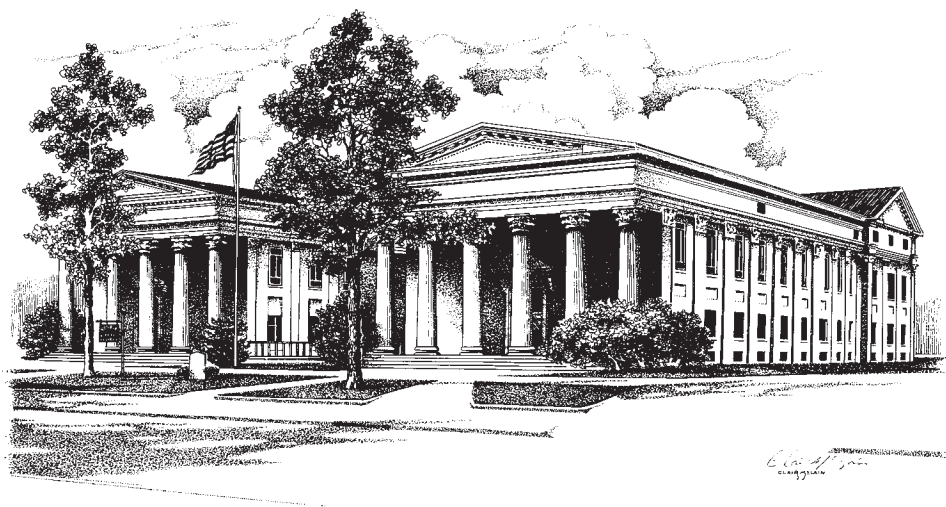


Erie County Legal Journal

January 9, 2009

Vol. 92 No. 2

USPS 178-360



92 ERIE 10 - 18

Langdon v. School District of the City of Erie, et al.

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

IN MEMORIAM	4
NOTICE TO THE PROFESSION	5
OPINION	8
COURT OF COMMON PLEAS	
Dissolution Notice	17
Incorporation Notices	17
Legal Notices	17
Marshal's Sale	18
Sheriff's Sales	19
ORPHANS' COURT	
Estate Notices	40
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



In Memoriam

Peter M. Delio

November 16, 1940 - November 10, 2008



Peter M. Delio, age 67, died Monday, November 10, 2008.

Born November 16, 1940 in Erie, son of the late Michael F. and Rosemarie Zonna Delio.

Attorney Delio lived in Erie his entire life. He graduated from Gannon University in 1965 and Capital University Law School in 1987. The following year, he was admitted to the Pennsylvania Bar Association. In 2001 he was admitted to practice before the United States Tax Court.

Pete was a long-time Erie certified public accountant and lawyer with a concentration in estate planning. His dedicated work at Erie's public accounting firms began with Root, Spitznas and Smiley. Later, he became a founding partner in Diefenbach Delio Kearney & DeDionisio, CPA's and was most recently with Malin, Berquist & Company, LLP.

He was a member of the Pennsylvania and America Institute of CPAs, past president of Estate Planning Council and was certified by the National Association of Certified Valuation Analysts. Pete was also a member of the Downtown YMCA and Lakeview Country Club and was an avid golfer and sports enthusiast.

He is survived by his daughter, Susan E. Delio; one brother, Terry Delio and four grandchildren, David Delio, John, Peter and Matthew Leggerio all of Erie.



Memorials may be made to John Kanzius Cancer Research Fund, Palace Business Center, 915 State St., Erie, PA 16501 or to Great Lakes Hospice, 1700 Peach St., Suite 244, Erie, PA 16501.

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.



Erie County Bar Association Membership Meeting

Judicial Candidates to Speak

In accordance with Judicial Plebiscite Procedures adopted by the Erie County Bar Association, prospective judicial candidates seeking election to the Erie County Court of Common Pleas are being given the opportunity to address the ECBA membership at a meeting on Tuesday, February 3, 2009 at Noon.

Candidates should notify the ECBA office of their intention to attend and address the membership and should ensure that the ECBA office receives a copy of their resume by February 2, 2009. Candidates should also review the procedures as published in the *Erie County Legal Journal* on January 2, 9, 16, 23, 30, 2009.

ECBA members are encouraged to attend and hear comments from those seeking judicial office in Erie County.



When: Tuesday, February 3, 2009
Where: Bayfront Convention Center
Time: Noon, promptly
Cost: \$20.00

Reservations must be made with the ECBA office -
459-3111 or on-line at www.eriebar.com -
no later than Wednesday, January 28, 2009.

Cancellation Policy for ECBA Events/Seminars:

Cancellations received on or before the last reservation deadline will be fully refunded. Cancellations received after the deadline will be refunded in the amount remaining after deducting expenses incurred due to your anticipated attendance.

A.D. LANGDON, Appellant

v.

**SCHOOL DISTRICT OF THE CITY OF ERIE,
JAMES BARKER, SUPERINTENDENT, SCHOOL BOARD OF
THE SCHOOL DISTRICT OF THE CITY OF ERIE, Appellees**

APPEAL

A discretionary judgment made by a school district to expel a student should not be overturned by a reviewing court where there is no error of law and where the decision is based upon substantial evidence.

APPEAL

The challenger of a school district's student expulsion decision has a heavy burden and a court is unlikely to interfere in the decision unless it is apparent the School District Board of Directors' actions are arbitrary, capricious and prejudicial to the public interest; in the absence of gross abuse of discretion, the court will not second guess the policies of the school district.

DUE PROCESS

The right to a public education is not a fundamental constitutional right, but rather a statutory right in which appellant has a property interest; in this regard, appellant, a student expelled from high school attendance by a School District Board of Directors, is entitled to procedural due process.

JURISDICTION

The Court of Common Pleas reviews a school district's expulsion of a student through its jurisdiction pursuant 42 Pa.C.S.A. § 933(a)(2), the action governed by Local Agency Law, 2 Pa.C.S.A. §§ 751 *et seq.*, the School District Board of Directors being a "local agency" under the relevant statute and the expulsion decision being "an adjudication" under the Local Agency Law; the Court sits as a reviewing court and hears the matter without a jury upon review of the certified record, without *de novo* review, if a full and complete record of the proceedings is extant.

OPEN, VACATE, OR AMEND

In reviewing the apparent omission of a videotape from consideration during a Board hearing in a school district's student expulsion decision under Local Agency Law, 2 Pa. C.S.A. §§ 751 *et seq.*, the court need not reopen or supplement the record, nor remand the case, where the tape existed and was available at the time of the initial investigation and hearing, where appellant's counsel apparently made no attempt to introduce the tape, and where the tape was neither exculpatory nor favorable to appellant.

SUFFICIENCY OF EVIDENCE

A school district, required to prove its case in the expulsion of a student by a preponderance of the evidence, is not required to present clear and convincing evidence or evidence beyond a reasonable doubt.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,
PENNSYLVANIA CIVIL DIVISION NO. 12477 OF 2008

Appearances: John Mir, Esquire, Attorney for Appellant
Jennifer E. Gornall, Esquire, Attorney for Appellees

OPINION AND ORDER

DiSantis, Ernest J., Jr., J.

This case comes before the Court on the appellant's appeal of the decision of the Erie School District to expel him from high school attendance in the Erie School District. The Court has reviewed the record and conducted argument on August 13, 2008.

I. BACKGROUND

The appellant was a ninth grade student at East High School in the School District of the City of Erie ("District") during the 2007-2008 school year. CR - 10a.¹ At the beginning of the school year he was provided a copy of the student handbook which sets forth the student code of conduct. Specifically, the code prohibits:

the deliberate or reckless attempt to cause or the actual causing of physical pain or injury to another or the deliberate or reckless attempt by physical menace to put another in fear of imminent physical pain or injury.

CR - 136a

Mr. John Pikiewicz taught at East High School. The appellant and two of his friends, M.K. and T.D. were students in Mr. Pikiewicz's class. CR - 23a. On February 14, 2008, at approximately 3:19 p.m., Mr. Pikiewicz ascended the stairwell to his classroom on the second floor of the school. CR - 29a; Exhibit 6.² Mr. Pikiewicz's classroom is located approximately ten feet across from the door at the top of the stairwell. CR - 28a. At that time, there were some other students in the halls and stairwells due to dismissal which occurred at 3:10 p.m. CR - 39a.

M.K., T.D. and appellant followed Mr. Pikiewicz up the stairwell.³ CR - 29a, Exhibit 6. The appellant is pictured on the videotape (Exhibit 6). When first observed, he is not wearing any head covering. CR - 30a, Exhibit 6. The three students loitered in the stairwell. At one point, the appellant descended halfway down the stairwell, looked down, then returned to the top of the stairwell where he rejoined M.K. and T.D.

¹ CR denotes the certified record.

²Exhibit 6 was a videotape admitted at the hearing before the School Board ("Board"). It is included in the certified record at page 169a.

³M.K., T.D. and appellant were identified as depicted in Exhibit 6 after East High School Principal Pat DePaolo and other school officials reviewed it and other video footage. Although some of the other video material was not saved (CR 34 - 38), the additional tape still exists.

CR - 29a, Exhibit 6. The appellant is then depicted removing his coat or sweatshirt, turning it inside out, putting it on and then placing the hood over his head. CR - 38, Exhibit 6. M.K. has a belt in his hand throughout the time the boys loitered in the stairwell. CR - 30a, Exhibit 6. After approximately two minutes (15:19 until 15:21 as indicated on Exhibit 6), the three boys moved outside the range of the camera. (There were no cameras located in the hallway outside Mr. Pikiewicz's classroom.) Approximately 17 seconds later, three students reappeared in the video, after having crashed through Mr. Pikiewicz's classroom door as they exited. They ran down the stairwell. CR - 30a, Exhibit 6. Shortly thereafter, Mr. Pikiewicz appeared and looked down the stairwell in the direction of the fleeing students. CR - 30a.

Mr. Pikiewicz testified at the Board hearing. He stated that as he was standing by his desk after dismissal, he heard a knock on his door. He opened it and observed three students standing in the doorway with hoods over their faces. CR - 17a. As he described the incident:

went down to the office to check my mail, the deficiencies, then walked back to my classroom. It's extra help night so I stood at my desk. And there was a knock at the door. So I opened the door and there were three students, individuals, there were hoods over their face; and all I saw was a barrage of like whips coming at me, hitting me on the head. And I ducked down. They hit me again. And then one of them said, "Let's get out of here." They went down the steps... The stairs are right by my classroom. Right outside the door, so they went right down the steps and right outside my classroom...

Q. And you said that you were - - do you distinctly remember three different people hitting you?

A. The people, all three, hit. Look like this. And they're all coming down with some kind of a belt or something. I didn't know what it was at the time, now I know it's belts...

Q. Did you sustain any injuries as a result of the attack?

A. Yes.

Q. What type of injuries?

A. Contusions of the head, concussion, cervical strain and back strain.

Q. The three students who attacked you, do you recognize or would you recognize what they were wearing?

A. Oh, yes. I recognize a white hoodie, a dark hoodie and lighter colored hoodie. This happened real quick, though...

Q. And the three students that they identified were M.K., A.L.

and T.D. Do you have those three students in your class?

A. Yes, they were in my fourth period class.

Q. Did those students ever threaten you prior to the attack?

A. Yes.

Q. In what manner?

A. Actually, one of the students I did write up for possible threat, a threat.

Q. Okay, what did he say? No, tell me - -

A. No - - no names?

Q. - - from your memory.

A. Okay.

Q. Well, you can tell me who his name - - what his name was.

A. M.K.⁴

CR - 17a - 22a.

At the Board hearing, the appellant admitted that he was with M.K. and T.D. as pictured in the video. He spoke to them in the stairwell outside Mr. Pikiewicz's classroom. CR - 67a, 68a, 71a, and 74a. He contends, however, that a fourth student A.H. was also present at the top of the stairwell with M.K. and T.D. CR - 68a. Appellant said he left them and exited the stairwell at the moment that M.K. and T.D. descended. He asserts that M.K., T.D. and A.H. committed the assault. *Id.* He said that he "[heard] someone knock on [Mr. Pikiewicz's] door, and heard Mr. P yell, "Hey". At the time, he was next to Ms. Mead's door. CR - 69a.

Appellant admitted to loitering in the stairwell for more than a minute with T.D. and M.K. (the youth holding the belt). However, he denied any knowledge of what they were discussing. CR - 72a, 73a. He admitted that while standing in the stairwell with them, he turned his jacket inside out and put his hood over his head. CR 72a, 73a. He did it for "No reason. It's reversible." CR - 76a. When asked about reversing his hoodie he responded, "Because it's white." CR - 76a.

On February 15, 2008, Principal Pat DiPaolo asked appellant to prepare a written statement describing anything he could remember about the incident. CR - 70a - 71a, 81a. Appellant was given a copy of the statement to review at the March 4, 2008 expulsion hearing. CR - 78. In that statement he stated: "I was with M.K. and T.D." CR - 78. He does not make any reference to A.H. or the latter's purported involvement in the assault. CR - 70a, 71a. When asked why he failed to provide this information, he responded, "I wasn't thinking of it". CR - 70a.

R.G. testified at the expulsion hearing on behalf of appellant. That

⁴Mr. Pikiewicz stated that M.K. had not threatened him before. CR - 22a.

youth testified, "What I can tell you, like [A.L.] told me that a teacher got hit with a belt, but he didn't say, "We did that." He said that's what he saw, you know." CR - 59a.

M.K. also testified on appellant's behalf. S/he could not recall with whom he ascended the stairwell (CR - 45a, 50a); could not recall talking with his/her peers in the stairwell (CR - 45a, 46a and 50a); and could not remember with whom s/he descended the stairwell. CR - 46a. When M.K. was shown the videotape which depicted her/him, appellant, and T.D. in the stairwell, s/he testified s/he could not remember who the two boys were who were with her/him, nor could s/he remember the two other students with whom s/he committed the assault. CR - 46a, 47a, 50a and 52a. In spite of this virtual total loss of memory, s/he was able to state that the appellant was not involved in the assault. CR - 53a.

T.D., the third student identified as one of the participants, prepared a written statement about the incident. This statement was read into the record without objection. It stated:

I, A.L. and M.K. yesterday began to leave school and we saw Mr. P walk in through the hall. Then Mr. P began walking up the stairs. We followed behind him and watched him walk into the classroom. Then we knocked on the door. Mr. P opened the door. I began running before anything happened and I heard Mr. P say, "Hey." That's when I ran down the stairwell and proceeded to leaving the building. T.D.

CR - 54a.

Appellant argues that the record should be reopened and/or the matter remanded for rehearing due to the discovery of "new evidence" which he asserts exculpates him. He argues that there exists an additional videotape that will show him partially descending the stairwell located in the vicinity of Mr. Pikiewicz's classroom, looking down and seeing another individual (A.H.), whom he asserts was involved in the assault. Although appellant characterizes this as "new", it existed at the time of the Board hearing, but was not introduced by any party. Appellant also states that the City of Erie Police Department has reopened or is continuing the investigation based upon allegations that it was A. H., not the appellant, who was the assailant.

II. LEGAL DISCUSSION

The Court of Common Pleas has jurisdiction pursuant 42 Pa.C.S.A. § 933(a)(2). The action is governed by the Local Agency Law, 2 Pa.C.S.A. §§ 751 *et seq.* The Erie School District Board of Directors is a "local agency" under the relevant statute and its expulsion decision was "an adjudication" within the meaning of the Local Agency Law.

In these types of cases, the Court of Common Pleas sits as a reviewing court. If a full and complete record of the proceedings is extant, then

the matter is heard without a jury upon review of the certified record. In that instance, the Court does not conduct a *de novo* review. 2 Pa.C.S.A. § 754(a) and (b). See *Monaghan v. Bd. of Sch. Directors of Reading Sch. Dist.*, 618 A.2d 1239, 1241 (Pa. Cmwlth. 1992).

The parties agree that the record is complete and accurate. They diverge on the additional videotape. Appellant argues that this Court should review the tape (which is not part of the record) and then remand this matter for a new hearing so that tape can be considered by the Board. The District argues that the tape is not new evidence because it was available at the time of the expulsion hearing and appellant failed to introduce it. In addition, it implies that the videotape does not exculpate the appellant because it does not show A.H.'s participation in the assault.⁵

Scope of Review

This Court must affirm the District's decision where a complete record was developed, unless this Court determines that the appellant's constitutional rights were violated, an error of law was committed, that the procedure before the local agency was contrary to law or that the necessary findings of facts are not supported by substantial evidence. 2 Pa.C.S.A. § 754(b); *Sparacino v. Zoning Bd. of Adjustment, City of Philadelphia*, 728 A.2d 445, 447 (Pa. Cmwlth. 1999).

This Court will now address the various issues seriatim.

A. Whether the Appellant's Procedural and/or Substantive Constitutional Rights Were Violated By the Actions of the Erie School District Board of Directors?

As the appellee correctly notes, the appellant's right to a public education is not a fundamental constitutional right. It is a statutory right in which the appellant has a property interest. *Goss v. Lopez*, 419 U.S. 656 (1975). In this regard, appellant is entitled to procedural due process.

Appellant does not argue that his procedural rights were violated. He argues that there should be a new hearing so that the Board can consider the second videotape.

The record shows that the Board hearing took place over a span of two hours. Evidence was presented by the District and the appellant. He was represented by counsel and afforded the opportunity to cross-examine witnesses and present evidence. His counsel apparently made no attempt to introduce the second videotape. Therefore, neither appellant's procedural due process or substantive rights were violated.

Although this is not a criminal proceeding, appellant's argument is akin to a claim that there exists exculpatory evidence that would have altered the outcome of the Board's decision. This Court has not viewed the

⁵ At the argument, appellant agreed with the District on this point. However, appellant asserts that the videotape corroborates his theory because it depicts A.H. at the bottom of the stairwell establishing his presence in the area at or about the time of the assault.

additional tape because counsel's proffer made at argument demonstrates that the additional tape does not support the appellant's theory that A.H. was the third assailant. According to the proffer it would show A.H.'s presence at the bottom of the stairwell. It would not have placed A.H. in the presence of the appellant and the other assailants at the top of the stairwell proximate to Mr. Pikiewicz's room. Furthermore, it does not depict A.H.'s involvement in the assault. Therefore, based upon the fact that the additional tape existed at the time of the initial investigation and hearing; and the fact that it is neither exculpatory nor favorable; this Court need not reopen or supplement the record, nor remand the case.

B. Whether the District Committed An Error Of Law In Determining That The Appellant Violated The District's Assault's Policy And Expelling Him For That Violation?

After its review of the record, this Court concludes that the District did not commit any legal error.

C. Whether The Board's Procedures Conform With All Statutory Requirements Of The Local Agency Law?

Appellant does not specifically articulate a challenge in this regard. Therefore, it need not be discussed.

D. Whether The Board's Adjudication And Decision Of Expulsion Is Supported By Substantial Evidence Of Record?

The District was required to prove its case by a preponderance of the evidence. It was not required to present clear and convincing evidence or evidence beyond a reasonable doubt.

The appellant's position that the additional tape is new evidence is not a claim that the evidence was insufficient. Rather he requests a re-hearing to take a "second bite of the apple".

The Board was presented with the following direct and circumstantial evidence before it made its decision:

1. the appellant and two other students were ascending the stairwell after Mr. Pikiewicz had done so and entered his classroom. CR - 29a;
2. The appellant admittedly loitered in the stairwell located directly outside Mr. Pikiewicz's classroom with these two other students for at least a minute. CR - 34a;
3. One of the students was holding a belt in his hands. CR - 30a;
4. Appellant descended halfway down the steps, looked down the stairwell, and then rejoined the two other students. CR - 30a;
5. The appellant removed his coat or sweatshirt, reversed and replaced it covering his head with the hood. CR - 30a;
6. The three youths walked out of camera range and reemerged 17 seconds later. During that period, Mr. Pikiewicz was assaulted by three male students wearing hoodies. CR - 30a;

7. Three students then crashed through the door of the stairwell, and fled down the steps with Mr. Pikiewicz in pursuit. CR - 30a;
8. The Board heard the statement of T.D. which identifies the appellant as one of the three students present outside Mr. Pikiewicz's room. CR - 54a.

It was the Board's province and responsibility to determine issues of credibility. *Hickey v. Bd. of Sch. Directors of Penn. Manor Sch. Dist.*, 328 A.2d 549, 551 (Pa. Cmwlth. 1974). In rejecting the appellant's account as incredible, it properly considered the following as well as those factors delineated above:

1. the appellant was in the company of T.D. and M.K. while the latter was holding a belt, but yet testified that he had no idea about what they were talking about. CR - 29a, 30a, 67a, 72a and 73a.
2. The appellant's actions in descending halfway down the stairwell, looking around and then returning is circumstantial evidence that he was acting as a "lookout" before the assault began. When asked why he performed these actions, he gave no specific reason. CR - 74a and 75a.
3. The appellant reversed his jacket or hooded sweatshirt and covered his head and gave a feeble explanation for doing so. CR 72a - 76a.
4. Appellant told R.G. that a teacher got hit with a belt. Although this is not an admission, it showed appellant's knowledge of the incident proximate to the time it occurred. CR - 59a. It was proper for the Board to infer that he knew this because he participated.
5. Finally, when asked to give a written account of what occurred, the appellant never mentioned A.H. as the other assailant. CR - 70a - 71a.

Discretionary judgments made by school districts should not be overturned by reviewing courts where there is no error of law, and where the decision is based upon substantial evidence. In cases such as this, one who challenges a school board has a heavy burden and courts, "are not prone to interfere unless it is apparent that the school board's actions are arbitrary, capricious and prejudicial to the public interest...In the absence of a gross abuse of discretion, the courts will not second-guess policies of the school board." *Flynn-Scarcella v. Pocono Mountain Sch. Dist.*, 745 A.2d 117, 120 (Pa. Cmwlth. 2000) (citation omitted); *In re: Giles*, 367 A.2d 399, 400 (Pa. Cmwlth. 1996).

After its review of the record and the applicable law, this Court finds that: (1) the record is complete; (2) the additional tape is not new evidence and is not exculpatory or favorable to appellant; (3) the District properly applied the law; and (4) its decision was based upon substantial evidence.

III. CONCLUSION

Based upon the above, this Court shall issue an order affirming the adjudication of the School District of the City of Erie Board of Directors and dismiss the appeal.

ORDER

AND NOW, this 25th day of August 2008, for the reasons set forth in the accompanying opinion, it is hereby ORDERED that the adjudication of the School District of the City of Erie Board of Directors is hereby AFFIRMED and the appellant's appeal is DISMISSED.

BY THE COURT:

/s/ Ernest J. DiSantis, Jr., Judge

DISSOLUTION NOTICE

Articles of Dissolution for Water Solutions, Inc., having an address of 3623 Imperial Drive, Erie, PA 16505, have been filed with the Pennsylvania Department of State to affect the dissolution of the Corporation.

Jan. 9

INCORPORATION NOTICE

10 Minute Payroll, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988.

John P. Leemhuis, Jr., Esquire
Quinn, Buseck, Leemhuis, Toohey
& Kroto, Inc.

2222 West Grandview Boulevard
Erie, Pennsylvania 16506-4508

Jan. 9

INCORPORATION NOTICE

Notice is hereby given that Articles of Incorporation were filed in the Department of State of the Commonwealth of Pennsylvania for Webster Family Holding Co. under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

Jan. 9

LEGAL NOTICE

NOTICE OF ACTION IN

**MORTGAGE FORECLOSURE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA**

CIVIL ACTION - LAW

**U.S. BANK NATIONAL
ASSOCIATION TRUSTEE FOR
THE PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff**

vs.

**Unknown Heirs of
RAMONA JORDAN JONES,
OLIVIA JORDAN,
SHERENA JORDAN NAVARRO,
OCTAVIA JORDAN AND
ISALAH JORDAN, KNOWN
AND SOLE HEIRS OF
OLIVER JORDAN, Defendants**

Mortgage Foreclosure
No. 11824-2008

TO: ISALAH JORDAN AND

**THE UNKNOWN HEIRS OF
OLIVER JORDAN, DECEASED:**
You are hereby notified that ON APRIL 16, 2008, Plaintiff, U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, 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. 11824-2008, wherein Plaintiff seeks to foreclose its mortgage securing your property located at 1907 EAST 8th STREET, ERIE, PA 16511, whereupon your property will be sold by the Sheriff of Erie County. You are hereby notified to plead to the above referenced Complaint on or before 20 DAYS from the date of this publication or a Judgment will be entered against you.

NOTICE

You have been sued in court. If you wish to defend, you must enter a written appearance personally or by attorney, and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the 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, telephone the office below to find out where you can get legal help.

If you cannot afford to hire a lawyer, this office may be able to provide you with information on agencies that may offer legal services to eligible persons at a reduced fee or no fee.

Lawyer Referral Service

PO Box 1792
Erie, PA 16507
(814) 459-4411

Leon P. Haller, Esquire
Attorney ID #15700
1719 North Front Street
Harrisburg, Pa. 17102
717-234-4178

Jan. 9

LEGAL NOTICE

ATTENTION:

**ANTHONY WILLIAMS
INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS**

**IN THE MATTER OF THE
ADOPTION OF MINOR
FEMALE CHILD (D.S.L.);**

DOB: 04/08/2002

#139B 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. I, City of Erie on January 22, 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) 451-6647.

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. 9

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,

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

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



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

Erie County Bar Association

and its **Family Law Section** presents

“*Collaborative Law*”

a Live Lunch-n-Learn Seminar



Friday, February 20, 2009

Bayfront Convention Center

11:45 a.m. - 12:15 p.m. (Lunch)

12:15 p.m. - 1:15 p.m. (Seminar)

Cost: \$27 (ECBA member/staff) \$39 (nonmember) \$20 (Judges)

This seminar has been approved by the PA CLE Board for **1 hour substantive law credit**. *Please note: You must attend the entire hour to receive any credit.*

Collaborative law is a non-adversarial alternative to the traditional divorce process. In the collaborative law model, each party is represented by a lawyer who guides them through the process of creative problem solving. Most of the work in this “transparent” process is done in four-way conferences where both lawyers and both clients participate in an open and informal exchange of information and ideas. Agreements are made through a process of “interest-based negotiation,” which encourages the parties to move away from taking “positions” and move toward compromises to meet their identified goals.

One of the goals of the process is to enhance communication between the parties so that they are able to resolve their own conflicts in the future. Parties involved in the process often report that their spouses have listened to them for the first time.

Learn more about the collaborative practice of law at:

- www.paulahopkins.com
- www.clasplaw.org
- www.collaborativepractice.com



presented by **Paula Hopkins, Esquire**

Paula Hopkins is a sole practitioner. Attorney Hopkins has authored model statutes and publications on elder law and disability topics and has lectured for the Pennsylvania Bar Institute on topics related to family law. She is a member of the Allegheny County Bar Association. She currently serves as an elected member of their Judiciary Committee, Family Law Section Council and as Vice-chair of the Sole and Small Firm Section. Attorney Hopkins is also an active member of the Pennsylvania Bar Association. Paula was a founding member and first president of the Collaborative Law Association of Southwestern Pennsylvania (CLASP). She is also a trained mediator and a member of the Mediation Council of Western Pennsylvania.

Reservations are due to the ECBA office by February 13, 2009.

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

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 Harborcreek 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 Sterns 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

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

**BERGER, GRANT L. III,
deceased**

Late of the City of Erie, County of Erie
Executrix: Nancy Sonzoni, 421 Thoreau Street, Branford, Connecticut 06405
Attorney: W. Richard Cowell, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

**BRAY, JEANNE LOIS, a/k/a
JEANNE L. BRAY, a/k/a
JEAN L. BRAY,
deceased**

Late of the Township of Millcreek, County of Erie, Pennsylvania
Executrix: Joan E. Partch, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Scott E. Miller, Esquire, 246 West Tenth Street, Erie, PA 16501

**DAVIS, CHRISTAL A.,
deceased**

Late of the Township of Harborcreek, County of Erie, and Commonwealth of Pennsylvania
Executor: Bradley A. Davis, 317 Robinhood Road, Covington, LA 70433
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**HOUSMAN, FRED W.,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: James D. Cullen, 100 State Street, Suite 700, Erie, PA 16507-1459
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**KUENEN, NORMAN B.,
deceased**

Late of the City of Des Moines, County of Polk, and State of Iowa
Executrix: Carol S. Henderson, 3410 S.W. 5th Street, Des Moines, IA 50315
Attorney: Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

**LUTHER, MILLARD H.,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Executor: Carl Anderson, c/o Jeffrey A. Misko, Esquire, 1415 West 38th Street, Erie, Pennsylvania 16508
Attorney: Jeffrey A. Misko, Esquire, 1415 West 38th Street, Erie, Pennsylvania 16508

**MORGAN, ALVINA M.,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executor: Harry R. Morgan, Jr., 146 Cooper River Drive, Mount Pleasant, SC 29464
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**NEWPORT, GERALDINE E.
JOHANNES, a/k/a
GERALDINE E. NEWPORT, a/k/a
GERALDINE E. JOHANNES,
a/k/a GERALDINE NEWPORT,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Co-Executors: Clifford Newport and William Schaaf, c/o 150 West Fifth St., Erie, PA 16507
Attorney: Colleen C. McCarthy, Esq., McCarthy, Martone & Peasley, 150 West Fifth St., Erie, PA 16507

**PANIGHETTI, GENO A.,
deceased**

Late of the City of Erie
Executor: Richard A. Panighetti
Attorney: Norman A. Stark, Esquire, The Stark Law Firm, 100 State Street, Suite 210, Erie, PA 16507

**RECTENWALD, ARLENE G.,
deceased**

Late of the City of Erie, Pennsylvania
Executor: Ross E. Rectenwald, c/o Thomas C. Hoffman II, Esq., 120 West 10th Street, Erie, PA 16501
Attorney: Thomas C. Hoffman II, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**SMITH, HARVEY K.,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Marcia J. Smith, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: James F. Toohey, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**VARGO, LOTTIE D.,
deceased**

Late of the City of Erie,
Pennsylvania

Executrix: Marlene A. Spaeder,
c/o Thomas C. Hoffman II, Esq.,
120 West 10th Street, Erie, PA
16501

Attorney: Thomas C. Hoffman II,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

SECOND 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

THIRD 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

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

Firm Name Change

Yochim, Skiba, Johnson & Nash is now **Yochim & Nash**
Bryan & Bryan is now a branch of **Knox, McLaughlin, Gornall & Sennett, P.C.**

New Email

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

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

IF THERE ARE ANY NEW ATTORNEYS IN ERIE INTERESTED IN JOINING
THE ERIE COUNTY BAR ASSOCIATION, PLEASE
CALL 459-3111 AND AN APPLICATION WILL BE MAILED TO YOU OR GO TO OUR
WEBSITE AT WWW.ERIEBAR.COM AND FILL OUT THE ONLINE APPLICATION.

IF YOU KNOW OF ANY ADDRESS CHANGES
PLEASE CONTACT THE LEGAL JOURNAL OFFICE AT 459-3111
OR ADMIN@ERIEBAR.COM. THANK YOU.

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