

Erie County Legal Journal

May 29, 2009

Vol. 92 No. 22

USPS 178-360



In the United States Bankruptcy Court for the Western District of Pennsylvania
In re: Excalibur Machine Co., Inc., 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.

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Erie County Bar Association

Calendar of Events and Seminars

TUESDAY, JUNE 2, 2009

Selecting & Influencing Your Jury

PBI Video Seminar

Bayfront Convention Center

9:00 a.m. - 4:00 p.m.

\$319 (member) \$299 (admitted after 1/1/05)

\$339 (nonmember)

6 hours substantive

THURSDAY, JUNE 4, 2009

Consumer Debt Litigation

PBI Groupcast Seminar

Bayfront Convention Center

9:00 a.m. - 1:15 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)

2 hours substantive / 1 hour ethics

WEDNESDAY, JUNE 17, 2009

Selecting, Investigating, Evaluating and Settling

Personal Injury Cases

PBI Groupcast Seminar

Bayfront Convention Center

8:30 a.m. - 11:45 a.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:

(member) \$189 (admitted after 1/1/05) \$209 (nonmember)

3 hours substantive

FRIDAY, JUNE 19, 2009

Advocacy for the Ages

PBI Groupcast Seminar

Bayfront Convention Center

8:30 a.m. - 3:30 p.m.

\$344 (member) \$324 (admitted after 1/1/05)

\$364 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:

\$319 (member) \$299 (admitted after 1/1/05) \$339 (nonmember)

5 hours substantive / 1 hour ethics

FRIDAY, JUNE 19, 2009

ECBA Mid-Year Meeting and

Live Seminars

Bayfront Convention Center

Noon - 5:00 p.m.

more details forthcoming

WEDNESDAY, JUNE 24, 2009

General Practitioner's Update 2009

PBI Groupcast Seminar

Bayfront Convention Center

8:30 a.m. - 4:10 p.m.

\$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)

5 hours substantive / 1 hour ethics

TUESDAY, JUNE 30, 2009

PA Sales & Use Tax

PBI Video Seminar

Bayfront Convention Center

9:00 a.m. - 4:00 p.m.

\$129 (member) \$109 (admitted after 1/1/05)

\$149 (nonmember)

5 hours substantive / 1 hour ethics

2009 BOARD OF DIRECTORS

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U.S. Senator Robert P. Casey, Jr. invites all persons interested in being considered for appointment to the positions of U.S. Attorney for the Eastern, Western, or Middle District of Pennsylvania to obtain and submit an application that can be found on the Senator's website, <http://www.casey.senate.gov/>. This questionnaire must be completed and returned in Microsoft Word format by email no later than Friday, June 5, 2009 to usattorney@casey.senate.gov. Applicants will be contacted to arrange for interviews where necessary and appropriate. Senator Casey will be advised and assisted in this process by several former United States Attorneys and other leading members of the bar.

May 29

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

Troy M. Frederick ----- (866) 527-2161
 Marcus & Mack, Attorneys at Law ----- (f) (724) 349-8362
 57 South 6th Street
 Indiana, PA 15701-1107

Premier office space, *exceptional staff support*, without the costly overhead.

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Two locations in downtown Erie

Erie County Bar Association

2009 Mid-Year Meeting & Live Seminars

June 19, 2009

Bayfront Convention Center

Noon - 12:30 p.m.

KICK-OFF LUNCH

12:30 p.m. - 1:00 p.m.

BUSINESS MEETING

1:00 p.m. - 2:00 p.m.

"Recognizing and Addressing Distress"
(1 hour Ethics CLE)

Presented by: Kenneth J. Hagreen, Esq.
Executive Director, Lawyers Concerned for Lawyers of Pennsylvania

2:15 p.m. - 3:45 p.m.

BREAKOUTS BY PRACTICE SECTION
(1.5 hours substantive CLE)

Bankruptcy

Business & Commercial Law

Civil Litigation

Estates & Trusts

Family Law

Real Estate

Worker's Compensation

3:45 p.m. - 5:00 p.m. OPEN BAR

Reservations due to the ECBA by Friday, June 12

registration brochure coming soon

IN RE

**EXCALIBUR MACHINE CO., INC., CAMELOT CONSOLIDATED, INC.,
BLADE TRANSPORT, INC., MULTI-PLASTICS, INC., MULTI-TOOL, INC.,
MULTI-PLASTICS OF NEW MEXICO, INC., SIPCO, INC., and
E.A.H. INDUSTRIES, INC., Debtors**

SAMUEL SON & CO., INC., Movant

v.

EXCALIBUR MACHINE CO., INC., Respondent

UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA BANKRUPTCY NO. 09-10169 (Consolidated for Administration)
CHAPTER 11 DOCUMENT NO. 39

Appearances: Guy C. Fustine, Esq., and Joseph F. Gula, III, Esq., Attorneys for Debtors
 Michael J. Lombardi, Esq., and Thomas J. Minarcik, Esq., Attorneys for
 Samuel Son & Co., Inc.
 Mark E. Freedlander, Esq., Attorney for Official Committee of Unsecured
 Creditors
 Daniel J. Bursec, Esq., Attorney for S&T Bank
 Norman E. Gilkey, Esq., Attorney for National City Bank
 Susan F. Reiter, Esq., Attorney for Mercer County State Bank
 James R. Walczak, Esq., Attorney for F.N.B. Capital Corp., LLC

Warren W. Bentz, U.S. Bankruptcy Judge
May 13, 2009

OPINION

I. Introduction

On January 31, 2009 (the "Petition Date") Excalibur Machine Co., Inc., Camelot Consolidated, Inc., Blade Transport, Inc., Multi-Plastics, Inc., Multi-Tool, Inc., Multi-Plastics Of New Mexico, Inc., Sipco, Inc., and E.A.H. Industries, Inc. each filed voluntary petitions under Chapter 11 of the Bankruptcy Code. By Order dated February 6, 2009, the cases were consolidated for joint administration under the Excalibur Machine Co., Inc. Case at Bankruptcy No. 09-10169 ("Debtor" or "Excalibur").

On February 11, 2009, Samuel Son & Co., Inc. ("Samuel") filed its MOTION TO PROHIBIT USE OF CASH COLLATERAL OR PROVIDE ADEQUATE PROTECTION AND TO REQUIRE DEBTOR TO EITHER ASSUME OR REJECT CONSIGNMENT SECURITY AGREEMENT AND OTHER RELIEF (the "Motion") at Document No. 39. The Debtor, the Official Committee of Unsecured Creditors ("Committee") and National City Bank ("NCB") each filed a response in opposition to the Motion. A hearing was held on March 10, 2009 and the parties filed briefs on March 13, 2009. We find that documentation clearly reflects the intent of the parties and that the issues are ripe for decision.

II. Factual Background

On December 3, 2004, Samuel as Consignor and Excalibur as Consignee executed a document entitled Consignment Security Agreement (the "Agreement"). The Agreement provides Samuel a "continuing security interest . . . in the Consigned Goods." The Consigned Goods are specifically identified in Appendix A to the Agreement. On February 14, 2006, the Agreement was amended "to include the goods described on Attachment A hereto in the definition of Consigned Goods." Attachment A to the amendment which is entitled APPENDIX A TO CONSIGNMENT SECURITY AGREEMENT provides that: [T]he Consigned Goods subject to the above Consignment Security Agreement are as follows:

A 36

46 plates $\frac{3}{4}$ x 134 x 134

70 plates 1 x 78 x 205

32 plates 1 x 96 x 240 Blast & Seal

572 Grade 30

17 plates $\frac{1}{2}$ x 96 x 240

13 plates $\frac{5}{8}$ x 96 x 240

21 plates $\frac{3}{4}$ x 96 x 240

18 plates 1 x 96 x 240

The Agreement further provides:

The Consigned Goods are to be maintained as consigned secured goods on the premises of the Consignee at *6103 U.S. Hwy 6, Linesville, PA, 16424* following receipt of each shipment by the Consignee. Material may not be removed to another location without the Consignor's prior written consent. Consignee shall return all Consigned Goods to Consignor upon demand. The Consigned Goods shall be maintained in a segregated area and shall not be commingled with the property of the Consignee. The Consigned Goods shall at all times be identified by the Consignee as the Consignor's property and all costs, expenses and disbursements incurred for handling, maintenance and protecting of the Consigned Goods in the Consignee's warehouse shall be the cost of the Consignee.

At such time as any of the Consigned Goods shall have been in the possession of the Consignee for 90 days, the Consignor will inform the Consignee of the aging of the product and the Consignor may invoice the Consignee for such product.

2. TERMS

This Agreement shall become effective as of the 3rd day of December, 2004. The Consignor will invoice the Consignee in accordance with the credit terms established by the Consignor for purposes of this Agreement. The Consignee agrees to pay all invoices issued under this Agreement within thirty (30) days following the date of the invoice from the Consignor.

3. TITLE

Title to the Consigned Goods shall remain in the Consignor at all times. No right

or power is given the Consignee to pledge, hypothecate or otherwise dispose of the Consigned Goods, other than sales to unrelated parties in the normal course of business as hereinafter, provided. The Consignee shall cause the Consigned Goods to be clearly identified as the property of the Consignor, and the Consignee will not permit any lien to attach to the Consigned Goods.

The Consignee shall have the right to sell the Consigned Goods for cash at a price not less than the minimum purchase price specified by the Consignor. A security interest in the proceeds of any such sale or other disposition of the Consigned Goods shall vest automatically in the Consignor.

The Consignee also agrees to keep the Consigned Goods, and the proceeds from the sales thereof, separate and capable of identification, as the property of the Consignor, to make entries in its books showing that the Consigned Goods are held for the account of the Consignor, to report to the Consignor the consummation of any sale promptly after it is made, and furnish the Consignor on written or verbal demand a true and complete report of the Consignee's sales for any period of time stated by the Consignor.

...

The Agreement also provides that "[t]he Consignor shall have all the rights of a Consignor under the Uniform Commercial Code in the Consigned Goods" and that the Agreement shall be interpreted under New York law.

On March 30, 2005, Samuel filed a UCC FINANCING STATEMENT with the State of Pennsylvania covering the following collateral: "Goods sold on consignment by Consignor to Consignee, including but not limited to stainless steel plate and bar as described in Schedule A annexed hereto, and the proceeds therefrom." When the Agreement was amended in 2007, Samuel filed a UCC FINANCING STATEMENT AMENDMENT with the State of Pennsylvania on February 21, 2007. The Amended Financing Statement states that it covers "Goods sold on consignment by Consignor to Consignee, including but not limited to stainless steel plate as described in Appendix A annexed hereto and the proceeds therefrom." APPENDIX A TO CONSIGNMENT SECURITY AGREEMENT is attached to the Amended Financing Statement.

Pursuant to the Agreement, Samuel delivered steel plate to Excalibur's premises where it was kept segregated in an outdoor storage area. Excalibur did not pay for and had no obligation to pay for the steel plate while stored in the segregated area. When Excalibur required steel plate for use in its manufacturing process, it moved the required steel plate from the segregated area into the building for processing. Samuel was notified that Excalibur moved certain goods and Samuel invoiced Excalibur for these goods. Samuel regularly inspected the goods in the segregated area and replenished the steel that had been utilized by Excalibur and invoiced by Samuel.

Once Excalibur moved the steel plate inside the building, it was processed into a finished product and the finished product was sold to Excalibur's customers.

The Consigned Goods that are the primary focus of the Cash Collateral issue in Samuel's Motion arises out of Consigned Goods that were removed from the outside storage area and invoiced by Samuel prior to the Petition Date and for which the invoices remain unpaid.

III. Positions of the Parties

Samuel posits that its security interest in the Consigned Goods continues in the goods through Excalibur's work process and into the final product; that as of the Petition Date, Samuel had an interest in proceeds from the collection of Excalibur's accounts receivable; and that Excalibur should be prohibited from using the proceeds from the sale of the Consigned Goods without providing adequate protection payments to Samuel on its secured claim.

Samuel also asserts that Excalibur should immediately assume or reject the Agreement and that Samuel be granted an administrative claim for the sale of any of the Consigned Goods after the Petition Date.

The Debtor posits that the Agreement does not represent a consignment under Pennsylvania law since there was never a sale to a third party; that to the extent Samuel has a consignment interest, the consignment interest only extends to steel which is segregated in the yard; that once Excalibur utilized the steel and Samuel invoiced Excalibur, Samuel's ownership interest in the steel terminated; and that Samuel has no interest in proceeds of Excalibur's accounts receivable because Excalibur never sold the steel to a third party.

Excalibur further posits that it has until Plan confirmation to assume or reject the Agreement.

National City Bank ("NCB") supports Excalibur's position. NCB asserts that the Agreement is not a consignment arrangement; that the rights which Samuel asserts does not comport with the intention of the parties; and that Samuel is not entitled to adequate protection because it has no security interest in any product manufactured by Excalibur or in any account generated through a sale of such manufactured product.

The Official Committee of Unsecured Creditors (the "Committee") asserts that the Agreement and the corresponding appendices delineate specific quantities and types of steel plate as of the dates certain and it is those specified plates alone that constitute Consigned Goods under the Agreement and that none of those specific pieces of steel nor their product or proceeds existed as of the Petition Date and therefore there is no cash collateral in which Samuel has an interest.

IV. Scope of Consignment

The parties set up the transaction between them as a consignment. A form agreement was utilized which is meant for the typical consignment arrangement where the consignee acts as an agent of the consignor for the purpose of delivery to third-party users or customers and where the consignee collects the proceeds for transmission to the consignor. *See United States v. Nektalov*, 440 F.Supp. 2d 287, 298 (S.D. NY 2006). In a typical consignment arrangement, there is no absolute obligation on the part of the consignee to pay for the goods because the consignee is not the buyer. *Id.* Title does not pass to the consignee. *Id.*

The intent here was not that the steel be resold to third parties. The purpose of the Agreement was for Samuel to maintain an inventory of steel plate in a segregated storage area on Excalibur's premises to be available for purchase by Excalibur on an as needed basis. When Excalibur required certain of Samuel's goods, it purchased the goods by moving them into its facility and notifying Samuel, who then invoiced Excalibur for the purchased goods.

Other terms of the Agreement are inconsistent with the course of dealing by the parties. Excalibur was obligated to turn over the proceeds of the sale of steel made to third parties. There were no third parties.

Excalibur was to keep the Samuel steel separate and apart from other goods. Once Excalibur purchased the steel and incorporated it into its product, it was not segregated. Excalibur treated the purchased steel as its own. There was no accounting for the processed steel or its proceeds.

Under New York law, a "sale" consists of passing title from a seller to the buyer for a price. N.Y. U.C.C. § 2401 (McKinney, 1964). Unless the parties agree otherwise, title passes to the buyer when the seller completes its performance with respect to physical delivery of the goods. *Id.*

The relationship between the parties changed when Excalibur took the raw steel into its facility. Samuel was notified and issued an invoice with an agreed purchase price to Excalibur for the steel that was purchased. Once invoiced, Excalibur's obligation was to repay a debt; not to return the material or the proceeds from the sale of that material. Excalibur had an absolute obligation to pay for the material in accordance with the terms of Samuel's invoice.

The relationship of debtor and creditor existed, rather than that of consignor and consignee. Once there was an agreement to pay a specific amount, a sale occurred. Title was transferred. *United States v. Nektalov*, 440 F.Supp. 2d 287, 298 (E.D. NY 2006). The purchased material, being the property of Excalibur, was then subject to the claims of Excalibur's creditors.

V. Security Interest

The Agreement provides that Samuel has a security interest in the Consigned Goods which are described as "the goods and merchandise which may become subject to the security interest provided for here are described in Appendix A." Appendix A, entitled Consigned Goods, lists specific sizes and types of raw steel. The Consigned Goods subject to the security interest were those goods maintained in a segregated area and not commingled with Consignee's property. The Agreement provides that Consignee had no power to dispose of the Consigned Goods "other than sales to unrelated third parties and that Consignor has a security interest in the proceeds of any such sale, or other disposition of the Consigned Goods."

The Agreement and its Appendix limit the security interest to the listed specific raw steel items. The UCC Financing Statement filed with the Commonwealth attempts to expand the scope with language that provides for a security interest in "[g]oods sold on Consignment by Consignor to Consignee, including but not limited to stainless steel plate and bar as described in Schedule A annexed hereto, and the proceeds therefrom."

The scope of the Agreement is determined by the language of the Agreement. The language of security agreements is to be determined as written. *In re Prichard*, 170 BR 41, 44 (Bankr. N.D. NY 1994). A financing statement cannot expand the security provided for in the security agreement. *In re Door Supply Center, Inc.*, 3 BR 103, 106 (Bankr. D. ID 1980); *Mitchell v. Shepherd Mall State Bank*, 324 F.Supp. 1029 (W.D. OK 1971).

The issue is whether the language in the Agreement reflects an intent to create a security

interest in the Consigned Goods that Excalibur has purchased and incorporated into its finished product and whether the security interest follows into accounts receivable from the sale of finished product to Excalibur's customers.

A description of the collateral in a security agreement is sufficient if it puts subsequent creditors on notice so that aided by inquiry, they may reasonably identify the collateral.

A reading of the enumerated items of the Agreement and the specific listing of materials in the Appendix to the Agreement would lead any interested person or entity to the logical conclusion that Samuel did not intend to obtain and that Debtor did not intend to grant, a security interest in any assets other than the raw material that remained in segregated storage on Debtor's premises and the proceeds of any sale of those raw materials to third parties.

VI. Conclusion

For the reasons stated herein, as of the Petition Date, Samuel owned any of the raw material which remained in the segregated storage area on the outside of Debtor's building. To the extent Debtor has purchased and used Samuel's material after the Petition Date that it has not paid for, Samuel is entitled to an administrative claim. Samuel is entitled to a general unsecured non-priority claim for amounts invoiced for material prepetition which remain unpaid.

An appropriate Order will be entered.

ORDER

This 13th day of May, 2009, in accordance with the accompanying Opinion, it shall be and hereby is ORDERED that the MOTION TO PROHIBIT USE OF CASH COLLATERAL OR PROVIDE ADEQUATE PROTECTION AND TO REQUIRE DEBTOR TO EITHER ASSUME OR REJECT CONSIGNMENT SECURITY AGREEMENT AND OTHER RELIEF filed by Samuel Son & Co., Inc. is DENIED, *except* that Samuel Son & Co., Inc. shall have an administrative claim and is entitled to payment of amounts due with respect to any part of the raw steel removed from the segregated storage area and utilized by Debtors post-petition.

/s/ **Warren W. Bentz**
United State Bankruptcy Judge

ACTION TO QUIET TITLE

In the Court of Common Pleas of
Erie, County Pennsylvania
No. 11669 - 2009

CAROLYN JEAN GRETTLER,
also known as,

CAROLYN J. GRETTLER and
STEVEN S. GRETTLER, Plaintiffs
v.

HAROLD HAYES, Defendant

LEGAL NOTICE

To: Harold Hayes, his heirs,
executors, successors and/or
assigns, Defendant

You have been sued in Court. If you
wish to defend against the claims
set forth in the Complaint you must
take action within twenty (20) days
after this publication by entering a
written appearance personally or
by an attorney and filing in writing
with the Court your defenses or
objections in the claims set forth
against you. You are warned that
if you fail to do so, the case may
proceed without you and a judgment
may be entered against you by the
Court without further notice for the
relief requested by the Plaintiffs.
You may lose money, property or
other rights important to you.

You should take this notice to your
lawyer at once. If you do not have a
lawyer or cannot afford one, go to or
telephone the following to find out
where you can get legal help.

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

Mon.-Fri. 8:30 a.m. to 3:00 p.m.

The Complaint, filed in the Court
of Common Pleas of Erie County,
Pennsylvania at No. 11669 -
2009, alleges that the Plaintiffs,
CAROLYN JEAN GRETTLER,
also known as, CAROLYN J.
GRETTLER and STEVEN S.
GRETTLER are the owners of the
following parcel of property:

All that certain piece or parcel of
land situate in the Township of Elk
Creek, County of Erie and State
Pennsylvania being a part of Tract
No. 462, bounded and described as
follows, to-wit:

Beginning at a post in the northeast
corner of Tract No. 462 and the
center of Population Road; thence

along the east line of said tract,
south ninety-nine and five-tenths
(99.5) perches to a post at the
northeast corner of land formerly
owned by John Stafford; thence
along the north line of said lands,
west one hundred seventy-one and
five-tenths (171.5) perches to a post
in the east line of lands formerly
owned by Alden Pomeroy; thence
along said line, north, ninety-nine
and five tenths (99.5) perches to a
post in the south line of Tract No.
463; thence along said line east
one hundred seventy-one and five
tenths (171.5) perches to a point
and the place of beginning.

Containing one hundred (100)
acres of land more or less. Having
erected thereon a frame dwelling
house, barn and outbuildings.

Being the same premises conveyed
by John S. Yensey and Viola
M. Yensey, his wife, to Howard
Grettler and Carolyn Jean Grettler,
his wife, by deed dated November
20, 1962 and recorded at Erie
County Deed Book 0867, Page
0305 on November 21, 1962.

The Court has ordered that notice
to this action may be given by
publication so that title to the
property may be adjudicated. The
Complaint requests the Court to
decree that title to the property
is free and clear of any claim or
interest of any of the said Defendant,
its successors and/or assigns, and
that said Defendant be barred from
asserting any right, title and interest
in and to the property inconsistent
with the interest and claim of
the Plaintiff unless an action of
ejectment is brought within thirty
(30) days of the Court's Order.
Richard A. Blakely, Esq.
Quinn, Buseck, Leemhuis, Toohey
& Kroto, Inc.
2222 West Grandview Boulevard
Erie, PA 16506-4508

May 29

INCORPORATION NOTICE

Feikls Oil & Gas, Inc. has been
incorporated under the provisions
of the Pennsylvania Business
Corporation Law of 1988.

Thomas J. Buseck, Esq.
The McDonald Group, L.L.P.
456 West Sixth Street
P.O. Box 1757
Erie, PA 16507-0757

May 29

LEGAL NOTICE

In the Court of Common Pleas of
Erie County, Pennsylvania
Civil Division

Case No.: 18075-08

CHASE BANK USA, N.A.,
Petitioner,
v.

CONNIE SHERMAN, Respondent
NOTICE

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 notice 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.

Lawyer Referral Service
P.O. Box 1792
Erie, PA 16507
(814) 459-4411

Mon-Fri 8:30 a.m. - 3:00 p.m.

William T. Molczan, Esquire
PA I.D. #47437
Weltman, Weinberg & Reis Co., L.P.A.
1400 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
(412) 434-7955

May 29

LEGAL NOTICE

THE SCHOOL DISTRICT
CITY OF ERIE, PA
Administration Office Building
148 West 21st Street
Erie, PA 16502

NOTICE TO BIDDERS

The School District of the City of Erie, 148 West 21st Street, Erie, PA 16502 will receive SEALED BIDS for a Forklift Truck, Thursday, June 4, 2009 at 1:30 p.m., Daylight Savings Times, and will be opened in the Board Room in accordance with the bid forms and specifications to be obtained from the Purchasing Department.
Robin Smith
Secretary

May 22, 29

LEGAL NOTICE

THE SCHOOL DISTRICT
CITY OF ERIE, PA
Administration Office Building
148 West 21st Street
Erie, PA 16502

NOTICE TO BIDDERS

The School District of the City of Erie, 148 West 21st Street, Erie, PA 16502 will receive SEALED BIDS for Food Service Vehicles, Thursday, June 4, 2009 at 1:30 p.m., Daylight Savings Times, and will be opened in the Board Room in accordance with the bid forms and specifications to be obtained from the Purchasing Department.
Robin Smith
Secretary

May 15, 22, 29

Erie County Bar Association Live Seminar

Open Records Law & The **Sunshine** Act

presented in cooperation
with the ECBA Municipal Law Committee

Speaker: Shelley A. Houk

Director of Research, PA State Association of Boroughs

This seminar has been approved
by the PA CLE Board for 2 hours
substantive law credit.

Thursday, July 16, 2009

9:00 - 11:00 a.m. (reg. - 8:30a.m.)

Bayfront Convention Center

\$54 (ECBA member/staff)

\$79 (nonmember)

Cancellation Policy:

Cancellations received on or before the last reservation deadline will be fully refunded. Cancellations received after the deadline or non-attendance will not be refunded. If you register for an event without payment in advance and don't attend, it will be necessary for the ECBA to send you an invoice for the event.

Reservations are due to the ECBA office by Friday, July 10, 2009.

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

**June 19, 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

May 29 and Jun. 5, 12

SALE NO. 2

Ex. #10490 of 2009

**375 Park Holdings, LLC,
Plaintiff**

v.

Roy F. Struchen, Defendant(s)

LEGAL DESCRIPTION

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

BEING Lot No. 23 in the Lake City Development Company Plot No. 1, which was recorded on October 6, 1954 in Erie County, Pennsylvania Map Book No. 5, page, 78 and 79. Said premises are further identified by Erie County Assessment Index No. (28) 9-12-7.01 and are

commonly known as 1663 Cherry Street, Lake City, Pennsylvania.

BEING the same premises conveyed to the Estate of Margaret L. Frenchak a/k/a Margaret Frenchak by deed dated November 14, 2000 and recorded in Erie County Record Book 738 at Page 1088 on November 17, 2000. Also being the same premises conveyed to John Frenchak and Margaret Frenchak, his wife, by deed dated and recorded December 31, 1959 in Erie County Deed Book 812 at Page 344. The aforementioned John Frenchak died on October 3, 1997 thereby vesting full interest in Margaret Frenchak, his wife.

BEING KNOWN AS: 1663 CHERRY STREET, LAKE CITY, PA 16423

PROPERTY ID NO.: 28-9-12-7.01
TITLE TO SAID PREMISES IS VESTED IN Roy F. Struchen by Deed from David Rupert and Harold Murphy, co-executors of the Estate of Margaret L. Frenchak, also known as Margaret Frenchak, late dated 2/12/01 recorded 2/15/01 in Deed Book 753 Page 191.

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

May 29 and Jun. 5, 12

SALE NO. 3

Ex. #15295 of 2008

Northwest Savings Bank

v.

Edith R. McMurdy

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 15295-2008, Northwest Savings Bank vs. Edith R. McMurdy, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 4235 Fargo Street, Erie, Pennsylvania.

60' x 120' x 60' x 120'

Assessment Map Number:
(18) 5234-131

Assessed Value Figure: \$83,770.00
Improvement Thereon: Residence
Kurt L. Sundberg, Esq.

Marsh Spaeder Baur Spaeder
& Schaaf, LLP

Suite 300, 300 State Street

Erie, Pennsylvania 16507

(814) 456-5301

May 29 and Jun. 5, 12

SALE NO. 4

Ex. #14109 of 2008

**Business Lenders, L.L.C.,
Plaintiff,**

v.

**Bootes Petroleum, L.L.C.,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14109-08 Business Lenders, L.L.C. vs. Bootes Petroleum, L.L.C., owner of property situated in Erie, Erie County, Pennsylvania being 4802 Main Street 193.27 x 134.35 ft.

Assessment Map number:
29-11-44-6

Assessed Value figure: \$105,000
Improvement thereon: Filling station
Laura M. Danks, Esq.

Capehart & Scatchard, P.A.
8000 Midlantic Drive, Ste. 300 S
Mount Laurel, NJ 08054

(856) 234-6800

May 29 and Jun. 5, 12

SALE NO. 5

Ex. #10128 of 2009

**Northwest Savings Bank,
Plaintiff**

v.

Robert W. Osborn, Jr., Defendant

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, being part of the In Lots Numbers nineteen hundred and seventy-nine (1979) and nineteen hundred and eighty-two (1982) bounded and described as follows, to-wit:

Beginning at a point in the South line of Sixth Street one hundred fifty-five (155) feet Eastwardly from the East line of German Street; thence Eastwardly, along the South line of Sixth Street, Forty-one (41) feet; thence Southwardly, parallel with German Street, One Hundred Sixty-five (165) feet; thence Westwardly, parallel with Sixth Street, Forty-one (41) feet; and thence Northwardly, parallel with German Street, One Hundred and Sixty-five (165) feet to

the South line of Sixth Street at the place of beginning.

SAID premises have erected thereon a dwelling commonly known as 317-317 1/2 East Sixth Street, Erie, Pennsylvania, 16507 and are further identified by Erie County Assessment Index Number (14) 10-10-218.

BEING the same premises conveyed to the Mortgagor by deed which is intended to be recorded forthwith.

BEING the same premises conveyed to Robert W. Osborn, Jr. by deed dated May 20, 2005 and recorded May 23, 2005 in Erie County, Pennsylvania Record Book 1235, Page 2275 and being Erie County Tax Index No. (14) 10-10-218.

Knox McLaughlin Gornall & Sennett, P.C.

Mark G. Claypool, Esquire
Attorneys for Plaintiff

120 West Tenth Street
Erie, Pennsylvania 16501-1461
(814) 459-2800

May 29 and Jun. 5, 12

SALE NO. 6

Ex. #10352 of 2009

**Northwest Savings Bank,
Plaintiff
v.**

**Roadhouse Theatre, Inc.,
a Pennsylvania Non-Profit
Corporation, Defendant
LEGAL DESCRIPTION**

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

BEGINNING at a point in the south line of Eleventh Street on the east line of an alley, and being 130 feet east of the east line of Sassafras Street; thence eastwardly along the south line of Eleventh Street, 48-1/8 feet to a point; thence southwardly parallel with Sassafras Street, 155 feet to an alley; thence westwardly along the north line of said alley, 48-1/8 feet to the east line of an alley; thence northwardly along the east line of said alley and parallel with Sassafras Street, 155 feet to the south line of Eleventh Street, the place of beginning. Being Lot No. 25 of the RUFUS S. REED SUBDIVISION as recorded in Deed Book N, Page

57, and having erected thereon a church building being commonly known as 145 West Eleventh Street, Erie, Pennsylvania. Bearing Erie County Index No. (16) 3009-115.

ALSO, Grantor does hereby Quit Claim unto Grantee any rights it may have to an easement and right-of-way upon and across property located at 143 West Eleventh Street, Erie, Pennsylvania, which property bears Erie County Tax Index No. (16) 3009-114. Said easement shall be located on the westerly most portion of the property commonly known as 143 West Eleventh Street, Erie, Pennsylvania and shall have a uniform width of six (6) feet and shall run for a depth of fifty-five (55) feet from South to North from the southern boundary line of the property commonly known as 143 West Eleventh Street, Erie, Pennsylvania. The right-of-way, easement, rights and privileges herein granted shall be used only for the purpose of pedestrian traffic and for the placing, constructing, operating, repairing, maintaining, rebuilding or replacing of a porch and stairs from the side entrance of the structure located on the premises commonly referred to as 145 West Eleventh Street, Erie, Pennsylvania, which property bears Erie County Tax Index No. (16) 3009-115. Further, the purpose of such easement will be to accommodate the side porch mentioned above and to permit pedestrian traffic access to the side entrance of the structures located on the property commonly known as 145 West Eleventh Street, Erie, Pennsylvania.

BEING the same premises conveyed to Roadhouse Theatre, Inc. by Deed dated April 27, 1995 and recorded April 27, 1995 in Erie County, Pennsylvania Record Book 381, Page 476 and bearing Erie County Tax Index (16) 3009-115.

Knox McLaughlin Gornall & Sennett, P.C.

Mark G. Claypool, Esquire
Attorneys for Plaintiff, Northwest
Savings Bank

120 West Tenth Street
Erie, Pennsylvania 16501-1461
(814) 459-2800

May 29 and Jun. 5, 12

SALE NO. 7

Ex. #10244 of 2009

**Erie Federal Credit Union,
Plaintiff**

v.

**Charles A. Devine and
Jennifer M. Devine, Defendants
ADVERTISING DESCRIPTION**

By virtue of Writ of Execution filed at No. 10244-2009, Erie Federal Credit Union v. Charles A. Devine and Jennifer M. Devine, owners of the following properties identified below:

1) Situate in the Village of West Springfield, County of Erie, and Commonwealth of Pennsylvania at 13737 Ridge Road, West Springfield, Pennsylvania 16443. Assessment Map No.: (39) 15-44-5 Assessed Value Figure: \$68,370.00 Improvement Thereon: Single Family Residential Dwelling Michael S. Jan Janin, Esquire Pa. I.D. No. 38880 The Quinn Law Firm 2222 West Grandview Boulevard Erie, PA 16506 (814) 833-2222

May 29 and Jun. 5, 12

SALE NO. 8

Ex. #15688 of 2008

**Citizens Bank of Pennsylvania,
Plaintiff
v.**

**Stephen Dufala and David
Dufala, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 15688 of 2008 Citizens Bank of Pennsylvania vs. Stephen Dufala and David Dufala.

Stephen Dufala and David Dufala, owners of property situated in Fifth Ward, City of Erie, Erie County, Pennsylvania being 2501 Brandes Street, Erie, PA 16503.

Assessment Map Number: 18-5103-110

Assessed Value figure: 30,890.00 Improvement thereon: building 28th Floor, Two PNC Plaza Pittsburgh, PA 15222 (412) 355-0200

May 29 and Jun. 5, 12

SALE NO. 9
Ex. #12650 of 2008
Washington Mutual Bank
v.
Albert L. Crawford;
Laurie L. Crawford
SHERIFF'S SALE

By virtue of a Writ of Execution file to No. 12650-08 Washington Mutual Bank vs. Albert L. Crawford; Laurie L. Crawford, owner(s) of property situated in the Township of Wayne, County of Erie, Pennsylvania being 11866 Route 6, Corry, PA 16407
 200 ft x 100 ft
 Assessment Map Number: 49-20-44-11
 Assessed Value figure: \$59,870.00
 Improvement thereon: Single Family Dwelling
 Scott A. Dietterick, Esquire
 Kimberly A. Bonner, Esquire
 Richard P. Haber, Esquire
 Eric Santos, Esquire
 Joel Ackerman, Esquire
 Zucker, Goldberg & Ackerman, LLC
 200 Sheffield Street, Suite 301
 Mountainside, NJ 07092
 (908) 233-8500

May 29 and Jun. 5, 12

SALE NO. 10
Ex. #18128 of 2008
Beneficial Consumer Discount
Company, d/b/a Beneficial
Mortgage Co. of PA
v.
Carolyn Sonney and
Timothy Sonney
LEGAL DESCRIPTION

ALL THAT CERTAIN piece of land situate in the First Ward of City of Erie, County of Erie, and State of Pennsylvania, bounded and described as follows, to wit:
 BEGINNING at a point in the West line of Reed Street, one hundred fifty-two and one-half (152 ½) feet North of the North line of Fourth Street; thence Westwardly parallel with Fourth Street, ninety (90) feet; thence Northwardly parallel with Reed Street, thirty (30) feet; thence Eastwardly parallel with Fourth Street, ninety (90) feet to the West line of Reed Street, thence Southwardly along the West line of Reed Street, thirty (30) feet to

the place of beginning, and having erected thereon a two story frame dwelling house, and being known as 308 Reed Street, Erie, Pennsylvania and bearing Erie County Index No. (14) 1021-105.

BEING the same premises which Maria Cianella, widow and unmarried by Theresa Biletnikoff, her attorney-in-fact, by Deed dated October 19, 1998, and recorded October 19, 1998, in Book 594, Page 1189, in the Office of the Recorder of Deeds, Erie County, granted and conveyed unto Carolyn Sonney and Timothy Sonney, in fee.

Property Address: 308 Reed Street, Erie, PA 16507.

Attorney for Plaintiff:
 Steven K. Eisenberg, Esquire
 Stern and Eisenberg, LLP
 The Pavilion
 261 Old York Rd., Suite 410
 Jenkintown, PA 19046
 (215) 572-8111

May 29 and Jun. 5, 12

SALE NO. 11
Ex. #15096 of 2008
First National Bank of
Pennsylvania, Plaintiff
v.

Joylyn Caldwell, formerly known
as Joylyn Richards, Defendants
SHORT DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania, improved with a single family residential condominium unit known and numbered as 4140B Essex Court, Erie, Pennsylvania 16504, and bearing Erie County Tax ID No. (18) 5204-151.

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

Attorneys for Plaintiff

May 29 and Jun. 5, 12

SALE NO. 12
Ex. #18019 of 2008
First National Bank of
Pennsylvania, Plaintiff

v.
Angela L. Clayton, formerly
known as Angela L. Goodwine,
Defendant

SHORT DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, Erie County, Pennsylvania, having erected thereon a frame dwelling and the east half of a double garage commonly known as 1157 West 20th Street, Erie, Pennsylvania and being further identified by Erie County Tax Index No. (15) 2054-104.

BEING the same premises conveyed to Angela L. Goodwine by deed dated March 30, 1999 and recorded March 30, 1999 in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Record Book 626, Page 1592.

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

Attorneys for Plaintiff

May 29 and Jun. 5, 12

SALE NO. 13
Ex. #32827 of 2008
First National Bank of
Pennsylvania, successor in
interest to The National Bank of
North East, Plaintiff
v.

HSC Enterprises, Inc.,
Henry S. Chapman, and
Carole L. Chapman, Defendants
SHORT DESCRIPTION

All that certain piece or parcel of land situate in Harborcreek Township, Erie County, Pennsylvania, having erected thereon a restaurant known as The Waterfall Restaurant, 5735 East Lake Road, Erie, Pennsylvania 16511, and bearing Erie County Tax Index Nos. (27) 20-42-7 and (27) 20-42-12.01.

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

Attorneys for Plaintiff

May 29 and Jun. 5, 12

SALE NO. 14

Ex. #18183 of 2008

**Citimortgage, Inc., s/b/m to
Principal Residential Mortgage,
Inc., Plaintiff,**

v.

Anthony J. Barker

Susan P. Barker, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Girard, County of Erie and Commonwealth of Pennsylvania, being part of Tract 328, bounded and described as follows, to-wit:

BEGINNING at the Northeasterly corner of the piece at an iron survey point in the centerline of Martin Road, also known as Middle Road and Northerly line of Tract 328, distant thereon South 64 degrees 17 minutes West, 350.60 feet from the Northeasterly corner of the whole piece;

THENCE by the residue of the piece for the following four courses and distances, South 26 degrees 19 minutes East, passing over an iron survey point at distances of 25.00 feet, seventy-nine and twelve hundredths (79.12) feet to an iron survey point; South 16 degrees 16 minutes East, fifty-six and eighty-three hundredths (56.83) feet to an iron survey point; South 64 degrees 57 minutes West seventy (70) feet to an iron survey point and North 25 degrees 03 minutes West, passing over an iron survey point at a distance of 110 East, one hundred thirty-five (135) feet to an iron survey point in the centerline of Martin Road and Northerly line of Tract 328;

THENCE North 64 degrees 57 minutes East, along the centerline of Martin Road and Northerly line of Tract 328, fifty-two and eighty-six hundredths (52.86) feet to a spike;

THENCE by the same North 64 degrees 17 minutes East, twenty-four and seven hundredths (24.07) feet to the place of beginning, containing 0.237 acres of land.

HAVING a one and one half story

frame dwelling and appurtenances erected thereupon and being commonly known as 9375 Martin Road, Lake City, Pennsylvania 16423 and bearing Erie County Tax Index No.: (24) 5-14-9. Also Known as Middle Road.

TITLE TO SAID PREMISES IS VESTED IN Anthony J. Barker and Susan P. Barker, his wife, as tenants by the entireties, by Deed from Barbara Peterson, widowed and not remarried, dated 09/26/1985, recorded 09/26/1985 in Book 1599, Page 102.

Robert Peterson having died September, 1980 as evidenced by a Proof of Death as filed in the office of the Register of Wills for Erie County, Pennsylvania, title to the above described premises vested in Barbara Peterson alone.

Tax Parcel #: 24-005-014.0-009.00
Premises being: 9375 MIDDLE ROAD, LAKE CITY, PA 16423-2120

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 15

Ex. #10118 of 2009

JPMorgan Chase Bank, National Association, as Purchaser of the Loans and Other Assets of Washington Mutual Bank, formerly known as Washington Mutual Bank, FA (The "Savings Bank") from the Federal Deposit Insurance Corporation, acting as Receiver for the Savings Bank and Pursuant to its Authority Under the Federal Deposit Insurance Act, 12 U.S.C.A.

§ 1821(D), Plaintiff,

v.

**Michael G. Barletta,
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: BEING Lots Numbers 4 and 5, all as

part of Rolling Ridge Subdivision, Section Number 1, as recorded in Erie County Map Book No. 4, Pages 172 and 173, in the Office of the Recorder of Deeds in and for said County and Commonwealth, to which plat reference is made for a further description of said lots.

BEING known and designated as Tax Parcel No. 27-49-173-2 in the Deed Registry office of Erie County, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Michael G. Barletta, by Deed from George L. Frank and Charlene A. Frank, his wife, dated 06/24/2005, recorded 06/28/2005 in Book 1246, Page 764.

Charlene A. Frank joins in this conveyance in order to quitclaim any right she may have in the subject property due to her marital relationship with George L. Frank.

Tax Parcel #: 27-049-173.0-002.00
Premises being: 3505 RIDGE PARKWAY, ERIE, PA 16510-2401
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 16

Ex. #14002 of 2008

Citimortgage, Inc., Plaintiff,

v.

Michael G. Best, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Northwardly by land formerly of Joseph Luce; eastwardly and southwardly by land formerly of Richard Bushnell, and westwardly by land formerly belonging to the heirs of Samuel Walker, being a part of tract number one hundred thirty-one (131), and more particularly described as follows, to-wit: BEGINNING at the northwest corner of said tract number one hundred thirty-one (131) at the junction of the roads; thence east by land of Joseph Luce, nine (9)

perches four (4) feet and four (4) inches to a post; thence south by a line parallel with the west line of the tract (and to run so as to include two acres); thence west by the residue of the tract, nine (9) perches four (4) feet and four (4) inches to a post; thence north by the land originally belonging to the heirs of Samuel Walker, to the place of beginning, containing two (2) acres of land net measure. Being more commonly known as 8021 Belle Road, Harborscreek, Pennsylvania and bearing Erie County Tax Index No. (27) 63-207-1.

TITLE TO SAID PREMISES IS VESTED IN Michael G. Best, an unmarried man, by Deed from Frank J. Michali and Carole A. Michali, his wife, dated 05/20/2005, recorded 07/11/2005 in Book 1250, Page 107.

Tax Parcel #: 27-063-207.0-001.00
Premises being: 8021 BELLE ROAD, HARBORCREEK, PA 16421-1363

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 17

Ex. #10181 of 2009
Citimortgage, Inc. (12747),
Plaintiff,
v.

Eric J. Churchill

Amy J. Churchill a/k/a

Amy Jo Alcorn a/k/a

Amy Jo Churchill, 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, and being a part of Reserve Tract No. 21 and a part of the same farm lately owned and occupied by Anna Carter, now deceased, and bounded and described, as follows, to-wit: Beginning at a point in the West line of Arcadia Avenue, one thousand four hundred ninety-seven (1,497) feet Southwardly from an iron pin in the intersection of the South line

of West Ridge Road with the West line of Arcadia Avenue; thence Westwardly in a line parallel with the South line of said Carter Farm three hundred thirty (330) feet to a point; thence Southwardly, along the west line of said Carter Farm, ninety (90) feet to a point; thence Eastwardly, in a line parallel with the South line of said Carter Farm three hundred thirty (330) feet to a point in the West line of Arcadia Avenue; thence Northwardly, along the West line of Arcadia Avenue, ninety (90) feet to the place of beginning.

Having erected thereon a one-family, frame dwelling and garage and being commonly known as 3012 Arcadia Avenue, Erie, Pennsylvania and being further identified by Erie County Tax Parcel Index No. (33) 65-249-24.

Being the same premises as conveyed to the mortgagor(s) herein by deed recorded this date.

TITLE TO SAID PREMISES IS VESTED IN Eric J. Churchill and Amy J. Churchill, h/w, as tenants by the entireties with right of survivorship, by Deed from Frances C. Sosey, unmarried widow, dated 08/29/2003, recorded 08/29/2003 in Book 1058, Page 744.

Note: William F. Sosey died on January 13, 2003, vesting property in his wife Frances C. Sosey.

Tax Parcel #: 33-065-249.0-024.00
Premises being: 3012 ARCADIA AVENUE, ERIE, PA 16506-2114

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 18

Ex. #14374 of 2008

Wells Fargo Bank, NA, Plaintiff,
v.

Amanda Davidson, Heir of
Deborah A. Davidson, Deceased

Unknown heirs, successors,
assigns, and all persons, firms,
or associations claiming Right,
Title or Interest from or under
Deborah A. Davidson, Deceased,

Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being the southerly 60 feet of Lot No. 104 in GARDEN HEIGHTS SUBDIVISION NO. 1, part of Tract No. 58 as shown on a plot of said subdivision recorded in the office of the Recorder of Deeds of Erie County, Pennsylvania in Map Book 4, at pages 250 and 251, bounded and described as follows, to-wit: BEGINNING at a point in the easterly line of Carney Avenue, 383.09 feet southwardly from the point of intersection of the easterly line of Carney Avenue and the southerly line of the Zimmerman Road; thence eastwardly and parallel with the southerly line of said Lot No. 104, 148 feet to a point; thence southwardly and parallel with the easterly line of Carney Avenue 60 feet to a point; thence westwardly along the southerly line of the said Lot No. 104, 148 feet to a point in the easterly line of Carney Avenue; thence northwardly along the easterly line of Carney Avenue, 60 feet to the place of beginning.

Having erected thereon a one and one-half story frame dwelling and being commonly known as 4215 Carney Avenue, Erie, Pennsylvania. **TITLE TO SAID PREMISES IS VESTED IN** Deborah A. Davidson, by Deed from Darlene M. Moore, single, dated 11/16/2001, recorded 11/19/2001 in Book 826, Page 2070.

Tax Parcel #: 18-052-047.0-307.00
Premises being: 4215 CARNEY AVENUE, ERIE, PA 16510-3640

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 19

Ex. #10105 of 2009

The Bank of New York Mellon
Trust Company, National
Association fka The Bank of New
York Trust Company, N.A. as

**successor to JPMorgan Chase
Bank N.A. as trustee for RAMP
2003RP1, Plaintiff,**

v.

**Heather R. Fernandez
Joseph G. Fernandez,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the 5th Ward of 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 East 37th Street, 493.80 feet east of the east line of Wayne Street; thence southwardly and parallel with the east line of Wayne Street, 117.97 feet to a point; thence eastwardly and parallel with the north line of 38th Street, 54 feet to a point; thence northwardly and parallel with the east line of Wayne Street, 117.88 feet to a point in the South line of East 37th Street; and thence westwardly along the south line of East 37th Street, 54 feet to the place of beginning, and being a part of Block S in the William Spencer Farm Subdivision a part of tract no. 65, as shown on a plot of said subdivision recorded in the Office of the Recorder of Deeds for Erie County, Pennsylvania in Map Book 3, Page 268 and 269 and being Lot No. 10 in Block S of Re-subdivision of Block R and S of said William Spencer Farm, as shown on a plot of said Re-subdivision, recorded in the Office of the Recorder of Deeds for Erie County, Pennsylvania in Map Book 3 at Page 362.

Being the same premises conveyed to the party of the First part herein, by a Deed recorded on October 31, 1990 in Erie County Record Book 142 at page 303.

Parcel No.: 18-5394-102

TITLE TO SAID PREMISES IS VESTED IN Joseph G. Fernandez and Heather R. Fernandez, h/w, by Deed from Joseph G. Fernandez and Heather R. Fernandez, h/w, tenants by the entirety, undivided 2/3 interest and Robert L. Orzechowski, married undivided 1/3 interest joint tenants right of survivorship, dated 05/24/2001, recorded 06/12/2001 in Book 782, Page 916.

Tax Parcel #: 18-053-094.0-102.00
Premises being: 851 EAST 37TH STREET, ERIE, PA 16504-1729
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 20

Ex. #10853 of 2004

**Washington Mutual Bank, F.A.,
s/b/m to Washington Mutual
Home Loans, Inc., f/k/a PNC
Mortgage Corp. of America,
Plaintiff,**

v.

**Suzanne E. George a/k/a
Suzanne E. George a/k/a
Suzanne Elizabeth Petrarca
Nicholas R. Petrarca,
Defendant(s)**

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the easterly line of Glenwood Avenue, one hundred three (103) feet southwardly from the south line of Locust Street; thence eastwardly along the south line of Lot No. 67, one hundred thirty-five (135) feet, more or less, to a point in the line of Lot No. 65; thence southwardly along the line of Lot No. 65, forty-three and three tenths (43.3) feet to the line of Lot No. 73; thence westwardly along the line of Lots Nos. 73, 72, and 69, one hundred sixty-five (165) feet more or less to a point in the easterly line of Glenwood Avenue; thence northeastwardly along the east line of Glenwood Avenue, fifty-one and six tenths (51.6) feet to the place of beginning; being Lot No. 68 of the GLENWOOD HEIGHTS SUBDIVISION as laid out and plotted by Jacob Warfel July 21, 1900, as per plot thereof recorded in Erie County Map Book No. 1, pages 178, 179.

Glenwood Avenue is now known as Glenside Avenue.

Having erected thereon a one and one-half story frame dwelling, known as 3411 Glenside Avenue, Erie, PA and being further identified as Erie County Tax Index No. (18) 5334-219.

TITLE TO SAID PREMISES IS VESTED IN Nicholas R. Petrarca, single and Suzanne E. George, single as joint tenants with the right of survivorship by Deed from John A. Vali, Executor of the Estate of Donald R. Wantz, deceased dated 6/30/2000 and recorded 7/3/2000 in Record Book 713, Page 36.

Tax Parcel #: 18-053-034.0-219.00
Premises being: 3411 GLENSIDE AVENUE, ERIE, PA 16508
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 21

Ex. #13953 of 2008

**Deutsche Bank National Trust
Company as Trustee for Morgan
Stanley ABS Capital 1 Inc. Trust
2006-HE3 (13154), Plaintiff,**

v.

**John G. Gourley
Renee S. Gourley, Defendant(s)**

LEGAL DESCRIPTION

ALL that certain situate in the Township of Washington, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

Beginning at an iron survey pin found in the center line of Kinter Hill Road (50 feet r/w) being the southwest corner of Lot Number 1 of the Bachelor Subdivision Number 2 now or formerly of land of Bruce Leveto, et ux., bearing Erie County Tax Index Number (45) 27-63-13.08 and the southeast corner of the parcel to be herein conveyed; thence north 83 degrees 30 minutes 00 second west, along the center line of Kinter Hill Road, a distance of five hundred eighty and no/hundredths (580.00) feet to an iron survey pin set; thence north 06 degrees 18 minutes 40 seconds east, along the residue of land of

Norman L. Sauers and Janice L. Gourley a distance of seven hundred seventy-six and 03/hundredths (776.03) feet an iron survey pin set being the northwest corner of the parcel being herein conveyed; thence south 83 degrees 30 minutes 00 second east, a distance of five hundred eighty and 00/hundredths (580.00) feet to a set iron survey pin in the western line of said Leveto land being the northeast corner of the parcel being herein conveyed; thence south 06 degrees 18 minutes 40 seconds west along land of said Leveto a distance of seven hundred seventy-six and 03/hundredths (776.03) feet to an iron survey pin found in the center line of Kinter Hill Road being the place of beginning and containing 10.00 acres net. The above described parcel is further described in a subdivision for Norman L. Sauers and Janice L. Gourley prepared by Robert L. Rabell surveying and engineering dated December 3, 1997, as recorded May 27, 1998, in the office of the Erie County Recorder of Deeds at number 1998-157 to which reference can be made for further description and the survey shall be resolved in favor of the survey. This parcel is a part of the lands of Norman L. Sauers and Janice L. Gourley as shown by deed dated October 31, 1989, as recorded of even date in Erie County Record Book 103 at page 2149 and is further identified by Erie County Tax Index Number (45) 27-63-14. The parcel being conveyed has erected thereon a two-story split level house and is more commonly known as 2886 Kinter Hill Road, Edinboro, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN John G. Gourley and Renee S. Gourley, h/w, by Deed from John G. Gourley, married, dated 07/22/2000, recorded 07/26/2000 in Book 717, Page 369.

Tax Parcel #: 45-027-063.0-014.00 Premises being: 2886 KINTER HILL ROAD, EDINBORO, PA 16412-1946

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 22

Ex. #10492 of 2009

Flagstar Bank, FSB, Plaintiff

v.

Daniel Kevin Gruzca

Matthew B. Gruzca, Defendant(s)

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the 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 Eighth Street, three hundred thirty (330) feet east of the east line of Weschler Avenue; thence southwardly, parallel with Weschler Avenue, one hundred sixty-five (165) feet; thence eastwardly, parallel with Eighth Street, forty-one and one-fourth (41 1/4) feet; thence northwardly, parallel with Weschler Avenue one hundred sixty-five (165) feet to the south line of Eighth Street; and thence westwardly, along the south line of Eighth Street, forty-one and one-fourth (41 1/4) feet to the place of beginning. Being Lot No. 9 in the BOULEVARD PARK SUBDIVISION as recorded in Erie County Courthouse at Map Book 1, page 349.

TITLE TO SAID PREMISES IS VESTED IN Daniel Kevin Gruzca, single and Matthew B. Gruzca, single, brothers, as tenants by the entireties with the right of survivorship in the survivor thereof, by Deed from Deborah C. Gruzca, single, dated 12/01/2006, recorded 12/08/2006 in Book 1381, Page 1173.

Tax Parcel #: 16-030-061.0-211.00 Premises being: 1329 WEST EIGHTH STREET, ERIE, PA 16502

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

May 29 and Jun. 5, 12

SALE NO. 24

Ex. #10404 of 2009

Deutsche Bank National Trust Company, as trustee for FFMLT Trust 2006-FF6, Mortgage Pass-Through Certificates, Series 2006-FF6, Plaintiff,

v.

James S. Klobusnik Jr., Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land lying and being situate in the Township of Springfield, County of Erie and State of Pennsylvania, being part of Tract No. 591, bounded and described as follows, to-wit:

BEGINNING at a point in the centerline of the Ellis Road at the southwest corner of lands now or formerly of H. D. Dumas, said point also being the northwesterly corner of the land herein described; thence South 87 deg. 57 min. East along the south line of land now or formerly of H. D. Dumas, three hundred forty-nine and five-tenths (349.5) feet to an iron pipe; thence South 02 deg. 03 min. West along land of said H. D. Dumas, one hundred sixty (160) feet to a point; thence North 87 deg. 57 min. West by the residue of the piece, three hundred forty-nine and five-tenths (349.5) feet to a point in the centerline of said Ellis Road; thence along the centerline of said road, North 00 deg. 30 min. East, one hundred sixty (160) feet to the place of beginning.

The herein-described property is more commonly known as 631 Ellis Road, Springfield, Pennsylvania 16411, and is further identified by Erie County Tax Index Number (39) 3-13-190.

TITLE TO SAID PREMISES IS VESTED IN James S. Klobusnik, Jr., by Deed from Sandra J. Davis, nka, Sandra J. Steinheiser and Rodney L. Steinheiser, her husband, dated 02/13/2006, recorded 02/15/2006 in Book 1306, Page 1379.

Tax Parcel #: 39-003-013.0-019.00 Premises being: 631 ELLIS ROAD, EAST SPRINGFIELD, PA 16411-9736

Daniel G. Schmieg, Esquire
One Penn Center at Suburban

Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
May 29 and Jun. 5, 12

SALE NO. 25

Ex. #12521 of 2006
Deutsche Bank National Trust
Company, Trustee, Plaintiff,
v.

Heather M. Lucas, 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, being part of Out Lot No. 229, bounded and described as follows:

BEGINNING at a certain point in the south line of Eighteenth Street, one hundred nine (109) feet eastwardly from the corner of Eighteenth Street and Cascade Street; thence southwardly, parallel to Cascade Street, one hundred thirty (130) feet to an alley; thence eastwardly along said alley, thirty-three (33) feet; thence northwardly, parallel to said Cascade Street, one hundred thirty (130) feet to the south line of Eighteenth Street; thence westwardly along the south line of Eighteenth Street, thirty-three (33) feet to the place of beginning. Said premises being commonly known as 951 West 18th Street, Erie, Pennsylvania 16502 and being further identified as Index No. (19) 6025-214.

TITLE TO SAID PREMISES IS VESTED IN Heather Lucas, single, by Deed from RLD Enterprises of Erie, Inc., dated 07/28/2005, recorded 08/01/2005, in Deed Book 1256, page 1222.

Premises being: 951 WEST 18TH, ERIE, PA 16502

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

May 29 and Jun. 5, 12

SALE NO. 26

Ex. #10066 of 2009

HSBC Bank USA, National
Association, as Trustee for
Wells Fargo Asset Securities
Corporation Home Equity
Asset-Backed Certificates Series
2006-3, Plaintiff,

v.

David S. Mello
Susan K. Mello, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of North East, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEING Lot No. 47 of the subdivision known as 'Phases 1 & 2, Village of Bernwood', recorded as Erie County Map No. 1995-63. Having a single family dwelling erected thereon and being commonly known as 4716 Cedar Drive, North East, Pennsylvania. Bearing Erie County Assessment Index Number (37) 41-88-106.

This conveyance is made under and subject to amended protective conditions and restrictions for Bernwood Park Subdivision, North East Township, Erie County, Pennsylvania, recorded in Erie County Record Book 0375 at page 1400.

This conveyance is made subject to an oil and gas lease recorded in Erie County Deed Book 1356 at page 0025. By a deed recorded on October 27, 2004 in Erie County Record Book 1184 at page 1870, JAB ENTERPRISES, INC. excepted and reserved all rights and obligations of this oil and gas lease. By a deed recorded on October 27, 2004 in Erie County Record Book 1184 at page 1870, JAB ENTERPRISES, INC. excepted and reserved all mineral rights, including oil and gas.

Being the same piece or parcel of land conveyed by Darlene H. Martin and James P. Puette, husband and wife, to Corey M. Gildea and Sara J. Gildea, husband and wife, by deed dated October 31, 2005 and recorded in the Recorder's Office of Erie County, Pennsylvania in

Record Book 1283 page 0451 on October 31, 2005.

TITLE TO SAID PREMISES IS VESTED IN David S. Mello and Susan K. Mello, h/w, by Deed from Corey M. Gildea and Sara J. Gildea, h/w, dated 10/06/2006, recorded 10/30/2006 in Book 1372, Page 513.

Tax Parcel #: 37041088010600
Premises being: 4716 CEDAR DRIVE, NORTH EAST, PA 16428-6506
Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 27

Ex. #14880 of 2007

HSBC Bank USA, as Trustee in
Trust for Citigroup Mortgage
Loan Trust, Inc. Asset Backed
Pass-Through Certificates Series
2003-HE4, Plaintiff,

v.

Walter Pietrasiewicz
Nora S. Pietrasiewicz,
Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of Lawrence Park, County of Erie and State of Pennsylvania, in the Lawrence Park Realty Company's Plot of portions of Tract No. 247 in Millcreek Township and Tract No. 246 in Harborcreek Township, Erie County, Pennsylvania, as recorded in Erie County Map Book 2, pages 12 and 13 and known as Lot No. 160-07.

Having erected thereon a dwelling with detached garage commonly known as 845 Silliman Avenue, Erie, Pennsylvania 16511, and bearing Index No. 29-11-45-21.

Being the same premises described in Erie County Deed Book 216, page 565, and further being the same premises conveyed to Melvin D. Gillis and Cecelia D. Gillis, his wife, by deed made May 1, 1925 and recorded May 9, 1925 in Erie County Deed Book 290, page 412.

TITLE TO SAID PREMISES IS VESTED IN Walter L. Pietrasiewicz and Nora S. Pietrasiewicz, his wife, as tenants by the entireties with the right of survivorship in wither of them, of the same place, by Deed from Cecelia D. Gillis, widow, by Marianne Faso, her attorney-in-fact, dated 11/09/1984, recorded 11/09/1984, in Deed Book 1559, page 304.

Tax Parcel #: 29-011-045-0-21.00
Premises being: 845 SILLIMAN AVENUE, 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

May 29 and Jun. 5, 12

SALE NO. 28

Ex. #10365 of 2009

**Lasalle Bank National
Association, as Trustee for
Merrill Lynch First Franklin
Mortgage Loan Trust, Mortgage
Loan Asset-Backed Certificates,
Series 2007-2, Plaintiff,**

v.

Dale E. Pildner, Defendant(s)

LEGAL DESCRIPTION

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

BEING a part of Tract No. 291 of Fairview Township, and being Lots numbered 41, 42, 43, and 44, as shown upon a map or plat of 'ERIE SHORES' Subdivision of part of Tract No. 291 in Fairview Township, Erie County, Pennsylvania, recorded in the Office of the Recorder of Deeds for Erie County, Pennsylvania, on June 8, 1927, in Map Book 3, Page 108, having erected thereon two one-story block cottages. Further bearing Erie County Tax Index No. (21) 6-5-1.01.

TITLE TO SAID PREMISES IS VESTED IN Dale E. Pildner, by Deed from Harvey H. Barber, single, dated 06/15/1994, recorded 07/06/1994 in Book 343, Page 1763.

Tax Parcel #: 21-006-005.0-001.01
Premises being: 8080 LOUISA DRIVE, FAIRVIEW, PA 16415-1367

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

May 29 and Jun. 5, 12

SALE NO. 29

Ex. #10163 of 2009

**Countrywide Home Loans
Servicing, LP (771), Plaintiff,**

v.

**Michael A. Shannon,
Defendant(s)**

LEGAL DESCRIPTION

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

Commencing at a post on the north line of Eleventh Street five hundred four (504) feet west from the Beech Lane, now Wayne Street, contiguous to lot now owned or formerly owned by Ellen Grace; thence westerly along the north line of Eleventh Street forty (40) feet to a point; thence northerly and parallel with Reed Street one hundred fifty-eight (158) feet to a fourteen (14) foot alley; thence easterly parallel with Eleventh Street and along said alley forty (40) feet to said Ellen Grace Lot; and thence southerly along the line of the Grace lot one hundred fifty-eight (158) feet to the place of beginning, having erected thereon a two (2) story dwelling and being commonly known as 712 East 11th Street, Erie, Pennsylvania, and being further identified as Erie County Index Number (15) 2035-229.

Being the same premises conveyed to the mortgagor by deed dated September 10, 1999 and recorded September 17, 1999 in Record Book 662, Page 1977.

TITLE TO SAID PREMISES IS VESTED IN Michael A. Shannon, by Deed from Janet L. Hornberger, single, dated 09/10/1999, recorded 09/17/1999 in Book 662, Page

1977.

Tax Parcel #: 15-020-035.0-229.00
Premises being: 712 EAST 11TH STREET, ERIE, PA 16503-1420

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

May 29 and Jun. 5, 12

SALE NO. 30

Ex. #14195 of 2006

Wells Fargo Bank, N.A., Plaintiff,

v.

**Brian J. Simmons
Deanna M. Simonsen,
Defendant(s)**

LEGAL DESCRIPTION

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

BEING County Index Number (8) 34-134-7, fronting 57.5 feet on the north side of Sherman Street, with a uniform depth of 100 feet. Being also identified in the Engineer's office of the City of Corry, as Lot Number 4, Block 92E. The said property being located 57.5 feet west of Lemon Street.

BEING the same premises conveyed to Donald P. Simmons and Etta Simmons, husband and wife, by Treasurer's deed dated May 8, 1973, and recorded in the Recorder's Office of Erie County Treasurer's Deed Book G, Page 195.

ALSO, COMMENCING in the west line of Lemon Street, one hundred (100) feet southerly from the south line of Church Street at a post;

THENCE westerly parallel with Church Street one hundred fifteen (115) feet to a post in the east line of an alley;

THENCE southerly along the east line of said alley, ninety eight and one-half (98 1/2) feet to a post;

THENCE easterly parallel with Church Street, one hundred fifteen (115) feet to a post in the west line of Lemon Street;

THENCE northerly along the west

line of Lemon Street, ninety eight and one-half (98 1/2) feet to a post, the PLACE OF BEGINNING, be the same more or less. Being more commonly known as 315 Lemon Street, Corry, PA 16407 and bearing Erie County Index No. (8) 34-134-5.

Tax Parcel #: 08-034-134.0-005.00 and 08-034.134.0-007.00

Premises being: 315 LEMON STREET, CORRY, PA 16407

Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 31

Ex. #10326 of 2007

Wells Fargo Bank, N.A., Plaintiff,
v.

Tina Stratton a/k/a

Tina Marie Conner, Defendant(s)

LEGAL DESCRIPTION

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

BEGINNING at a point in the east line of Plum Street; ninety-eight and three-fourths (98 3/4) feet northwardly from the north line of Seventeenth Street; thence eastwardly parallel with Seventeenth Street, one hundred and sixty-five (165) feet; thence northwardly parallel with Plum Street, forty-one and one-fourth (41 1/4) feet; thence westerly parallel with Seventeenth Street, one hundred and sixty-five (165) feet to the east line of Plum Street; thence southwardly along said east line of Plum Street, forty-one and one-fourth (41 1/4) feet to the place of beginning.

Having erected thereon a dwelling commonly know as 1621 Plum Street, Erie, Pennsylvania and bearing the Erie County Assessment Index No. (16) 30-36-314.

TITLE TO SAID PREMISES IS VESTED IN Tina M. Stratton, by Deed from K & D Enterprises of Erie, Inc., dated 02/08/2005,

recorded 02/09/2005, in Deed Book 1209, page 2091.

Tax Parcel #: 16-030-036.0-314.00
Premises being: 1621 PLUM STREET, ERIE, PA 16502

Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814

(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 32

Ex. #10307 of 2009

Citimortgage, Inc., Plaintiff,
v.

Shirley Jean Taylor, Defendant(s)

LEGAL DESCRIPTION

ALL THAT CERTAIN lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the BOROUGH OF LAKE CITY, COUNTY OF ERIE and Commonwealth of PENNSYLVANIA, as follows: BOUNDED AND DESCRIBED as follows, to wit:

BEGINNING at the southwesterly corner of the piece at an iron survey point in the northerly line of Smith Street, distant thereon, North 64 degrees 13 minutes 50 seconds East, 175 feet from an iron survey point at its intersection with the produced centerline of Walnut Street, said point also being the southeasterly corner of land now or formerly of Daniel Knorr, Deed Book 170 at page 349; thence along said land North 25 degrees 49 minutes 10 seconds West, one hundred forty-nine and ninety-five hundredths (149.95) feet to an iron survey point in the southerly line of land now or formerly of Poter and Emogene Youschak; thence along said land North 64 degrees 17 minutes 10 seconds East, fifty (50) feet to an iron survey point at the northwesterly corner of land now or formerly of J.A. Davis, Deed Book 446 at page 192; thence along said land South 25 degrees 49 minutes 10 seconds West, passing over an iron survey point in the South side of a 24 seconds Butternut Tree at a distance of 50.22 feet, one hundred

forty-nine and ninety hundredths (149.90) feet to a lead survey point in a concrete monument in the northerly line of Smith Street; thence South 64 degrees 13 minutes 50 seconds West, along the northerly line of Smith Street, fifty (50) feet to the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Kenneth Powers, unmarried and Shirley Jean Taylor, his daughter, as joint tenants with the right of the survivor to the entirety thereof and not as tenants in common, by Deed from Kenneth Powers, unmarried, dated 10/20/1969, recorded 10/21/1969 in Book 1012, Page 345.

Tax Parcel #: 28-010-004.0-038.00
Premises being: 10036 SMITH STREET, LAKE CITY, PA 16423-1421

Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814

(215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 33

Ex. #10661 of 2008

U.S. Bank National Association,
as Trustee for Credit Suisse First
Boston Heat 2005-6, Plaintiff,

v.

Kimberly S. Williams
Glenn H. Williams, III,
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 the point of intersection of the east line of German Street with the south line of Eighth Street; thence eastwardly along the south line of Eighth Street, eighty-two and one-half (82 1/2) feet; thence southwardly parallel with German Street, thirty-two and one-half (32 1/2) feet; thence westwardly parallel with Eighth Street, eighty-two and one-half (82 1/2) feet to the east line of German Street; thence northwardly along the east line of German Street,

thirty-two and one-half (32 1/2) feet to the place of beginning. Having erected thereon a two-family brick flat and garage, commonly known as 801-803 German Street, Erie, Pennsylvania. Bearing Erie County Tax Index No. (15) 2016-224.

It is further agreed by the parties hereto, their heirs and assigns which agreement and condition is made a covenant running with the land forever, or until such time as it may be abrogated by mutual agreement of the owners of the premises duly executed and recorded in the Recorder's Office of Erie County, that a strip of land three and one-half (3 1/2) feet in width taken from the south side of the lot herein described and extending from the street eastwardly sixty-three (63) feet, shall be used in conjunction with a strip of similar width and Length taken from the north side of the lot adjoining the lot herein described on the south, making in all seven (7) feet in width for a driveway for ingress and egress from the rear of said lots for automobiles or other similar such use to be continuous without interference or obstruction but not to in any way interfere with the building erected on said premises.

TITLE TO SAID PREMISES IS VESTED IN Glenn H. Williams, III and Kimberly S. Williams, h/w, as tenants by the entireties with the right of survivorship, by Deed from Glenn H. Williams, Jr. and Elisabeth B. Williams, h/w, dated 05/04/2005, recorded 05/06/2005, in Deed Book 1232, page 214.

Tax Parcel #: 15-020-016.0-224.00 Premises being: 801-803 GERMAN STREET, ERIE, PA 16503 Daniel G. Schmieg, Esquire One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

May 29 and Jun. 5, 12

SALE NO. 34

Ex. #10001 of 2009

**EMC Mortgage Corporation,
attorney-in-fact for Lasalle**

**Bank National Association
("Assignee"), f/k/a Lasalle
National Bank, in its capacity
as Indenture Trustee under
that certain Sale and Servicing
Agreement dated December 1,
2000 among AFC Trust Series
2000-4, as Issuer, Superior Bank
FSB, as Seller and Servicer,
and Lasalle Bank National
Association, as Indenture
Trustee, AFC Mortgage Loan
Asset Backed Notes, Series 2000-
4, and any amendments hereto**

v.

Phillip M. Joslin, a/k/a

Phillip A. Joslin

Theresa A. Joslin a/k/a

Theresa W. Joslin

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Township of Elk Creek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron spike located in the centerline of Filling Road (Twp. Road 427), at the northwest corner of lands herein described, said point also being the northeast corner of lands of Charles Aranyos as described in Deed Book 924, page 506, and said point being distant S 70° 17' 20" E 318.03 feet from an iron survey pin located at the intersection of the centerline of Filling Road with the east right-of-way line of Pa. Route 18 (S.R. 0018), thence from said point of beginning the following courses:

S 70° 17' 20" E along the center line of Filling Road, a distance of 337.50 feet to an iron spike located at the northeast corner of lands herein described, said point also being the northwest corner of lands of Ervin C. and Marilyn B. Egli, as described in Deed Book 1634, page 467; thence S 19° 42' 40" W along said lands of Egli, passing over an iron survey pin at a distance of 25.00 feet, a total distance of 375.00 feet to an iron survey pin, said point being the southeast corner of lands herein described and also the southwest corner of said lands of Egli; thence N 89° 06' 15" W, a distance of 504.39 feet to an iron survey pin,

said point being the southwest corner of lands herein described and also the southeast corner of the aforementioned lands of Aranyos; thence N 34° 18' E along said lands of Aranyos, passing over an iron survey pin at a distance of 529.74 feet, a total distance of 555.59 feet to the point of beginning.

Said parcel containing 3.942 net acres (excluding road right-of-way), having erected thereon a mobile home and garage, and said parcel being the same as that shown on the Ervin C. Egli, Marilyn B. Egli and Gary B. Egli Subdivision Map, dated September 25, 1990, as recorded in Erie County Map Book 37, page 58 on October 25, 1990.

BEING known as 10021 FILLINGER ROAD, CRANESVILLE, PA 16410

BEING THE SAME PREMISES which Ervin C. Egli and Marilyn B. Egli, his wife, and Gary B. Egli, single and unmarried, by Indenture dated November 8, 1990 and recorded November 15, 1990 in the Office of the Recorder of Deeds in and for Erie County in Deed Book 143, page 1506, granted and conveyed unto Phillip A. Joslin and Theresa W. Joslin, his wife.

PARCEL NO. (13) 1-11-15.02 UNDER AND SUBJECT to any conditions, reservations, rights-of-way, covenants, restrictions or easements of record and/or those that are visible by a physical inspection of the premises. Gregory Javardian, Esquire Attorney for Plaintiff 1310 Industrial Boulevard 1st Floor, Suite 101 Southampton, PA 18966 (215) 942-9690

May 29 and Jun. 5, 12

SALE NO. 35

Ex. #15561 of 2008

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

v.

Jason J. Bulger, Defendants

SHERIFF'S SALE

By virtue of a Writ of Execution No. 15561-2008 U.S. Bank

National Association Trustee for the Pennsylvania Housing Finance Agency, Plaintiff vs. Jason J. Bulger, Defendants
 Real Estate: 722 PLUM STREET, ERIE, PA
 Municipality: City of Erie, Erie County, Pennsylvania
 Dimensions: 99 x 32
 See Deed Book 805, Page 1507
 Tax I.D. (17) 4028-102
 Assessment: \$ 6,100. (Land)
 \$44,570. (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

May 29 and Jun. 5, 12

SALE NO. 36

Ex. #15336 of 2008
U.S. Bank National Association
Trustee for the Pennsylvania
Housing Finance Agency,
Plaintiff

v.

Ashly C. Harrison
Kyle A. Kindle, Defendants
SHERIFF'S SALE

By virtue of a Writ of Execution No. 2008-15336 U.S. Bank National Association Trustee for the Pennsylvania Housing Finance Agency, Plaintiff vs. Ashly C. Harrison; Kyle A. Kindle, Defendants
 Real Estate: 3949 WOOD STREET, ERIE, PA
 Municipality: City of Erie, Erie County, Pennsylvania
 Dimensions: 70' x 150.6'
 See Deed Book 1427, Page 1632
 Tax I.D. (18) 5309-221
 Assessment: \$16,700. (Land)
 \$68,430. (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

May 29 and Jun. 5, 12

SALE NO. 37

Ex. #15714 of 2008
U.S. Bank National Association
Trustee for the Pennsylvania
Housing Finance Agency,
Plaintiff

v.

Margaret M. Jenco-Pickens,
Defendants
SHERIFF'S SALE

By virtue of a Writ of Execution No. 2008-15714 U.S. Bank National Association Trustee for the Pennsylvania Housing Finance Agency, Plaintiff vs. Margaret M. Jenco-Pickens, Defendants
 Real Estate: 2920 LIBERTY STREET, ERIE, PA
 Municipality: City of Erie, 6th Ward, Erie County, Pennsylvania
 Dimensions: 35 x 115
 See Deed Book 490, Page 1167
 Tax I.D. (19) 6042 200
 Assessment: \$13,500. (Land)
 \$36,210. (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

May 29 and Jun. 5, 12

SALE NO. 38

Ex. #18242 of 2008
Midfirst Bank, Plaintiff
 v.
Jean B. Sloss and Larry L. Smith,
Administrators of the Estate of
Ruth Jane Smith, Defendants
SHERIFF'S SALE

By virtue of a Writ of Execution No. 2008-18242 Midfirst Bank, Plaintiff vs. Jean B. Sloss and Larry L. Smith, Administrators of the Estate of Ruth Jane Smith, Defendants
 Real Estate: 1370 WEST 32ND STREET, ERIE, PA
 Municipality: City of Erie, Erie County, Pennsylvania
 Dimensions: 30 x 100
 See Deed Book 1634, Page 470
 Tax I.D. (19) 6223-121
 Assessment: \$12,800. (Land)
 \$38,010. (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
 May 29 and Jun. 5, 12

SALE NO. 39

Ex. #12987 of 2008
National City Mortgage Co.,
Plaintiff,
 v.

Deanna H. McDonald McIntyre
and All Other Heirs of
Michael T. McIntyre, known or
unknown, Defendants
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12987-2008, National City Mortgage Co vs. Deanna H. McDonald McIntyre, owner(s) of property situated in City of Corry, Erie County, Pennsylvania being 566 E. Main Street, Corry, PA 16407.
 Dimensions: 45.37 x 141 (.15 acres)
 Assessment Map Number: 5-28-190-6
 Assess Value figure: \$40,700.00
 Improvement thereon: Dwelling
 Louis P. Vittti, Esquire
 Attorney for Plaintiff
 916 Fifth Avenue
 Pittsburgh, PA 15219
 (412) 281-1725

May 29 and Jun. 5, 12

SALE NO. 40

Ex. #11370 of 2008
U.S. Bank National Association
(Trustee For Pennsylvania
Housing Finance Agency
Pursuant to a Trust Indenture
dated as of April 1, 1982).
Assignee of Pennsylvania
Housing Finance Agency,
Assignee of Arlington Capital
Mortgage Corp., Plaintiff,
 v.

Nicole A. Tatara and
Ryan D. Tatara, Defendants
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11370-08, U.S. Bank, et al vs. Nicole A. Tatara and Ryan D. Tatara, owner(s) of property situated in Millcreek Township, Erie County, Pennsylvania being 1010 Sill Avenue, Erie, PA 16505.
 Dimensions: 5,000 Sq Ft .11 acres

Assessment Map Number:
33-34-59-23-01
Assess Value figure: \$75,960.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 281-1725
May 29 and Jun. 5, 12

SALE NO. 41

Ex. #10137 of 2007

**Wells Fargo Bank, N.A.,
successor by merger to Wells
Fargo Home Mortgage, Inc.,
Plaintiff**

v.

**Michael P. Schutte a/k/a
Michael F. Schutte and
Julie A. Schutte, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10137-07 Wells Fargo Bank, N.A., successor by merger to Wells Fargo Home Mortgage, Inc. v. Michael P. Schutte a/k/a Michael F. Schutte and Julie A. Schutte, Owner(s) of property situated in Erie County, Pennsylvania, being 920 West 27th Street, Erie, PA 16508

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being part of Lots Numbers thirty and thirty-one (30-31) of Block B of Purports Nos. 4 and 5 of the real estate of Samuel Barr, deceased, as subdivided by Henry Souther et al., as per plot recorded in Deed Book No. 48, page 562, bounded and described as follows, to-wit:

BEGINNING at a point in the north line of Twenty-seventh Street one hundred and seventy-five (175) feet west of the west line of Plum Street; thence northwardly parallel with Plum Street, one hundred and thirty-five (135) feet; thence westwardly, parallel with Twenty-seventh Street, forty (40) feet; thence southwardly parallel with Plum Street, one hundred and thirty-five (135) feet to the north line of Twenty-seventh Street; and thence eastwardly, along the north line of Twenty-seventh Street, forty (40) feet to the place of

beginning. Having erected thereon a frame dwelling and frame garage known as 920 West 27th Street and bearing Erie County Tax Index # (19) 60-39-322.

Assessment Map number:
(19) 6039-322
Assessed Value figure: \$52,050.00
Improvement thereon: Residential Dwelling
Martha E. Von Rosenstiel, Esquire
649 South Avenue, Unit #6
P.O. Box 822
Secane, PA 19018
(610) 328-2887

May 29 and Jun. 5, 12

SALE NO. 42

Ex. #10000 of 2009

**Citifinancial Services Inc.,
Plaintiff**

v.

**Hubert J. Buckel Jr.,
Defendant(s)
DESCRIPTION**

All 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 north line of Tenth Street, thirty-three (33) feet west of the west line of the Hess Subdivision at the southwest corner of the lot above described; thence Northwardly along the west line of said lot on a line parallel with the west line of the Hess subdivision, one hundred and sixty-five (165) feet to a point; thence Westwardly on a line parallel with the north line of Tenth Street, thirty-one and fifty-one one hundredths (31.51) feet to the northeast corner of Lot no. 61: thence

Southwardly along the west line of said lot, one hundred and sixty-five (165) feet to the north line of Tenth Street; thence

Eastwardly along the north line of Tenth Street: thirty-one and fifty-one one-hundredths (31.51) feet to the place of beginning. Being part of lot no. 61 in Sawdey and Yeager's Subdivision of Purpart Nos. 11 and 12 of Reserve Tract No. 37, recorded in Map Book No. 1, Page 195; and having erected thereon a two-family frame dwelling and being more commonly known as 1160 East

10th Street, Erie, Pennsylvania, and bearing City of Erie Index No. 2047-116.

PROPERTY ADDRESS: 1160 East 10th Street, Erie, PA 16503
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

May 29 and Jun. 5, 12

SALE NO. 44

Ex. #15606 of 2008

**Citimortgage Inc., Plaintiff
v.**

**Barry H. Hamilton
Rae L. Hamilton, Defendant(s)
DESCRIPTION**

All that certain piece of parcel of land situate in the Borough of Elgin, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point in the center line of State Route 89, said point being located southerly 362.00 feet from the intersection of the center line of said Route 89 and U.S. Route 6; thence running North 86 degrees 5 minutes East, a distance of 176.00 feet to an iron pipe; thence turning and running South 3 degrees 55 minutes East, a distance of 160.00 feet to an iron pipe; thence running and turning South 86 degrees 5 minutes West a distance of 176.00 feet to a point in the center line of the above mentioned Route 89; thence turning and running along the centerline of Route 89, North 3 degrees 55 minutes West, a distance of 160.00 feet to the point or place of beginning, containing .065 acres of land, more or less.

PPN: 12-2-2-6

Address known as 17925 North Main Street, Corry, Pennsylvania 16407

PROPERTY ADDRESS: 17925 North Main 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

May 29 and Jun. 5, 12

SALE NO. 45

Ex. #15797 of 2008

Lasalle Bank National Association, as Trustee, on behalf of the holders of the GSAMP Trust 2006-HE4 Mortgage Pass-Through Certificates, Series 2006-HE4, Plaintiff

v.

**Michelle Parent
James P. Parent a/k/a
James Paul Parent a/k/a
James Phillip Parent,
Defendant(s)**

DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows: Beginning at a point in the southerly line of West 38th Street, said point being two hundred fifty-nine and fifty-five hundredths (259.55) feet North 61 degrees 06 minutes 41 seconds East of the intersection of the easterly line of Washington Avenue with the southerly line of West 38th Street; thence North 61 degrees 06 minutes 41 seconds East, by and along the southerly line of West 38th Street, a distance of forty-six (46) feet to a point; thence South 27 degrees 33 minutes 38 seconds East, a distance of one hundred twenty-nine and nine tenths (129.9) feet to a point; thence South 61 degrees 06 minutes 41 seconds East, a distance of forty-six (46) feet to a point; thence North 27 degrees 33 minutes 39 seconds West, a distance of one hundred twenty-nine and nine tenths (129.9) feet to the point of beginning. Having erected thereon a one and one-half frame dwelling being commonly known as 1435 West 38th Street, Erie, PA and bearing Erie County Index No. (19) 6138-219.
PROPERTY ADDRESS: 1435 West 38th Street, Erie, PA 16508
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

May 29 and Jun. 5, 12

SALE NO. 46

Ex. #15463 of 2008

**Citimortgage Inc. s/b/m
Citifinancial Mortgage Co. Inc.,
Plaintiff**

v.

**Edward J. Royek Jr.
Susanne M. Royek, Defendant(s)**

DESCRIPTION

ALL that certain piece or parcel of land situate in the Third Ward of the City of Corry, Erie County and Commonwealth of Pennsylvania, bounded and described as follows: Beginning at a post in the east line of Worth Street, distant northerly 362 feet from the north line of Duane Street; thence continuing north along the east line of Worth Street, 100 feet to a stake; thence east parallel to Smith Street, 183 ½ feet to the west line of an alley; thence South along said alley, 100 feet to a stake; thence west parallel to the second described line 183 ½ feet to the place of beginning, be the same, more or less, and being a strip of land 100 feet wide off the south side of a larger piece of land formerly owned by Norman and Elma Getz.
Being known and designated as Tax Parcel ID No. 7-23-64-19 in the Deed Registry Office of Erie County, Pennsylvania.
Being the same property which Maurice W. Gjertsen and June A. Gjertsen, his wife, by their deed dated November 17, 1976 and recorded November 18, 1976 in the Recorder's Office of Erie County, Pennsylvania, at Deed Book Volume 1244 and Page 439, granted and conveyed unto Edward J. Royek, Jr. and Susanne M. Royek, his wife.
PROPERTY ADDRESS: 342 Worth 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

May 29 and Jun. 5, 12

SALE NO. 47

Ex. #10159 of 2009

**Deutsche Bank National Trust
Company, as Trustee for**

**J.P. Morgan Mortgage
Acquisition Trust**

2007-CH1(JPMMAC 2007-CH1)

v.

**Richard Braendel a/k/a
Richard D. Braendel and
Roberta J. Braendel**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 10159-09 Deutsche Bank National Trust Company, as Trustee for J.P. Morgan Mortgage Acquisition Trust 2007-CH1 (JPMMAC 2007-CH1) v. Richard Braendel a/k/a Richard D. Braendel and Roberta J. Braendel
Richard Braendel a/k/a Richard D. Braendel and Roberta J. Braendel, owners of property situated in the Township of Millcreek, Erie County, Pennsylvania being 250 Glenruadh Avenue, Erie, Pennsylvania 16505.
Tax I.D. No. 33-5-18-6
Assessment: \$ 157,659.12
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

May 29 and Jun. 5, 12

SALE NO. 48

Ex. #13814 of 2008

**Wells Fargo Bank, N.A. as
Trustee for Option One Mortgage
Loan Trust 2007-6 Asset-backed
Certificates, Series 2007-6**

v.

**Denise Houston a/k/a
Denise D. Houston**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 13814 OF 08 Wells Fargo Bank, N.A. as Trustee For Option One Mortgage Loan Trust 2007-6 Asset-backed Certificates, Series 2007-6 v. Denise Houston a/k/a Denise D. Houston
Denise Houston a/k/a Denise D. Houston, owners of property situated in the City of Erie, Erie County, Pennsylvania being 901 West 29th Street, Erie, Pennsylvania 16508.
Tax I.D. No. 19-6040.0-306.00
Assessment \$ 84,184.70
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

May 29 and Jun. 5, 12

SALE NO. 49

Ex. #12579 of 2008

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

**M. Jane Clouser Vargason
and Keith O. Vargason**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 12579-2008 Beneficial Consumer Discount Company d/b/a Beneficial Mortgage Co. of Pennsylvania v. M. Jane Clouser Vargason and Keith O. Vargason, owners of property situated in the Township of Millcreek, Erie County, Pennsylvania being 4815 Oakbark Court, Erie, Pennsylvania 16506. Tax I.D. No. 33-95-414-126 Assessment: \$233,295.52 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

May 29 and Jun. 5, 12

SALE NO. 50

Ex. #14859 of 2008

**The Bank of New York Mellon,
as Successor Trustee Under
Novastar Mortgage Funding
Trust 2005-2**
v.

Stephanie Parent

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 14859-08 The Bank of New York Mellon, as Successor Trustee Under Novastar Mortgage Funding Trust 2005-2 v. Stephanie Parent Stephanie Parent, owners of property situated in the City of Erie, Erie County, Pennsylvania being 1250 West 20th Street, Erie, Pennsylvania 16502. Tax I.D. No. (16) 3129-208 Assessment: \$ 79,617.79 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109

May 29 and Jun. 5, 12

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30 Years - FBI/IRS

Jennifer Mazur
Investigator

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**AUDIT LIST
NOTICE BY
PATRICK L. FETZNER**

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

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Monday, May 26, 2009** and confirmed Nisi.

June 18, 2009 is the last day on which Objections may be filed to any of these accounts.

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

2009 ESTATE**ACCOUNTANT****ATTORNEY**

132. George J. Adamowicz Timothy Adamowicz, Admr. Raymond A. Pagliari

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

May 22, 29

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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

**ANANEA, LINDA C., a/k/a
PASHA C. ANANEA, a/k/a
LINDA C. DAVIS ANANEA,
a/k/a PASHA ANANEA,
deceased**

Late of the City of Erie, County of Erie, State of Pennsylvania
Executrix: Norhala E. Houck, 2045 Marlowe Avenue, Lakewood, Ohio 44107
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**BROCKI, DANIEL L., a/k/a
DANIEL J. BROCKI,
deceased**

Late of the Township of Fairview, County of Erie, Commonwealth of Pennsylvania
Executor: Vincent Brocki, 706 Weschler Avenue, Erie, PA 16502-1055
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**FRONZAGLIA, ARIETTO, a/k/a
HARRY N. FRONZAGLIA,
deceased**

Late of the Township of McKean, County of Erie
Executor: Douglas A. Fronzaglia, c/o Thomas A. Testi, Esq., P.O. Box 413, Fairview, PA 16415
Attorney: Thomas A. Testi, Esq., 3952 Avonia Road, P.O. Box 413, Fairview, PA 16415

**MACHI, JOSEPH C.,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania
Administrator c.t.a.: Sandra V. Chiprean, c/o 2580 West 8th Street, Erie, Pennsylvania 16505
Attorney: Ralph R. Riehl, III, Esq., 2580 West 8th Street, Erie, Pennsylvania 16505

**MORSCHHAUSER, JOHN,
deceased**

Late of Erie County, Pennsylvania
Executor: Roger J. Morschhauser, c/o Gary D. Bax, Esq., Murphy Taylor, L.L.C., 900 State Street, Suite 202, Erie, PA 16501
Attorney: Gary D. Bax, Esq., Murphy Taylor, L.L.C., 900 State Street, Suite 202, Erie, PA 16501

**PEPICELLO, ELEANOR J.,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: James A. Pepicello, 2606 Dunford Way, Erie, PA 16509-3494
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**PINZOK, IRENE A.,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Executrix: Ann M. Zimmer, c/o Thomas E. Larson, 2820 W. 23rd St., Suite 101, Erie, PA 16506
Attorney: Thomas E. Larson, Esq., 2820 W. 23rd St., Suite 101, Erie, PA 16506

**ROESCH, DONALD E.,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Personal Representative: Geraldine Roesch, 1429 West 34th Street, Erie, PA 16508
Attorney: None

**WITTENBURG, HAROLD W.,
deceased**

Late of the Township of Millcreek, Erie County, Pennsylvania
Co-Executrices: Shirley L. Keinath, 3272 Willis Street, Erie, PA 16506; Barbara J. Maasz, 4 Ferncliff Beach, Erie, PA 16505
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

SECOND PUBLICATION

**CASHORE, DAVID MICHAEL,
deceased**

Late of the Township of Waterford, County of Erie and State of Pennsylvania
Administrator: Ronald W. Cashore, 3245 Spruce Drive, Erie, PA 16506
Attorney: Theodore B. Ely, Esq., Shapira, Hutzelman, Berlin, Ely, Smith & Walsh, 305 West Sixth Street, Erie, PA 16507

**COLETTA, CONSTANTINO,
a/k/a GUS COLETTA,
deceased**

Late of the Township of Millcreek
Executor: Kimberly Faulhaber
Attorney: Joseph M. Walsh, III, Esq., Shapira, Hutzelman, Berlin, Ely, Smith & Walsh, 305 West Sixth Street, Erie, PA 16507

**DOUGHERTY, HELEN, a/k/a
HELEN J. DOUGHERTY,
deceased**

Late of the City of Erie, County of Erie
Executor: Karen A. Dougherty, 53 Cowell's Beach Road, Erie, Pennsylvania 16511
Attorney: W. Richard Cowell, Esq., Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

**ELMER, FRANCES C.,
deceased**

Late of the Township of Girard, County of Erie, and Commonwealth of Pennsylvania
Co-Executors: James Yadeski and Marilyn Sommers, c/o Joseph A. Yochim, Esq., Yochim & Nash, 345 West 6th Street, Erie, PA 16507
Attorney: Joseph A. Yochim, Esq., Yochim & Nash, 345 West 6th Street, Erie, PA 16507

**FESSLER, ROBERT L.,
deceased**

Late of the City of Erie, PA
Executor: Charles D. MacLeod and Mary Ellen Valliant
Attorney: Charles D. MacLeod, Funk & Bolton, P.A., 315 High Street, Suite 202, Chestertown, MD 21620

**GOLDEN, WILLIAM R.,
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania
Executor: George Golden, 2569 West 21st Street, Erie, Pennsylvania 16506
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**IESUE, ANITA L.,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Executrix: Linda M. Erickson, c/o 150 West Fifth St., Erie, PA 16507
Attorney: Colleen C. McCarthy, Esq., McCarthy, Martone & Peasley, 150 West Fifth St., Erie, PA 16507

**JARMOLOWICZ, ROSE MARIE,
deceased**

Late of the Township of Fairview
Executrix: Christine A. Kuzmin, 7683 Lakewood Drive, Fairview, PA 16415
Attorney: None

**JELL, BETTY MAE,
deceased**

Late of North East Township, Erie County, North East, Pennsylvania
Co-Executors: David A. Jell and Steven L. Jell, c/o Robert J. Jeffery, 33 East Main Street, North East, Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq., Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**KNOLL, AARON A.,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executrix: Dorothy M. Knoll, 314 West 26th Street, Erie, PA 16508
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**LABBETT, HELEN B., a/k/a
HELEN B. CARLOS,
deceased**

Late of the City of Erie, County of Erie, State of Pennsylvania
Executrix: Mary C. Fraser, 15224 Turkey Foot Road, Darnestown, Maryland 20878
Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**LANDER, KATHLEEN E.,
deceased**

Late of Harborcreek Township, Erie County, Erie, Pennsylvania
Executor: Joseph P. Lander, c/o Robert J. Jeffery, 33 East Main Street, North East, Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq., Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**LINDQUIST, PHYLLIS K.,
deceased**

Late of the Township of Millcreek, Erie County, Pennsylvania
Executrix: Leslie Ann Neil, 8140 Filter Plant Road, North East
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**LUEBKE (Coston), SANDRA J.,
deceased**

Late of Millcreek Township, County of Erie, Pennsylvania
Executor: Charles L. Coston, c/o 150 West Fifth Street, Erie, PA 16507
Attorney: Colleen C. McCarthy, Esquire, McCarthy, Martone & Peasley, 150 West 5th Street, Erie, PA 16507

**MURRAY, LOIS I.,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Co-Executors: Diane Grace, and James R. Canfield, Jr., c/o F. J. Constantine, Esq., 306 Masonic Temple, 32 West 8th Street, Erie, PA 16501
Attorney: Francis J. Constantine, Esq., 306 Masonic Temple, 32 West 8th Street, Erie, PA 16501

**NEWTON, WILLIAM J.,
deceased**

Late of the Township of North East, County of Erie, Commonwealth of Pennsylvania
Executor: John D. Newton, 10987 Sunset Drive, North East, PA 16428-1935
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**O'CONNELL, SALLY LOU
SMITH,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executrix: Cheryl L. O'Connell, 3909 Sunset Boulevard, Erie, Pennsylvania 16504
Attorney: William J. Kelly, Jr., Esq., 100 State Street, Suite 440, Erie, PA 16507

**PRYBER, EDWARD J.,
deceased**

Late of the City of Erie
Executrix: Geraldine A. Burling
Attorney: Norman A. Stark, CPA, Esquire, The Stark Law Firm, 100 State Street, Suite 210, Erie, PA 16507

**PURCELL, DONALD JOSEPH,
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania
Executrix: Kelly E. Murphy, 1215 Hill Top Road, Erie, Pennsylvania 16508
Attorney: Theodore B. Ely, Esq., Shapira, Hutzelman, Berlin, Ely, Smith & Walsh, 305 West Sixth Street, Erie, PA 16507

**SERVIDIO, JOSEPHINE A.,
deceased**

Late of Franklin Township, Erie County, Pennsylvania
Executor: Frank R. Servidio, 9940 Shaddock Road, McKean, Pennsylvania 16426
Attorney: None

**WENTZ, JUDY S.,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administrator: John A. Lauer, 100 State Street, Suite 700, Erie, PA 16507-1459
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

THIRD PUBLICATION

**BECK, PAUL W.,
deceased**

Late of the City of Erie, County of Erie
Executor: Paul R. Beck, 14285 Mystic Road, Cambridge Springs, PA 16403
Attorney: W. Richard Cowell, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

**BERNARD, BARBARA J.,
deceased**

Late of the City of Erie
Executor: Bruce W. Bernard
Attorney: Bruce W. Bernard, Esquire, Bernard & Stuczynski, 245 West Sixth Street, Erie, PA 16507-1319

**BOOTH, MARY BETH,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Administrator: Charles G. Booth, c/o William J. Schaaf, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: William J. Schaaf, Esq., Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

**BUNCE, EDNA RUTH,
deceased**

Late of the Township of Wayne, County of Erie, Commonwealth of Pennsylvania
Executors: Mark Bernosky, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407
Attorney: Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

**CHRISTENSEN, DENNIS M.,
deceased**

Late of the Township of Greenfield, County of Erie, Commonwealth of Pennsylvania
Co-Administrators: Gayle M. Christensen and Brian K. Christensen, 40 Penn Ridge Drive, Mountainville, PA 17554
Attorney: John E. Gomolchak, Esq., 3854 Walker Blvd., Erie, PA 16509

**COMPERNOLLE, HENRY J.,
a/k/a HENRY JOHN
COMPERNOLLE, a/k/a
HANK COMPERNOLLE,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executrix: Diane M. Speice, 519 Donna Drive, Erie, PA 16509
Attorney: Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

**COVERDALE, EVELYN,
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania
Executrix: Ivajean M. Coverdale, c/o Anthony Angelone, Esquire, 3820 Liberty Street, Erie, PA 16509
Attorney: Anthony Angelone, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**HATCH, KATHERINE A.,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executor: Janet Cipriani, 2518 Gore Rd., Erie, PA 16510
Attorney: Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

**MARSHALL, JACK H.,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Rosemarie J. Marshall, 4955 Watson Road, Erie, PA 16505-1329
Attorneys: MacDonald, Illig, Jones & Britton, LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**McCORMICK, NELLIE, a/k/a
NELLIE N. McCORMICK, a/k/a
NELLIE A. McCORMICK, a/k/a
ELLEN ANGELA McCORMICK,
a/k/a ELLEN NOLAN
McCORMICK, a/k/a ELLEN A.
McCORMICK,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executors: Michael A. McCormick, J. Philip McCormick, Edward T. McCormick, 253 Collman Drive, Fairview, PA 16415-1650
Attorneys: MacDonald, Illig, Jones & Britton, LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**PARKER, CHARLOTTE A.,
deceased**

Late of the Township of
Washington, Erie County,
Pennsylvania

Co-Executrices: Diane H.
Mihalak and Debra L. Mussett,
9084 Neuburger Road, Fairview,
PA 16415

Attorney: Christine Hall McClure,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**PRIESTER, MELVIN F.,
deceased**

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

Administratrix: Diane J. Johnson,
c/o 246 West 10th Street, Erie, PA
16501

Attorney: Scott E. Miller, Esquire,
246 West Tenth Street, Erie, PA
16501

**SMITH, LILLIAN B.,
deceased**

Late of Union City Borough, Erie
County, Pennsylvania

Executor: Joseph D. Smith, c/o
Paul J. Carney, Jr., Esq., 43 North
Main Street, Union City, PA
16438

Attorney: Paul J. Carney, Jr., Esq.,
43 North Main Street, Union City,
PA 16438

**WHEELER, VIRGINIA E.,
deceased**

Late of Northeast Township, Erie
County, North East, Pennsylvania

Executor: Thomas S. Wheeler,
c/o Edward Orton, 33 East Main
Street, North East, Pennsylvania
16428

Attorney: Edward Orton,
Esq., Orton & Jeffery, P.C., 33
East Main Street, North East,
Pennsylvania 16428

ECBA Annual Golf Tournament



Wednesday, July 29, 2009

Lawrence Park Golf Course

1:15 p.m.

shotgun start

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