm Subdivision as shown on a plat of said Subdivision recorded in the Recorder's Office of Erie County in Map Book 3, page 225, to which plat reference is made for a further description of the lots. Having erected thereon a one-story aluminum-sided dwelling commonly known as 523 Powell Avenue, Erie, Pennsylvania, and bearing Erie County Index No. (33) 18-11-17.

THE first party has no actual knowledge of any hazardous waste, as defined in Act No. 1980-97 of the Commonwealth of Pennsylvania, having been disposed, and none is presently being disposed on or about the property described in this Deed.

THIS conveyance is made under and subject to any conditions, reservations, rights-of-way, covenants, restrictions or easements of record and/or those that are visible to physical inspection.

TOGETHER with all and singular the rights, liberties, privileges, hereditaments, improvements, and appurtenances, whatsoever thereto belonging, and the reversions and remainders, rents issues and profits thereof; and also all the estate and interest whatsoever the said party of the first part, in law or equity, of, in, to or out of the same.

BEING the same premises which Kirk J. Warner, and Christina Warner, his wife, by deed dated June 2, 1998 and recorded on June 3, 1998 in the Office of the Recorder of Deeds for Erie County in Deed Book Volume 565, Page 1056, granted and conveyed unto Jeffrey S. Kuzdzal and Lori A. Kuzdzal, his wife, as Tenants by the

Entirety.

DBV 565

Page 1056

TITLE TO SAID PREMISES IS VESTED IN Jeffrey S. Kuzdzal and Lori A. Kuzdzal by Deed from Washington Mutual Bank, FA., successor to Washington Mutual Home Loans, Inc., fka, PNC Mortgage Corporation of America, dated 10/04/2004, recorded 10/18/2004 in Book 1182, Page 245.

Tax Parcel #:

33-018-011.0-0-017.00

Premises being: 523 POWELL AVENUE, ERIE, PA 16505-1636

Jan. 2, 9, 16

SALE NO. 35

Ex. #10102 of 2007

First Horizon Home Loan Corporation, Plaintiff,

v.

Christina M. Marsh a/k/a

Christina M. Carbone, a/k/a

Christina Marie Marsh

Robert L. Marsh, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie, and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the south side of 27th Street, 145 feet east of Holland Street; thence south, parallel with Holland Street, 135 feet; thence east, parallel with 27 Street, 38 feet to 27th Street; thence west, along the south side of 27th Street, 38 feet to the place of beginning.

Tax ID# (18) 5081-118

TITLE TO SAID PREMISES IS VESTED IN Robert L. Marsh and Christina M. Marsh, married, by Deed from Robert L. Marsh and Christina M. Marsh, married, dated 01/24/2003, recorded 01/24/2003, in Deed Book 969, page 2356.

Tax Parcel #: 18-050-081.0-118.00

Premises being: 217 EAST 27TH STREET, ERIE, PA 16504

Daniel G. Schmieg, Esquire

One Penn Center at Suburban

Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Jan. 2, 9, 16

SALE NO. 36

Ex. #12840 of 2007

Citifinancial Mortgage Company, Inc. f/k/a Citifinancial Mortgage Consumer Discount Company,

Plaintiff,

v.

Sherry E. Meabon

David P. Meabon, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Borough of Edinboro, County of Erie and State of Pennsylvania, being Lot No. One (1) of 'THE GUSTY HILLS SUBDIVISION' as shown on map duly recorded on September 14, 1960 in the Recorder's Office of Erie County, Pennsylvania in Map Book 6 at Page 58. Said premises are commonly known as 101-103 Maple Drive, Edinboro, Pennsylvania, bearing Erie County Tax Index No. (11) 11-38-11.

BEING the same premises conveyed to David P. Meabon and Sherry E. Meabon, husband and wife, by deed made October 3, 1995 and recorded October 5, 1995 in Erie County Record Book 406 at Page 1747.

TITLE TO SAID PREMISES IS VESTED IN Sherry E. Meabon, by Deed from David P. Meabon, single, dated 07/20/2006, recorded 07/20/2006, in Deed Book 1346, page 299.

Tax Parcel #: 11-011-038.0-011.00

Premises being: 103 MAPLE DRIVE, EDINBORO, PA 16412

Jan. 2, 9, 16

SALE NO. 37

Ex. #11302 of 2008

Wells Fargo Bank, NA, Plaintiff,

v.

Richard A. Miller, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEING the southerly ninety (90) feet of Lot Number Seventeen (17) of Block 'A' of ERIE MANOR SUBDIVISION, as shown upon a plot of said subdivision recorded in Erie County Map Book 4 at pages 326, 327, 330, 331, 334, 335 and 337, to which plot reference

is hereby made for a further description of said property; having erected thereon a one and one-half story frame dwelling with attached breezeway and garage and being commonly known as 824 Shenley Drive, Erie, Pennsylvania. Index No. (16) 3117-300.

TITLE TO SAID PREMISES IS VESTED IN Kimberly Montero, Executrix of the Estate of Richard Gary Miller, Deceased by reason of the following:
BEING THE SAME premises which Paul E. Cutler, un-remarried widower, by Deed dated 11/01/02, recorded 11/04/02 in Deed Book 941, page 682, conveyed unto Richard A. Miller.

Tax Parcel #: 16-031-017.0-300.00
Premises being: 824 SHENLEY DRIVE, ERIE, PA 16505
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 2, 9, 16

SALE NO. 38

Ex. #12469 of 2008
GMAC Mortgage, LLC, Plaintiff,
v.

Eric A. Petroff

Kelli R. Petroff, Defendant(s)

LEGAL DESCRIPTION

ALL THAT certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, being part of Tract 349, bounded and described as follows, to-wit: BEGINNING at a point on the westerly line of Zuck Road, said point being three hundred fifty-nine (359) feet South of the intersection of the southerly line of Zimmerly Road with the westerly line of Zuck Road; thence southwardly along the west line of Zuck Road ninety (90) feet, more or less, to a point; thence westwardly and parallel with the south line of Zimmerly Road two hundred ninety-three (293) feet, more or less, to a point; thence northwardly parallel with the west line of Zuck Road ninety (90) feet, more or less, to a point; thence eastwardly parallel to

the south line of Zimmerly Road two hundred ninety-three (293) feet, more or less, to a point on the west line of Zuck Road and the place of beginning; and having erected thereon a dwelling place being commonly known as 5640 Zuck Road, Erie, Pennsylvania 16506; and being further identified by Erie County Tax Index Number (33) 140-554-11.

Being the same premises conveyed to Grantor, Sandra A. Petroff, by Deed dated August 31, 1973, and recorded September 5, 1973, in Erie County Deed Book 1105 at Page 36.

TITLE TO SAID PREMISES IS VESTED IN Eric A. Petroff and Kelli R. Petroff, h/w, by Deed from Sandra A. Petroff, Now Known as Sandra A. Federoff, single, dated 09/19/1997, recorded 09/22/1997, in Deed Book 519, page 1730.

Tax Parcel #: 33-140-554.0-011.00
Premises being: 5640 OLD ZUCK ROAD, ERIE, PA 16506

Jan. 2, 9, 16

SALE NO. 39

Ex. #11649 of 2003
Wells Fargo Home Mortgage,
Inc., Plaintiff,
v.

Sharon S. Sestak, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, and being the westerly 28 feet of Lot 38 and the easterly 24 feet of Lot 39, Block 'H', Map Book 3, Fairville Subdivision, as recorded in the Office of the Recorder of Deeds for Erie County, Pennsylvania in Map Book 1, pages 154 and 155, said premises being more particularly bounded and described as follows, to-wit:

BEGINNING at a point in the north line of Glendale Avenue, Five Hundred Thirty-Six (536) feet east of the east line of June Street; thence North 26 degrees West and passing through Lot 39 of the aforesaid subdivision, One Hundred Twenty-Five (125) feet to a point; thence North 64 degrees 33 minutes East parallel with the North

line of Glendale Avenue, Fifty-Two (52) feet to a point; thence South 26 degrees East and passing through Lot 39 of the aforesaid subdivision One Hundred Twenty-Five (125) feet to a point in the North line of Glendale Avenue; thence South 64 degrees 33 minutes West along the North line of Glendale Avenue, Fifty-Two (52) feet to a point and the place of beginning.

TITLE TO SAID PREMISES IS VESTED IN Sharon S. Sestak, by Deed from David J. Kohut and Connie M. Kohut, his wife, dated 12/22/2000, recorded 12/27/2000 in Book 0744, Page 2309.

Tax Parcel #: 18-051-035-0-337-00
Premises being: 2220 GLENDALE AVENUE, ERIE, PA 16510
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 2, 9, 16

SALE NO. 40

Ex. #13254 of 2008
Wells Fargo Bank N.A., Plaintiff,
v.

Carolyn A. Stone, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, and bounded and described as follows, to-wit: BEGINNING at a point in the south line of 28th Street, 64 1/2 feet east from the east line of Brandes Street; thence eastwardly along the south line of 28th Street 30 1/2 feet to a point; thence southwardly parallel with Brandes Street, 124 feet to a point; thence westwardly parallel with 28th Street 30 1/2 feet to a point; thence northwardly parallel with Brandes Street 124 feet to a point in the South line of 28th Street, the place of beginning, and having erected thereon a two (2) story cement block dwelling house with other improvements.

Also all that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, which land is located in the Fifth Ward of the City of

Erie, and being a lot, ten (10) feet by one hundred twenty-four (124) feet on the 28th Street at Brandes Street, Plot 5045, further bounded and described as follows, to-wit: BEGINNING at a point in the South line of 28th Street, ninety-five (95) feet eastwardly from the intersection of the south line of 28th Street and the east line of Brandes Street; thence southwardly parallel with the east line of Brandes Street, one hundred twenty-four (124) feet to a point; thence eastwardly parallel with the south line of 28th Street, ten (10) feet to a point; thence northwardly parallel with the east line of Brandes Street, one hundred twenty-four (124) feet to a point in the south line of 28th Street; thence westwardly along the south line of 28th Street, ten (10) feet to the place of beginning, and being a ten (10) feet plot of ground immediately adjacent on the east of premises known as 1205 East 28th Street, Erie, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Carolyn A. Stone, by Deed from Reed J. Gross and Sandra Gross, h/w, dated 08/03/2006, recorded 08/08/2006, in Deed Book 1350, page 2272.

Tax: Parcel #: 18-050-045.0-206.00
Premises being: 1205 EAST 28TH STREET, ERIE, PA 16504
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 2, 9, 16

SALE NO. 41

Ex. #13701 of 2008

**EMC Mortgage Corporation,
Plaintiff,**

v.

**Scott R. Warner
Dawn M. Warner, Defendant(s)**

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, being all of Lot 318 and part of Lot 319 of EUCLID HEIGHTS SUBDIVISION, bounded and

described as follows, to wit:

BEGINNING at the northwest corner of the piece hereby conveyed at the point of intersection of the south line of Zenith Drive with the east line of Genesee Avenue; thence eastwardly along the south line of Zenith Drive two hundred ten and sixteen hundredths (210.16) feet to the northeast corner of Lot 318; then southwardly along the east line of Lots 318 and 319, fifty-five and two hundredths (55.02) feet to the northeast corner of land of Charles O. Woodward as recorded April 19, 1973 in Deed Book 1093, Page 511; thence westwardly along the north line of said Woodward piece, two hundred eleven and forty-two hundredths (211.42) feet to a point in the east line of Genesee Avenue; thence northwardly along the east line of Genesee Avenue, fifty-five (55) feet to the place of beginning. Having erected thereon a home known as 4701 Genesee Avenue, Erie, Pennsylvania. Said parcel bearing Index No. (33) 107-480-9.

ALSO, all that certain piece or parcel of land situate in the Township of Millcreek, County of Erie, and State of Pennsylvania bounded and described as follows, to-wit:

BEGINNING at a point 164.73 feet south 27 degrees, 27 minutes east of the point where the North Gore Line of the City of Erie intersects the east line of Euclid Heights Subdivision; thence south 62 degrees, 52 minutes west, 210.16 feet to a point, said point being the northwest corner of land now or formerly owned by William Hopkins; thence 26 degrees west, 25 feet along the east line of Genesee Street right-of-way to a point; thence north 28 degrees west, a distance of 208.90 feet to a point in the east line of the Euclid Heights Subdivision; thence south 27 degrees, 27 minutes east a distance of 25 feet to the place of beginning, consisting of 5,238.25 square feet, more or less, or .12 acre.

Being the same premises conveyed to William J. Hopkins, by Quit Claim Deed dated December 6, 1994 and recorded on December 7, 1994 in Erie County Record Book

365, Page 1234.

TITLE TO SAID PREMISES IS VESTED IN Scott R. Warner and Dawn M. Warner, his wife, by Deed from William J. Hopkins, single, dated 05/16/1996, recorded 05/16/1996 in Book 440, Page 658. Tax Parcel #: 33-107-480.0-009.00
Premises being: 4701 GENESSEE AVENUE, ERIE, PA 16510

Jan. 2, 9, 16

SALE NO. 42

Ex. #14731 of 2006

**Chase Home Finance LLC,
Plaintiff,**

v.

**Anthony P. Zeus, Jr.
Mary Lou Zeus (Deceased),
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: BEING Lot Number 85 of SOUTH SHORE ESTATES in Plan Number 1 as recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Map Book 7 at page 63, being commonly known as Aaron Road, Harborcreek, Pennsylvania.

Being a part of the same premises conveyed to Shirley A. Ramey by deed recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Deed Book 1042 at page 440.

TITLE TO SAID PREMISES IS VESTED IN Anthony P. Zeus and Mary Lou Zeus, his wife, by Deed from Shirley A. Ramey and Phil Ramey, her husband, dated 04/23/1993, recorded 04/23/1993, in Deed Book 1093, page 664.

As the property was owned by the defendants, Anthony P. Zeus, Jr. and Mary Lou Zeus, as tenants by the entireties, upon the death of Mary Lou Zeus, Anthony P. Zeus, Jr. became the sole owner of the mortgage premises as surviving tenant by the entireties.

Tax Parcel #: 27-001-003.0-026.01
Premises being: 4331 AARON ROAD, ERIE, PA 16511
Daniel G. Schmieg, Esquire

One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Jan. 2, 9, 16

SALE NO. 43

Ex. #13024 of 2008

**U.S. Bank National
Association as Trustee under
the Securitization Servicing
Agreement dated as of July 1,
2005 Structured Asset Securities
Corporation Structured Asset
Investment Loan Trust Mortgage
Pass Through Certificates, Series
2005-HE1, Plaintiff**

v.

**Gary R. DiNicola, Sr., Defendant
SHORT PROPERTY
DESCRIPTION**

ALL that certain piece or parcel
of land situate in the Township
of Millcreek, County of Erie and
Commonwealth of Pennsylvania,
being Lot No. Ten (10) of
subdivision known as Canterbury
Hill Subdivision No. 1 as shows on
a map of said subdivision recorded
December 1, 1972 in Erie County
Map Book No. 8, page 69.
DWELLING KNOWN AS 3126 W.
42ND STREET, ERIE, PA 16506.
IDENTIFIED as TAX/PARCEL
ID#: 33-82-414.6-12 in the Deed
Registry Office of Erie County,
Pennsylvania
Daniel J. Mancini, Esquire
Attorney for Plaintiff
201A Fairview Drive
Monaca, PA 15061

Jan. 2, 9, 16

SALE NO. 44

Ex. #13766 of 2008

**U.S. Bank, N.A., f/k/a Firstar
Bank, N.A.**

v.

**Richard D. Force
LEGAL DESCRIPTION**

ALL THAT CERTAIN piece
or parcel of land situate in
Concord Township, Erie County,
Pennsylvania, bounded and
described as follows, to wit:
BEGINNING at stake located in the
west line of Murray R. Road (also
known as Murphy Road), 231.25

feet south of the southeast corner
of land of Darling, described in Erie
County Deed Book 1296, Page 17;
thence South 03 degrees 00' West,
along the west line of Murray Road,
100 feet to a stake; thence North 84
degrees 30' West 208.91 feet to a
stake; thence North 03 degrees 00'
East, 89.37 feet to a stake; thence
South 87 degrees 24' 55" East,
521.41 feet to the place of beginning.
Being Parcel 2 set forth in Geddes
Subdivision No. 1, recorded in Erie
County Map Book 25, Page 196,
containing 1.095 acres.
BEING known as 19220 Murphy
Road, a/k/a 19220 Murphy Road,
Corry, PA 16407
BEING THE SAME PREMISES
which Richard D. Force and
Sharon A. Force, his wife, by
Indenture dated July 31, 1998 and
recorded August 13, 1998 in the
Office of the Recorder of Deeds
in and for Erie County in Deed
Book 580, Page 1476, granted and
conveyed unto Richard D. Force.
PARCEL No. 03-008-017.0-021.01
Gregory Javardian, Esquire
Attorney for Plaintiff
1310 Industrial Boulevard
1st Floor, Suite 101
Southampton, PA 18966
(215) 942-9690

Jan. 2, 9, 16

SALE NO. 45

Ex. #14635 of 2006

**Wachovia Bank, National
Association, Trustee for
Pennsylvania Housing Finance
Agency, Plaintiff**

v.

**Leslie A. Kiser and
Kevin K. Kiser, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution
No. 2006-14635 Wachovia Bank,
National Association, Trustee for
Pennsylvania Housing Finance
Agency, Plaintiff vs. Leslie A. Kiser
and Kevin K. Kiser, Defendants
Real Estate: 13515 West Lake Road,
West Springfield, PA
Municipality: Township of
Springfield, Erie County,
Pennsylvania
Dimensions: 150 x 200.18 IR
See Deed Book 829, Page 1877

Tax I.D. (39) 16-35-16.01
Assessment: \$22,700. (Land)
\$55,740. (Bldg)
Improvement thereon: a residential
dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Jan. 2, 9, 16

SALE NO. 46

Ex. #14196 of 2008

**U.S. Bank National Association
Trustee for the Pennsylvania
Housing Finance Agency,
Plaintiff**

v.

**Nicole T. Shirley, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution
No. 2008-14196 U.S. Bank
National Association Trustee for
the Pennsylvania Housing Finance
Agency, Plaintiff vs. Nicole T.
Shirley, Defendants
Real Estate: 16-18 ORCHARD
STREET, ERIE, PA
Municipality: City of Erie, Erie
County, Pennsylvania
Dimensions: Irregular
See Deed Book 1012, Page 702
Tax I.D. (18) 5330-314
Assessment: \$15,100. (Land)
\$46,320. (Bldg)
Improvement thereon: a residential
dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Jan. 2, 9, 16

SALE NO. 47

Ex. #12964 of 2008

**U.S. Bank National Association
Trustee for the Pennsylvania
Housing Finance Agency,
Plaintiff**

v.

**Billie Jo Ziacik and
David Ziacik, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution
No. 2008-12964 U.S. Bank
National Association Trustee for
the Pennsylvania Housing Finance

Agency, Plaintiff vs. Billie Jo Ziack and David Ziack, Defendants
Real Estate: 1210 WEST 21ST STREET, ERIE, PA
Municipality: City of Erie, Erie County, Pennsylvania
Dimensions: 35 x 100
See Deed Book 1484, Page 1642
Tax I.D. (16) 3129-136
Assessment: \$6,800. (Land)
\$34,260. (Bldg)
Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Jan. 2, 9, 16

SALE NO. 48

Ex. #12745 of 2007

**U.S. Bank National Association,
Trustee for the Pennsylvania
Housing Finance Agency,
assignee of Pennsylvania Housing
Finance Agency, assignee of
Mellon Bank, N.A., assignee of
Corestates Bank, N.A., formerly
Philadelphia National Bank,
assignee of First National Bank
of Pennsylvania, Plaintiff,**

v.

Victoria Lee Blose, Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2007-12745, U.S. Bank National Association, et al vs. Victoria Lee Blose, owner(s) of property situated in Millcreek Township, Erie County, Pennsylvania being 1504 Randolph Avenue, Erie, PA 16505.
Dimensions: 10,642 square footage
Assessment Map Number: 33-26-158-6
Assess Value figure: \$67,470.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

Jan. 2, 9, 16

SALE NO. 49

Ex. #13926 of 2008

**U.S. Bank National Association,
(Trustee for the Pennsylvania**

**Housing Finance Agency,
Pursuant to a Trust Indenture
dated as of April 1, 1982),
Plaintiff,**

v.

**Felicia L. Hampton, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13296-08, U.S. Bank, et al vs. Felicia L. Hampton, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 802 E. 22nd Street, Erie, PA 16503.
Dimensions: 4,960 square foot
Assessment Map Number: 18-5033-124
Assess Value figure: \$32,000.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

Jan. 2, 9, 16

SALE NO. 50

Ex. #13658 of 2008

**U.S. Bank National Association
(Trustee for Pennsylvania
Housing Finance Agency),
Plaintiff,**

v.

**Norman G. Hulsinger, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13658-08, U.S. Bank National Association, et al vs. Norman G. Hulsinger, owner(s) of property situated in Lawrence Park Township, Erie County, Pennsylvania being 1229 Rankine Avenue, Erie, PA 16511.
Dimensions: 1,731 square footage
Assessment Map Number: (29) 17-58-17
Assess Value figure: 46,140.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

Jan. 2, 9, 16

SALE NO. 51

Ex. #12190 of 2002

**Wachovia Bank, National
Association, f/k/a First Union
National Bank (trustee for**

**the Pennsylvania Housing
Finance Agency) assignee of
Pennsylvania Housing Finance
Agency, assignee of Mellon Bank
NA, successor trustee assignee
of Liberty Mortgage Corp.,
Plaintiff,**

v.

**Nathaniel D. Johnson and
Kimberly A. Johnson, husband
and wife, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12190-02, Wachovia Bank National Association, et al vs. Nathaniel D. Johnson and Kimberly A. Johnson, owner(s) of property situated in 6th Ward of the City of Erie, Erie County, Pennsylvania being known as 2642 Cherry Street, Erie, PA 16508.
Dimensions: 1,120.10 Square footage
Assessment Map Number: 19-6043-114
Assess Value figure: 7,460.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725

Jan. 2, 9, 16

SALE NO. 52

Ex. #14917 of 2006

**South Point Inc., Plaintiff
v.**

**Edward J. Mylett and
Amy M. Zimmer, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 14917-2006 South Point Inc, vs. Edward J. Mylett and Amy M. Zimmer, Owner(s) of property situated in the City of Erie, Erie County, Pennsylvania, being 4017 Liberty Street, Erie, PA 16509 BEGINNING at a point in the north line of Liberty Boulevard, said point being four hundred sixty (460) feet west of the intersection of the north line of Liberty Boulevard extended and the west line of Walker Boulevard extended: thence north 21 degrees 24' 10" east and at right angles to Liberty Boulevard a distance of one hundred two and 13/100ths (102.13) feet to a point:

thence south 85 degrees 35' 45" east a distance of thirty and 9/10ths (30.9) feet to a point: thence north 63 degrees 27' east and parallel to West Fortieth Street, a distance of thirty and 53/100ths (30.53) feet to a point; thence south 21 degrees 24' 10" west a distance of one hundred thirty-three and 83/100ths (133.83) feet to a point in the north line of Liberty Boulevard; thence north 68 degrees 35' 50" west along the north line of Liberty Boulevard a distance of fifty (50) feet to the place of beginning.

HAVING erected thereon a single family dwelling commonly known as 4017 Liberty Street, Erie, Pennsylvania and bearing Erie County Tax Identification Number (18) 5305-211.

Assessment Map number:
(18) 5305-211

Assessed Value figure: \$84,110.00
Improvement thereon: Residential Dwelling

Martha E. Von Rosenstiel, Esquire
649 South Avenue, Unit #7

P.O. Box 822
Secane, PA 19018
(610) 328-2887

Jan. 2, 9, 16

SALE NO. 53

Ex. #13680 of 2007
HSBC Bank USA, N.A., as
Indentured Trustee for the
registered Noteholders of
Renaissance Home Equity Loan
Trust 2006-3, Plaintiff

v.

Charles C. Graves, Sr.,
Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13680-07, HSBC Bank USA, N.A., as Indentured Trustee for the registered Noteholders of Renaissance Home Equity Loan Trust 2006-3 vs. Charles C. Graves, Sr., owner(s) of property situated in the City of Erie, Erie County, Pennsylvania being 427 Liberty Street, Erie, PA 16507

70' x 29'
Assessment Map number:
(17) 4023-218

Assessed Value figure: \$41,300.00
Michael J. Clark, Esquire

Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King Of Prussia, PA 19406
(610) 278-6800

Jan. 2, 9, 16

SALE NO. 54

Ex. #14040 of 2008
Deutsche Bank National Trust
Company, as Indenture Trustee
for New Century Home Equity
Loan Trust 2005-3, Plaintiff

v.

Diane M. King aka Diane King,
Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14040-2008 Deutsche Bank National Trust Company, as Indenture Trustee for New Century Home Equity Loan Trust 2005-3, vs. Diane M. King aka Diane King, owner(s) of property situated in the Borough of Wesleyville, Erie County, Pennsylvania being 2056 Water Street, Erie, PA 16510

.0732 acres
Assessment Map number:
50-2-34-7

Assessed Value figure: \$51,400.00
Improvement thereon: A Residential Dwelling:

Michael J. Clark, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King Of Prussia, PA 19406
(610) 278-6800

Jan. 2, 9, 16

SALE NO. 55

Ex. #13405 of 2008
RBS Citizens, N.A. f/k/a Citizens
Bank, N.A., s/b/m to CCO
Mortgage Corp., Plaintiff

v.

William L. McCullough,
Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13405-08 RBS Citizens, N.A. f/k/a Citizens Bank, N.A., s/b/m to CCO Mortgage Corp. vs. William L. McCullough, owner(s) of property situated in Township of McKean, Erie County, Pennsylvania being 10150 Hamot Road, Waterford, PA 16441

Assessment Map number:
(31) 15-59-7

Assessed Value figure: \$187,000.00
Improvement thereon: a residential dwelling

Michael J. Clark, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King Of Prussia, PA 19406
(610) 278-6800

Jan. 2, 9, 16

SALE NO. 56

Ex. #13135 of 2008
Deutsche Bank National Trust
Company, as Trustee for the
registered holders of GSAMP
Trust 2005-SEA1, Mortgage
Pass-Through Certificates, Series
2005-SEA1, Plaintiff

v.

Christine A. Mysnyk;
Jamie L. Mysnyk, Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13135-2008 Deutsche Bank National Trust Company, as Trustee for the registered holders of GSAMP Trust 2005-SEA1, Mortgage Pass-Through Certificates, Series 2005-SEA1 vs. Christine A. Mysnyk; Jamie L. Mysnyk, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 1042 West 37th Street, Erie, PA 16508

.1610 acreage
Assessment Map number:
(19) 6119-221

Assessed Value figure: \$75,500.00
Improvement thereon: A residential dwelling

Michael J. Clark, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King Of Prussia, PA 19406
(610) 278-6800

Jan. 2, 9, 16

SALE NO. 57

Ex. #14105 of 2008
U.S. Bank National Association,
as Trustee, on behalf of the
Holders of the Asset Backed
Securities Corporation Home
Equity Loan Trust, Series NC
2006-HE4 Asset Backed Pass-

**Through Certificates, Series NC
2006-HE4, Plaintiff
v.**

**Thomas J. Dequattro a/k/a
Thomas Dequattro
DESCRIPTION**

All that certain piece or parcel of land situate in the Township of Fairview, formerly the Borough of Fairview, County of Erie and Commonwealth of Pennsylvania, part of Tract Number Two Hundred Twenty-one (221), which on a certain map entitled "THE JOHNSON BLOCK", recorded in the Recorder's Office for the County of Erie on July 10, 1918, in Map Book 2, on page 219, is known and designated as Lot Number Two (2); said lot being eighty (80) feet wide, four hundred ten and seventy-three hundredths (410.70) feet deep on the north side and four hundred ten and fifty-five hundredths (410.55) feet deep on the south side, containing three-fourths of an acre of land, more or less.

Having erected thereon a one and one-half story aluminum sided home with a four-car garage and attached apartment and was originally known as 45 and 45½ North Garwood Street, Fairview, Pennsylvania 16415, formerly known as 3769 Garwood Street, Fairview, Pennsylvania 16415, now known as 3769 Avonia Road, Fairview, Pennsylvania 16415 and being further identified by Erie County Tax Index Number (21) 78-3-74, formerly identified by Erie County Tax Index Number (20) 5-3-74 when the property was part of the Borough of Fairview. PROPERTY ADDRESS: 3769 Avonia Road, Fairview, PA 16415 Michael T. McKeever, Esquire Attorney for Plaintiff Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106 (215) 627-1322

Jan. 2, 9, 16

SALE NO. 58

**Ex. #15139 of 2007
Countrywide Home Loans Inc.,
Plaintiff
v.**

**Kathleen M. Dreisbach
Louis P. Dreisbach, Defendant(s)
DESCRIPTION**

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Beginning at a point in the South line of Twenty-second Street, Two Hundred Ninety (290) feet Easterly from the East line of Poplar Street; thence Southerly, parallel with Poplar Street, One Hundred Thirty-five feet; thence Westerly, parallel with Twenty-second Street, Forty (40) feet; thence Northerly, One Hundred Thirty-five (135) feet, parallel with Poplar Street, to the South line of Twenty-second Street; thence Easterly, along the South line of Twenty-second Street, Forty (40) feet to the place of beginning. Having erected thereon a one and one-half story frame dwelling and garage. PROPERTY ADDRESS: 637 West 22nd Street, Erie, PA 16502 Michael T. McKeever, Esquire Attorney for Plaintiff Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106 (215) 627-1322

Jan. 2, 9, 16

SALE NO. 59

**Ex. #12380 of 2008
National City Mortgage, Inc.
f/k/a National City Mortgage
Company, Plaintiff
v.**

**Kristy A. Kinney, Solely in Her
Capacity as Heir of
Becky S. Catalfu, Deceased
The Unknown Heirs of
Becky S. Catalfu, Deceased
Dawn Skinner, Solely in Her
Capacity as Heir of
Becky S. Catalfu, Deceased,
Defendant(s)**

DESCRIPTION

ALL THAT certain piece or parcel of land lying and being situate in the City of Corry, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: COMMENCING at a point two hundred sixty four and one half (264

½) feet west from the intersection of the west line of East Wayne Street with the south line of Frederick Street; THENCE south at right angles with Frederick Street one hundred eighty nine and one half (189 ½) feet; THENCE west fifty seven and seventy five one hundredths (57.75) feet; THENCE north one hundred eighty nine and one half (189 ½) feet to Frederick Street; THENCE east along Frederick Street fifty seven and seventy five one hundredths (57.75) feet to the PLACE OF BEGINNING, and abutting on a sewer, and having erected thereon a two story frame dwelling house and one story garage, more commonly known as 130 East Frederick Street, Corry, Pennsylvania, 16407. AND BEARING Erie County Tax Assessment Index # 6-21 PROPERTY ADDRESS: 130 East Frederick Street, Corry, PA 16407 Michael T. McKeever, Esquire Attorney for Plaintiff Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106 (215) 627-1322

Jan. 2, 9 16

SALE NO. 60

**Ex. #14141 of 2008
Wells Fargo Bank, N.A., as
Trustee for Pooling and Servicing
Agreement Option One Mortgage
Loan Trust 2003-4 Asset-Backed
Certificates, Series 2003-4,
Plaintiff
v.**

**Brenda M. Long
Walter T. Long, Defendant(s)
DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at the point of intersection of the north line of Eleventh Street with the East line of Cranberry Street; thence northwardly, along the east line of Cranberry Street, thirty-two (32) feet; thence eastwardly parallel with Eleventh Street, seventy-four (74) feet; thence southwardly, parallel with Cranberry Street, thirty-two (32) feet to the north line of Eleventh

Street; and thence westwardly, along the north line of Eleventh Street, seventy-four (74) feet to the place of beginning. Being more commonly known as 1031 Cranberry Street, Erie, Pennsylvania. Bearing Erie County Tax Index Number (16) 3056-232.

PROPERTY ADDRESS: 1031 Cranberry Street, Erie, PA 16502
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

Jan. 2, 9, 16

SALE NO. 61

Ex. #14004 of 2008
U.S. Bank National Association,
as Trustee for Home Equity Loan
Trust 2004-HE7, Plaintiff
v.

Brandy L. Marcy

Louis J. Smith, Defendant(s)

DESCRIPTION

The land referred to in this Commitment is described as follows:

All that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, being Lot No. 147 and 148 of "Feasler Gardens" according to a plan of the same as recorded in Erie County Deed Book 231 at page 6.

PROPERTY ADDRESS: 2346 West Twenty Ninth Street, Erie, PA 16506

Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

Jan. 2, 9, 16

SALE NO. 62

Ex. #14906 of 2007
Sovereign Bank, Plaintiff
v.

Mary E. McCallion
Edward J. McCallion,
Defendant(s)

DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County

of Erie and State of Pennsylvania, being lot number fourteen (14) in Block A of Thayer's Subdivision as the same is plotted, and said plot recorded in Map Book No. 1, page 435 Erie County Records.

Tax Parcel # (19) 6047-202
PROPERTY ADDRESS: 448 W. 28th Street, Erie, PA 16508
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Jan. 2, 9, 16

SALE NO. 66

Ex. #14419 of 2008
Everhome Mortgage Company
v.

Kristen L. Bires and
Brian P. Bires

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 2008-14419 Everhome Mortgage Company v. Kristen L. Bires and Brian P. Bires
Premises: 2643 Poplar Street, Erie, Pennsylvania 16508

Kristen L. Bires and Brian P. Bires, owners of property situated in the City of Erie, Erie County, Pennsylvania being 2643 Poplar Street, Erie, Pennsylvania 16508.

Tax I.D. No. (19) 6043-334
Assessment: \$ 78,231.20
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 67

Ex. #13870 of 2008
U.S. Bank National Association,
trustee For Lehman Brothers
v.

Richard W. Carter and
Heather L. Carter

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 13870-2008 U.S. Bank National Association, trustee For Lehman Brothers v. Richard W. Carter and Heather L. Carter
Premises: 2119 West 37th Street, Erie, Pennsylvania 16508

Richard W. Carter and Heather L. Carter, owners of property situated in the City of Erie, Erie County, Pennsylvania being 2119 West 37th Street, Erie, Pennsylvania 16508.

Tax I.D. No. (19) 6165-111
Assessment: \$ 75,429.05
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 68

Ex. #14214 of 2008
Lasalle Bank National
Association, As Trustee For
Certificateholders Of Bear Sterns
Asset Backed Securities I LLC
Asset Backed Certificates, Series
2005-AQ1
v.

Cecelia M. Connors

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 14214-08 Lasalle Bank National Association, As Trustee For Certificateholders Of Bear Stearns Asset Backed Securities I LLC Asset Backed Certificates, Series 2005-AQ1 v. Cecelia M. Connors

Premises: 1038 West 22nd Street, Erie, Pennsylvania 16502
Cecelia M. Connors, owners of property situated in the City of Erie, Erie County, Pennsylvania being 1038 West 22nd Street, Erie, Pennsylvania 16502.

Tax I.D. No. (19) 6030-129
Assessment: \$ 67,337.06
Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 69

Ex. #14465 of 2008
Beneficial Consumer Discount
Company d/b/a Beneficial
Mortgage Company of
Pennsylvania
v.

Charles J. Dominick

SHORT DESCRIPTION

By virtue of a Writ of Execution

filed to No. 14465-08 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania v. Charles J. Dominick
Premises: 515 Avonia Road, Fairview, Pennsylvania 16415
Charles J. Dominick, owners of property situated in the Township of Fairview, Erie County, Pennsylvania being 515 Avonia Road, Fairview, Pennsylvania 16415.
Tax I.D. No. (21) 12-11-60
Assessment: \$ 31,667.15
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 70

Ex. #12853 of 2008
Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania

v.

Theodore Hollabaugh a/k/a and Bertha Hollabaugh a/k/a Bertha C. Hollabaugh f/k/a Bertha C. Keys

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 12853-08 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Company of Pennsylvania v. Theodore Hollabaugh a/k/a and Bertha Hollabaugh a/k/a Bertha C. Hollabaugh f/k/a Bertha C. Keys
Premises: 639 Worth Street, Corry, Pennsylvania 16407
Theodore Hollabaugh a/k/a and Bertha Hollabaugh a/k/a Bertha C. Hollabaugh f/k/a Bertha C. Keys, owners of property situated in the City of Corry, Erie County, Pennsylvania being 639 Worth Street, Corry, Pennsylvania 16407.
Tax I.D. No. 07-013-047.0-008.01
Assessment: \$81,390.20
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 71

Ex. #13726 of 2008
Deutsche Bank National Trust Company As Trustee for HSI Asset Securitization Corporation 2005-OPT1 Mortgage Pass-Through Certificates, Series 2005-OPT1

v.

Annette Hosick a/k/a Annette Michelle Hosick a/k/a Annette M. Hosick a/k/a Annette Michelle Crail

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 13726-2008 Deutsche Bank National Trust Company as Trustee for HSI Asset Securitization Corporation 2005-OPT1 Mortgage Pass-Through Certificates, Series 2005-OPT1 v. Annette Hosick a/k/a Annette Michelle Hosick a/k/a Annette M. Hosick a/k/a Annette Michelle Crail
Premises: 1302 Hilborn Avenue, Erie, Pennsylvania 16505
Annette Hosick a/k/a Annette Michelle Hosick a/k/a Annette M. Hosick a/k/a Annette Michelle Crail, owners of property situated in the Township of Millcreek, Erie County, Pennsylvania being 1302 Hilborn Avenue, Erie, Pennsylvania 16505.
Tax I.D. No. (33)34-176-13
Assessment: \$ 77,726.56
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 72

Ex. #12369 of 2008
US Bank National Association As Successor Trustee To Wachovia Bank, N.A.

v.

David J. Kloecker
SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 12369-08 US Bank National Association As Successor Trustee To Wachovia Bank, N.A. v. David J. Kloecker
David J. Kloecker, owners of property situated in the Township of Summit, Erie County, Pennsylvania

being 1882 Julie Ann Ln, Summit Twp., Pennsylvania 16509.
Premises: 1882 Julie Ann Lane, Erie, Pennsylvania 16509
Tax I.D. No. 40-030-084.0-013.00
Assessment: \$ 154,111.39
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 73

Ex. #11869 of 2008
Wells Fargo Bank, N.A., as Trustee for ABFC 2004-OPT 5 Trust, ABFC Asset-Backed Certificates, Series 2004-OPT5, or its Successor or Assignee

Movant

v.

Phillip J. McCumber and Krista L. Chiaramonte a/k/a Krista L. McCumber

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 2008-11869 Wells Fargo Bank, N.A., as Trustee for ABFC 2004-OPT 5 Trust, ABFC Asset-Backed Certificates, Series 2004-OPT5, or its Successor or Assignee
Movant v. Phillip J. McCumber and Krista L. Chiaramonte a/k/a Krista L. McCumber
Premises: 1345 31st Street, Erie, Pennsylvania 16508
Phillip J. McCumber and Krista L. Chiaramonte a/k/a Krista L. McCumber, owners of property situated in the City of Erie, Erie County, Pennsylvania being 1345 West 31st Street, Erie, Pennsylvania 16508.
Tax I.D. No. (19) 6223-113
Assessment: \$ 68,953.71
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080 Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 75

Ex. #14273 of 2008
U.S. Bank National Association as Successor Corporate Trustee to Wachovia Bank, N.A. as aforesaid

v.

**Kimberly S. Raup and
Vaughn L. Raup**

SHORT DESCRIPTION

By virtue of a Writ of Execution
filed to No. 2008-14273 U.S. Bank
National Association as Successor
Corporate Trustee to Wachovia
Bank, N.A. as aforesaid v.
Kimberly S. Raup and Vaughn L.
Raup

Premises: 5448-5450 Linden
Avenue, Edinboro, Pennsylvania
16412

Kimberly S. Raup and Vaughn L.
Raup, owners of property situated in
the Township of Washington, Erie
County, Pennsylvania being 5448-
5450 Linden Avenue, Edinboro,
Pennsylvania 16412.

Tax I.D. No. (45) 16-29-3

Assessment: \$ 150,227.78

Improvements: Residential
Dwelling

McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Jan. 2, 9, 16

SALE NO. 76

Ex. #11789 of 2008

**Beneficial Consumer Discount
Company d/b/a Beneficial
Mortgage Company of
Pennsylvania**

v.

Kevin Sandy and Rebecca Moore

SHORT DESCRIPTION

By virtue of a Writ of Execution
filed to No. 11789-08 Beneficial
Consumer Discount Company d/b/a
Beneficial Mortgage Company of
Pennsylvania v. Kevin Sandy and
Rebecca Moore

Premises: 2711 East 43rd Street,
Erie, Pennsylvania 16510

Kevin Sandy and Rebecca Moore,
owners of property situated in
the City of Erie, Pennsylvania
being 2711 E. 43rd Street, Erie,
Pennsylvania 16510.

Tax I.D. No. 18-052-059-0-202-00

Assessment: \$ 99,707.95

Improvements: Residential
Dwelling

McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Jan. 2, 9, 16

AUDIT LIST
NOTICE BY
PATRICK L. FETZNER

Clerk of Records,
Register of Wills and Ex-Officio Clerk of
the Orphans' Court Division, of the
Court of Common Pleas of Erie County, Pennsylvania

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Monday, December 29, 2008** and confirmed Nisi.

January 22, 2009 is the last day on which Objections may be filed to any of these accounts.

Accounts in proper form and to which no Objections are filed will be audited and confirmed absolutely. A time will be fixed for auditing and taking of testimony where necessary in all other accounts.

<u>2008</u>	<u>ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
366.	Charles R. Kosmatine.....	Glenn D. Kosmatine, Exr.	Bryan & Bryan
367.	Harry W. Haus, Jr.	Julie A. Hassing, Exrx.	Elderkin Martin Kelly & Messina
368.	Donald M. Alstadt	Christine Hall McClure, Exrx.	Knox McLaughlin Gornall & Sennett PC
369.	Elizabeth M. Higgins	Susan Ann Morris, Exrx.	Timothy D. McNair
370.	Evelyn J. Cannavino.....	Darlene M. Vlahos, Esq., Exrx. ..	Darlene M. Vlahos
371.	Chad Bracken	National City Bank, formerly National City Bank of Pennsylvania, Tr.	Tucker Arensberg PC
372.	Hunter James Tenney	National City Bank, formerly National City Bank of Pennsylvania, Tr.	Tucker Arensberg PC

PATRICK L. FETZNER
Clerk of Records
Register of Wills & Orphans' Court Division

Dec. 26 and Jan. 2

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 their attorneys named below.

FIRST PUBLICATION

**DELIO, PETER M.,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Co-Executors: Gary W. Diefenbach and Terry L. Delio,
Attorneys: The McDonald Group, L.L.P. Thomas J. Buseck, P.O. Box 1757, Erie, PA 16507-1757

**KENNEDY, RICHARD
CHARLES a/k/a
RICHARD C. KENNEDY,
deceased**

Late of the Borough of Lake City, County of Erie, State of Pennsylvania
Co-Administrators: Joy E. Kempf, 10820 Route 18, Albion, Pennsylvania 16401 and Thomas L. Kennedy, 519 Kibler Drive, Girard, Pennsylvania 16417
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**OLSEN, SUZANNE,
deceased**

Late of the Township of Millcreek
Executor: Kirk W. Olsen
Attorney: Joseph M. Walsh, III, Esq., Shapira, Hutzelman, Berlin, Ely, Smith and Walsh, 305 West 6th Street, Erie, PA 16507

**PRESTON, DAVID S., a/k/a
DAVID PRESTON,
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania
Executrix: Elizabeth J. Sestili, 2164 Jesse Drive, Hudson, Ohio 44236
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**WOLFE, JAMES H.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Janet A. Raup, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

SECOND PUBLICATION

**BURNS, VIRGINIA M.,
deceased**

Late of Millcreek Twp., Erie, PA
Executor: Dennis R. Burns, c/o Thomas A. Tupitza, Esq., 120 West 10th Street, Erie, PA 16501
Attorney: Thomas A. Tupitza, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**CAUSGROVE, THOMAS P.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Kathleen A. Aufrecht
Attorney: Thomas J. Minarcik, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**EBERT, THOMAS C.,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Executrix: Erica R. Demauri, 738 East 29th Street, Erie, PA 16504
Attorney: Brian Glowacki, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**EDWARDS, DONNA E.,
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania
Executor: Kenneth C. Klein, 9554 Middle Road, Lake City, Pennsylvania 16423
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**HARMAN, RICHARD E.,
deceased**

Late of Fairview Township, County of Erie and Commonwealth of Pennsylvania
Executor: Dale Richard Harman
Attorney: Thomas J. Minarcik, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**LUCAS, GEORGE E., JR.,
deceased**

Late of the Township of Millcreek, County of Erie
Executrix: Georgia M. Knight, 136 East 17th Street, Erie, PA 16503
Attorney: Daniel J. Brabender, Jr., Esquire, 254 West Sixth Street, Erie, PA 16507

**STEWART, WILLIAM F.,
deceased**

Late of Girard Borough, Erie County, Pennsylvania
Executor: National City Bank, Attn: Roberta L. Milligan, VP, 20 Stanwix Street-25154, Pittsburgh, PA 15222
Attorney: Elder Law Office of Kemp Scales, 115 South Washington Street, Room 206, P.O. Box 346, Titusville, PA 16354

**WARD, ROBERT E.,
deceased**

Late of the City of Erie
Executrix: Dianne Cicero, c/o
332 East 6th Street, Erie, PA
16507-1610
Attorney: Evan E. Adair, Esq.,
Williams and Adair, 332 East 6th
Street, Erie, PA 16507-1610

THIRD PUBLICATION

**BAGINSKI, PATRICIA C.,
deceased**

Late of the City of Erie, County
of Erie, Commonwealth of
Pennsylvania
Executor: Robert Baginski,
c/o Quinn, Buseck, Leemhuis,
Toohey & Krotto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506
Attorney: Scott L. Wallen, Esq.,
Quinn, Buseck, Leemhuis,
Toohey & Krotto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506

**BAGLEY, CLARENCE L.,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Executor: Robert C. Bagley, c/o
Yochim, Skiba, Johnson & Nash,
345 West Sixth Street, Erie, PA
16507
Attorney: Gary H. Nash, Esquire,
Yochim, Skiba, Johnson & Nash,
345 West Sixth Street, Erie, PA
16507

**BAILEY, MARY M., a/k/a
MARY MARGARET,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Administratrix: Margaret Sontag,
4211 West 32nd Street, Erie,
Pennsylvania 16506
Attorney: Peter W. Bailey,
Esquire, 336 East Sixth Street,
Erie, Pennsylvania 16507

**BANNISTER, GORDON E.,
deceased**

Late of the Township of
Millcreek, County of Erie and
Commonwealth of Pennsylvania
Executor: Donald L. Bannister,
c/o 3305 Pittsburgh Avenue, Erie,
Pennsylvania 16508
Attorney: Darlene M. Vlahos,
Esquire, 3305 Pittsburgh Avenue,
Erie, Pennsylvania 16508

**BENSON, JACQUELINE L.,
deceased**

Late of the City of Corry, County
of Erie, Commonwealth of
Pennsylvania
Executor: Jeffrey Davis, a/k/a
Jeffery Davis, c/o Paul J. Carney,
Jr., Esq., 224 Maple Avenue,
Corry, PA 16407
Attorney: Paul J. Carney, Jr.,
Esq., 224 Maple Avenue, Corry,
PA 16407

**BRADY, HELEN K., a/k/a
HELEN BRADY,
deceased**

Late of the City of Erie, County
of Erie, State of Pennsylvania
Co-Executors: Loretta R. Orelski
and James L. Orelski, 5831 Forest
Crossing, Erie, PA 16506
Attorney: James R. Steadman,
Esq., 24 Main St. E., Girard,
Pennsylvania 16417

**BROSCHÉ, MARY VERONICA,
deceased**

Late of the City of Erie, County
of Erie and State of Pennsylvania
Executor: Robert F. Brosche,
1122 Filmore Avenue, Erie, PA
16505
Attorney: Theodore B. Ely,
Esquire, Shapira, Hutzelman,
Berlin, Ely, Smith & Walsh, 305
West Sixth Street, Erie, PA 16507

**BURCH, ELIZABETH R., a/k/a
ELIZABETH BURCH,
deceased**

Late of the Township of North
East, County of Erie, PA
Co-Executors: Catherine M.
McClure and Douglas J. Burch,
c/o James S. Bryan, Esq., 11 Park
Street, North East, PA 16428
Attorney: James S. Bryan, Esq.,
Bryan & Bryan, 11 Park Street,
North East, PA 16428

**LINGENFELTER, CAROLYN L.,
deceased**

Late of the Township of
Millcreek, County of Erie and
Commonwealth of Pennsylvania
Executor: David B. Lingenfelter,
c/o 3305 Pittsburgh Avenue, Erie,
Pennsylvania 16508
Attorney: Darlene M. Vlahos,
Esquire, 3305 Pittsburgh Avenue,
Erie, Pennsylvania 16508

**MATTS, JOANN,
deceased**

Late of the City of Erie, County of
Erie
Executor: Allan Joseph Matts,
2329 Upper Trent Way, Vandalia,
OH 45377
Attorney: Daniel J. Brabender, Jr.,
Esquire, 254 West Sixth Street,
Erie, PA 16507

**PELKOWSKI, JENNIE J.,
deceased**

Late of the City of Erie,
Commonwealth of Pennsylvania
Executrix: Michelle Bricker, 1314
West 11th Street, Erie, Pennsylvania
16502
Attorney: C. James Vendetti,
Vendetti & Vendetti, 3820 Liberty
Street, Erie, Pennsylvania 16509

**SCHERMER, DORIS E., a/k/a
DORIS ELAINE SCHERMER,
deceased**

Late of the Township of Fairview,
County of Erie, and Commonwealth
of Pennsylvania
Executrices: Donna J. Shaw, 4811
Koehler Road, Erie, PA 16510 and
Dorothy A. Neenan, 2495 Dunn
Valley Road, Waterford, PA 16441
Attorneys: MacDonald, Illig, Jones
& Britton, LLP, 100 State Street,
Suite 700, Erie, Pennsylvania
16507-1459

**SCHROECK, LILLIAN M.,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania

Executor: PNC Bank, National Association, c/o Vickie L. Harbaugh, 901 State Street, Erie, PA 16501

Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**SHULL, NORA E.,
deceased**

Late of the Township of Conneaut, County of Erie, PA

Co-Executrices: Sandy Kay Greenlee and Brenda Fay Shull, c/o James S. Bryan, Esq., 11 Park Street, North East, PA 16428

Attorney: James S. Bryan, Esq., Bryan & Bryan, 11 Park Street, North East, PA 16428

**TROJAN, RITA E.,
deceased**

Late of Erie, PA, Erie County, PA

Co-Administrators: Barbara McClellan, Thomas Trojan, and Nancy Moraski, c/o 900 State Street, Suite 310, Erie, PA 16501

Attorney: Gregory A. Karle, Esquire, 900 State Street, Suite 310, Erie, PA 16501

**VILLA, TIMOTHY J., a/k/a
TIMOTHY JOHN a/k/a
TIMOTHY,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania

Administrator: John P. Villa, 556 East 14th Street, Erie, Pennsylvania 16503

Attorney: Peter W. Bailey, Esquire, 336 East Sixth Street, Erie, Pennsylvania 16507

**WALTZ, JAMES A.,
deceased**

Late of the City of Erie, Erie County, Pennsylvania

Executor: Anna Waltz, c/o McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

Attorney: Joseph P. Martone, Esquire, McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**WILLIAMSON, SHIRLEY,
deceased**

Late of the Township of Harborcreek, Erie County, Pennsylvania

Executor: Bryan Williamson, c/o McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

Attorney: Joseph P. Martone, Esquire, McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

Gary V. Skiba ----- (814) 456-5318
 The McDonald Group, L.L.P. ----- (f) (814) 456-3840
 456 West Sixth Street
 Erie, PA 16507 ----- gskiba@tmgattys.com

Patricia K. Smith ----- (814) 870-4035
 Erie Insurance Group ----- (f) (814) 870-2261
 100 Erie Insurance Place
 P.O. Box 1699
 Erie, PA 16530 ----- patricia.smith@erieinsurance.com

Bryan D. Fife ----- (814) 836-9575
 Edgar Snyder and Associates ----- (f) (814) 836-9775
 1600 Peninsula Drive, Suite 15
 Erie, PA 16505 ----- bfife@edgarsnyder.com

New Email

Robert C. Ward ----- rcwardlaw@live.com

Case #6: Legal Records v. Technology

Demand for legal services is expected to increase. Rapid advances in technology will result in more legal transactions and litigation. More cases mean more records... Why use valuable office space?

Business Records Management is equipped to handle your growing needs with:

- Document Storage
- Certified Shredding
- Email Archiving

Contact BRM and mention the *Erie County Legal Journal* for a free assessment of your office.

Verdict: Choose BRM!



BUSINESS RECORDS MANAGEMENT



823 East 8th Street, Erie, PA 16503

877-DIAL-BRM

www.businessrecords.com



Quality...Experience...Results...

It's what your clients deserve

Medical Malpractice • Auto Accidents • Personal Injury



GISMONDI

& ASSOCIATES

412-281-2200

www.gislaw.com

700 Grant Bldg., 310 Grant St., Pgh., PA 15219

For over 50 years,
USI Affinity has
been administering
insurance and
financial programs
to attorneys and
other professionals.

Our programs
include:

- Professional Liability
- Health Insurance
- Life Insurance
- Short-term and Long
Term Disability

THE CHOICE OF PENNSYLVANIA
ATTORNEYS

*Insurance you can count on...
from a company you can trust!*



To learn more please
contact us today at 800.327.1550
or visit our website at
www.usiaffinity.com