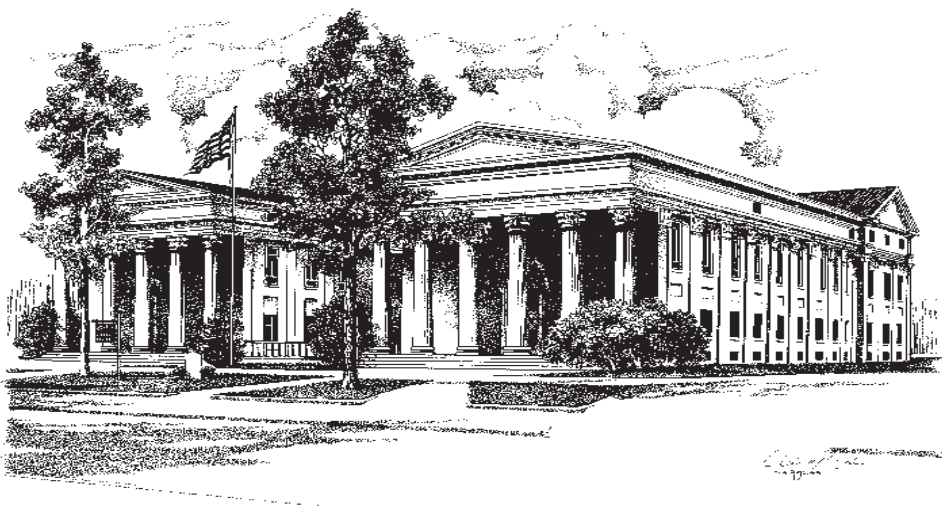


*Erie  
County  
Legal  
Journal*

June 12, 2009

Vol. 92 No. 24

USPS 178-360



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92 ERIE 141 - 148

Juliano v. Country Fair, Inc.

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# Erie County Legal Journal

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

Managing Editor: Paula J. Gregory  
Associate Editor: Heidi M. Weismiller

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

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

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

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

# Erie County Bar Association

## Calendar of Events and Seminars

### 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: \$189  
(member) \$169 (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.

### 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

### WEDNESDAY, JULY 1, 2009

*Preliminary Criminal Procedures*

PBI Video Seminar  
Bayfront Convention Center  
9:00 a.m. - 1:30 p.m.

\$119 (member) \$99 (admitted after 1/1/05)  
\$139 (nonmember)

3 hours substantive / 1 hour ethics

### TUESDAY, JULY 7, 2009

*Chapter 11 Fundamentals*

PBI Video Seminar  
Bayfront Convention Center  
9:00 a.m. - 1:30 p.m.

\$119 (member) \$99 (admitted after 1/1/05)  
\$139 (nonmember)

4 hours substantive

### THURSDAY, JULY 9, 2009

*Bad Faith Litigation*

PBI Groupcast Seminar  
Bayfront Convention Center  
9:00 a.m. - 1:15 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)  
3 hours substantive / 1 hour ethics*

### 2009 BOARD OF DIRECTORS

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**Notice of Extension of Deadline**

U.S. Senators Robert P. Casey, Jr. and Arlen Specter announce the extension of the deadline for applications to be considered for the positions of U.S. Attorney in the Eastern, Middle and Western Districts of Pennsylvania. The new, extended deadline is Monday, June 15, 2009 at 5 PM. The process for applying for these positions remains the same as previously announced. Completed questionnaires may be submitted to either Senator Casey or Senator Specter.

Jun. 12



**ANNUAL CHARITY GOLF TOURNAMENT  
& OPTIONAL SCRAMBLE**

**WEDNESDAY, JULY 29  
LAWRENCE PARK GOLF CLUB**

**TOURNAMENT SCHEDULE**

- 12:45 pm - Arrive at the Club and Register
- 1:15 pm - Shotgun Start
- 6:00 pm - Hors d'oeuvres & refreshments
- 6:45 pm - Dinner, brief awards ceremony



**PRIZES & TROPHIES:**

ECBA Low Gross Trophies; John E. Britton Trophy;  
Will J. Schaaf Senior's Trophy;  
Team Scramble Trophy; Callaway Competition;  
Closest to the Pin; Longest Drive; Longest Putt

**Cost: ECBA members - \$115  
ECBA Young Lawyers - \$105**

*(includes greens fee, half cart,  
dinner and donation to ECFB)*

*New*

**Don't play much golf?  
Worried about keeping up?  
Enter your foursome in the Optional  
Scramble. Trophy to be awarded to  
the top finishing foursome.**

*All participants will be entered in a  
drawing to win a 26" Flat Screen  
HDTV LCD Television (drawing to be  
held at dinner - must be present to win!)*

**Proceeds benefit the Erie County Bar Foundation  
and its programs including  
the Chief Justice Samuel J. Roberts Scholarship Fund.**

**DOMINICA JULIANO, a minor, By and through her  
parent and natural guardian, Ginnisue Juliano, Plaintiff**

**v.**

**COUNTRY FAIR, INC., Defendant**

*CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT*

Summary judgment should only be granted in a case that is clear and free from doubt. *Toy v. Metro Life Ins. Co.*, 928 A.2d 186, 195 (Pa. 2007).

*CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT*

Summary judgment can be granted at the close of pleadings (1) When there is no genuine issue of any material facts as to a necessary element of the cause of action or defense which would be established by additional discovery or expert report, or (2) if, at the completion of discovery relevant to the motion, including the production of expert reports, an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury. Pa. R.Civ.P. 1035.2

*CIVIL PROCEDURE / BURDEN OF PROOF*

In personal injury cases it is not necessary that expert medical testimony be admitted by a plaintiff to prove his/her case when the disability complained of is the natural and probable result of the injuries. The two must be so closely connected and so readily apparent that a laymen could diagnose, except by guessing, the causal connection.

*CIVIL PROCEDURE / BURDEN OF PROOF*

When a plaintiff has medical reports from their expert opining to a reasonable degree of medical certainty that the injuries were caused as a direct result of exposure to a LED checkout scanner, the plaintiff has breached the threshold of a genuine issue of material fact, and summary judgment will be denied.

*CIVIL PROCEDURE / INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS*

In order to maintain a claim for intentional infliction of emotional distress extreme and outrageous conduct by the defendant is a necessary element. As plaintiffs could not show the defendant's action to be more than negligent or inappropriate, a request for summary judgment will be granted.

*CIVIL PROCEDURE / SCOPE OF EMPLOYMENT*

When an employee commits an act within the course of one's employment that injures another, the employer will not ordinarily be excused from liability, although the employee abused his authority and thereby inflicted injury upon another. *Potter Title & Trust Company v.*

*Knox*, 113 A.2d 549, 551 (Pa. 1955).

*CIVIL PROCEDURE / SCOPE OF EMPLOYMENT*

An employer is vicariously liable for the negligence of an employee only when the employee is acting within the scope of his/her employment. *Cesare v. Cole*, 210 A.2d 491, 493 (Pa. 1965).

*CIVIL PROCEDURE / SCOPE OF EMPLOYMENT*

Generally the scope of the employee's employment is a question of fact for the jury. *Anzenberger v. Nickols*, 198 A.2d 309, 311 (Pa. 1964). However, when no factual dispute exists the court may decide the issue.

*CIVIL PROCEDURE / SCOPE OF EMPLOYMENT*

Vicarious liability for an employee's intentional or criminal acts are considered within the scope of employment when the employee's conduct (1) is of a kind in nature that the employee is employed to perform; (2) occurs substantially within the authorized time and space limits; (3) is actuated at least in part, by a purpose to serve the employer; and (4) if force is intentionally used by the employee against another, the use of force is not unexpected by the employer.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,  
 PENNSYLVANIA                      CIVIL DIVISION                      NO. 13954-2004

Appearances:     Jeff A. Connelly, Esq., Attorney for Plaintiff  
                              Bruce L. Decker, Jr., Esq., Attorney for Defendant

**OPINION AND ORDER**

DiSantis, Ernest J., Jr., Judge

This comes before the Court on the Defendant's Motion for Summary Judgment.

I.            **BACKGROUND OF THE CASE**

This is a personal injury action arising out of an incident that occurred on June 23, 2004 at the Country Fair Convenience Store located at the corner of 18th and Sassafraas Streets in the City of Erie. The minor plaintiff, Dominica Juliano and her grandmother, Susan Juliano were patrons of the store on that day. While standing at the checkout counter with her grandmother, the cashier, Robert Harps, shined the light from the light- emitting diode ("LED") scanner on the plaintiff's neck and face. While doing it he encouraged her to smile. The incident lasted less than a minute. Susan Juliano also saw the cashier shine the LED on another young girl. Plaintiff alleged four separate causes of action or claims in her complaint: (1) Count I - negligence; (2) Count II - battery; (3) Count III - intentional infliction of emotional distress; and (4) Count IV - punitive damages.

The minor plaintiff alleges that as a result of Harps' conduct, she

sustained various personal injuries, including a burn, swelling and chronic irritation of her left cheek and eye as a result of being exposed to the LED light. She further alleges that she developed Tourette's Syndrome, Post Traumatic Stress Disorder ("PTSD") and a nervous tic as a result of the incident.

The defendant has moved for summary judgment arguing: (1) plaintiff has failed to produce competent medical evidence that her exposure to the scanner LED light caused her alleged physical injuries; (2) plaintiff has failed to produce evidence that the defendant Country Fair and/or its employee, Mr. Harps, engaged in outrageous conduct sufficient to support a claim for intentional infliction of emotional distress; (3) plaintiff has failed to produce evidence that the conduct of the defendant Country Fair would support an award of punitive damages and, in the alternative, (4) Harps' conduct in shining the light on the plaintiff was so abnormal and/or whimsical as to fall outside the scope of his employment with defendant Country Fair.

At the argument conducted March 13, 2009, plaintiff conceded that the evidence was insufficient to support a claim for punitive damages. The Court agrees that the evidence of record would not support the claim. It will now address the remaining issues.

## II. LEGAL DISCUSSION

Summary judgment should only be granted in a case that is clear and free from doubt. *Toy v. Metro Life Ins. Co.*, 928 A.2d 186, 195 (Pa. 2007). Additionally, summary judgment can be granted at the close of the pleadings:

(1) whenever there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which would be established by additional discovery or expert report, or

(2) if, after the completion of discovery relevant to the motion, including the production of expert reports, an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury.

Pa.R.Civ.P. 1035.2.

Pa.R.Civ.P. 1035.3 provides, in part:

(a) ...the adverse party may not rest upon the mere allegations or denials of the pleadings but must file a response within thirty (30) days after service of the motion identifying

(1) one or more issues of fact arising from evidence in the record controverting the evidence cited in support of the motion or from a challenge to the credibility of one or more witnesses testifying in support of the motion, or

(2) evidence in the record establishing the facts essential to the cause of action or defense which the motions cite as not having been produced.

The Pennsylvania Supreme Court has stated that:

Where the non-moving party has failed to produce sufficient evidence to establish the existence of an element essential to the case, in which he bears the burden of proof, the moving party is entitled to judgment as a matter of law.

*Ertel v. Patriot-News Company*, 674 A.2d 1038, 1042 (Pa.1996).

The purpose of the summary judgment rule "is to eliminate cases prior to trial where a party cannot make out a claim or defense". *Miller v. Sacred Heart Hospital*, 753 A.2d 829, 833 (Pa. Super. 2000). The Court must examine the record in the light most favorable to the non-moving party and resolve all doubt against the moving party. *Aetna Casualty and Surety Company v. Roe*, 650 A.2d 94, 97 (Pa. Super. 2004).

A. Whether Plaintiff's Claim For Physical Harm Resulting From Exposure To The LED Should Be Dismissed Because Plaintiff Has Produced No Competent Evidence That The LED Light Either Caused Or Was Capable of Causing Physical Injury?

The defendant concedes that it is not necessary in all personal injury cases that expert medical testimony be admitted by the plaintiff to prove his/her case. In *Smith v. German*, 253 A.2d 107 (Pa. 1969), the Pennsylvania Supreme Court stated that:

The law of this Commonwealth is well settled as to when medical testimony will be required to establish a causal connection between the event demonstrated and the result sought to be proved...thus..."where there is no obvious causal relationship, unequivocal medical testimony is necessary to establish the causal connection... (citations omitted).

*Id.* at 108.

The Court went on to say:

But where "the disability complained of is the natural and probable result of the injuries, the fact-finding body may be permitted to so find, even in the entire absence of expert opinion."... (citations omitted). The two must be "so



closely connected and so readily apparent that a layman could diagnose (except by guessing) the causal connection. (citations omitted).

*Id.* at 109.

The plaintiff has produced medical reports from the minor plaintiff's primary care physician, Raymond McAllister, M.D. He opined to a reasonable degree of medical certainty that Dominica Juliano's Tourette' Syndrome was caused as a direct result of the checkout scanner. See Exhibit D to Defendant's Motion For Summary Judgment (letter of April 25, 2008). Dr. McAllister also penned a more detailed opinion letter on December 9, 2008. In that letter, Dr. McAllister noted that: "Dominica was seen shortly after this event by an ophthalmologist and diagnosed acute blepharitis and inflammation of the eyelid". The ophthalmologist, Dr. Subramanyan Segu, evaluated the minor plaintiff on June 25, 2004 (directly after the incident) and documented swelling and irritation about the plaintiff's left eye. See Exhibit 8 to Plaintiff's Brief In Opposition To Motion For Summary Judgment.<sup>1</sup>

Recognizing that the plaintiff can prove her case by both direct and circumstantial evidence, the Court finds that a genuine issue of material fact exists as to Count 1.

B. Whether Plaintiff's Claim For Intentional Infliction For Emotional Distress Should Be Dismissed Because The Plaintiff Has Failed To Present Sufficient Evidence That A Genuine Issue Of Material Fact Exists As To That Issue?

Pennsylvania Courts have implicitly recognized a cause of action for intentional infliction of emotional distress. See *Kazatsky v. King David Memorial Park*, 527 A.2d 988, 995 (Pa, 1987). However, extreme and outrageous conduct by the defendant is a necessary element of the claim. See *Papieves v. Kelly*, 263 A.2d 118, 121-122 (Pa. 1970). As the *Kazatsky* Court noted:

[1] The gravamen of the tort of intentional infliction of emotional distress is outrageous conduct on the part of the tortfeasor. Section 46(1) of the Restatement (Second) of Torts, on which the Kazatskys rely, provides as follows:

**§ 46. Outrageous Conduct Causing Severe Emotional Distress**

(1) One who by extreme and outrageous conduct intentionally or recklessly causes severe emotional distress to another is subject to liability for such emotional distress, and if bodily harm to the other results from it, for such bodily harm.

---

<sup>1</sup> The fact that the plaintiff has not produced expert opinion concerning any harmful effects of the LED scanner does not require a grant of summary judgment on this point.

The availability of recovery under section 46 is highly circumscribed. The tortious conduct contemplated by the drafters of section 46 is described in their commentary:

d. *Extreme and outrageous conduct.*

The cases thus far decided have found liability only where the defendant's conduct has been extreme and outrageous. It has not been enough that the defendant has acted with an intent which is tortious or even criminal, or that he has intended to inflict emotional distress, or even that his conduct has been characterized by "malice," or a degree of aggravation which would entitle the plaintiff to punitive damages for another tort. Liability has been found only where the conduct has been so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community. Generally, the case is one in which the recitation of the facts to an average member of the community would arouse his resentment against the actor, and lead him to exclaim, "Outrageous!"

The liability clearly does not extend to mere insults, indignities, threats, annoyances, petty oppressions, or other trivialities. The rough edges of our society are still in need of a good deal of filing down, and in the meantime plaintiffs must necessarily be expected and required to harden to a certain amount of rough language, and to occasional acts that are definitely inconsiderate and unkind. There is no occasion for the law to intervene in every case where some one's [sic] feelings are hurt. Restatement (Second) of Torts § 46 comment d. (1965).

*Kazatsky*, 527 A.2d at 991 - 992. (See also, *Small v. Juniata College*, 682 A.2d 350, 355 (Pa. Super. 1996) (quoting *Jones v. Nissenbaum, Rudolph and Seidner*, 368 A.2d 770, 773 (Pa. Super. 1970)). It is for the Court to determine, in the first instance, whether the defendant's conduct was so extreme and outrageous that recover may be justified. *Reimer v. Tien*, 514 A.2d 566, 569 (Pa. Super 1986); see also, Restatement (Second) of Tort § 46, Comment (h) (1965).

After its review, this Court concludes that the evidence of record does not support the plaintiff's position. While Mr. Harps' conduct may have been negligent or inappropriate, it was not outrageous. Therefore, the Court will grant the defendant's request for summary judgment as to Count III.

C. Whether The Plaintiff's Claims Against The Defendant Should Be Dismissed Because The Acts Of Mr. Harps Fell Outside The Scope Of His Employment?

When an employee commits an act within the course of one's employment that injures another, the employer will not ordinarily be excused from liability although the employee abused his authority and thereby inflicted injury upon another. *Potter Title & Trust Company v. Knox*, 113 A.2d 549, 551 (Pa. 1955). An employer is vicariously liable for the *negligence* of an employee only when the employee is acting within the scope of his/her employment. *Cesare v. Cole*, 210 A.2d 491, 493 (Pa. 1965). Generally, the scope of the employee's employment is a question of fact for the jury. *Anzenberger v. Nickols*, 198 A.2d 309, 311 (Pa. 1964). However, when no factual dispute exists, the Court may decide the issue. *Ferrell v. Martin*, 419 A.2d 152, 155 (Pa. Super. 1980).

Vicarious liability for an employee's *intentional or criminal* acts are considered within the scope of employment when the employee's conduct:

- (1) ... is of a kind in nature that the employee is employed to perform;
- (2)...occurs substantially within the authorized time and space limits;
- (3)... is actuated at least in part, by a purpose to serve the employer; and
- (4)... if force is intentionally used by the employee against another, the use of force is not unexpected by the employer.

*R. A. v. First Church of Christ*, 748 A.2d 692, 699 (Pa. Super. 2000) (citation omitted); *see also, Hill v. Acme Markets, Inc.*, 504 A.2d 324 (Pa. Super 1986) (cashier became upset, left work and was involved in auto collision); Restatement (Second) Torts § 317.

As the Superior Court has stated:

...moreover, our courts have held that an assault committed by an employee upon another for personal reasons, or in an outrageous manner, is not actuated by an intent to perform the business of the employer and, as such, is not within the scope of employment. *Id. See also, Potter Title & Trust Co. v. Knox*, 381 Pa. 202, 207, 113 A.2d 549, 551 (finding acts committed by employee in an outrageous or whimsical are not within the scope of employment). (citation omitted).

*See R.A. v. First Church of Christ*, 748 A.2d at 700.

After this Court's review of the plaintiff's allegations, it concludes that there is no issue of material fact as to Country Fair's vicarious liability as to the intentional tort of battery. There is no evidence that Mr. Harps' conduct was actuated, at least in part, by a purpose to serve his employer. Furthermore, it was not of a kind in nature that he was employed to perform. However, the negligence claim that focuses upon Country Fair's purported duty to oversee and supervise Harps' activities may proceed to disposition because there is a genuine issue of material fact as to that issue.

III. CONCLUSION

Based upon the above, this Court will grant the defendant's motion for summary judgment as to Counts II, III and IV of the complaint. It will be denied as to Count I.

ORDER

AND NOW, this 22nd day of April 2009, for the reasons set forth in the accompanying opinion, it is hereby ORDERED that the defendant's motion for summary judgment as to Counts II, III and IV is GRANTED. It is DENIED as to Count I.

**BY THE COURT:**

/s/ **ERNEST J. DISANTIS, JR., JUDGE**

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania  
No. 12512-09

In Re: Ethel Victoria DeNardo  
Notice is hereby given that on June 3, 2009, the Petition of Ethel Victoria DeNardo was filed in the above named Court, requesting to change her name to Victoria DeNardo.

The Court has fixed August 27, 2009, at 9:00 A.M. in Courtroom No. F on the 2nd floor at the Erie County Courthouse, 140 W. 6th St., Erie, PA 16501 as the time and place for the hearing on said Petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

Jun. 12

**FICTITIOUS NAME NOTICE**

Pursuant to Act 295 of December 16, 1982 notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania a "Certificate of Carrying On or Conducting Business Under an Assumed of Fictitious Name." Said Certificate contains the following information:

**FICTITIOUS NAME NOTICE**

1. Fictitious Name: Designated Drivers of Pennsylvania
2. Address and principal place of business, including street and number: 4039 Roxbury Road, Erie, Pennsylvania 16506.
3. The real name(s) and address, including street number, of the persons who are parties to the registration: Terry L. Marzka, 4039 Roxbury Road, Erie, PA 16506.
4. An application for registration of a fictitious name under the Fictitious Names Act was filed on April 24, 2009 with the Department of State. Lawrence L. Kinter, Esquire  
3820 Liberty Street  
Erie, PA 16509

Jun. 12

**INCORPORATION NOTICE**

Allegheny Urn Company, Inc. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988. The McDonald Group, L.L.P. James D. McDonald, Jr., Esquire  
456 West Sixth Street  
P.O. Box 1757  
Erie, PA 16507-0757

Jun. 12

**INCORPORATION NOTICE**

Heritage Chiropractic, P.C. has been organized under the For Profit provisions of the Business Corporation Law of 1988. James F. Geronimo, Esquire  
283 Walnut Street  
Meadville, PA 16335

Jun. 12

**INCORPORATION NOTICE**

M.A. Zalzneck, Inc. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988. The McDonald Group, L.L.P. James D. McDonald, Jr., Esquire  
456 West Sixth Street  
P.O. Box 1757  
Erie, PA 16507-0757

Jun. 12

**NOTICE OF TRANSFER TO INACTIVE STATUS**

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated, May 28, 2009, James R. Jenks was transferred to inactive status, effective immediately, pursuant to Rule 301(e), Pa.R.D.E. (relating to disabled attorneys) for an indefinite period and until further Order of the Supreme Court.

Elaine M. Bixler  
Secretary of the Board  
The Disciplinary Board of the Supreme Court of Pennsylvania

Jun. 12

**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 Paper Towels and Toilet Tissues, Trash Can Liners/Re-Cycle Liners and Refrigerated Food Transport Vehicle, Thursday, July 2, 2009 at 1:30 p.m., Daylight Savings Time, 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

Jun. 12, 19, 26

**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 filed 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. 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**

**Citmortgage, 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;



# Erie County Bar Association

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Bayfront Convention Center

Noon - 12:30 p.m.

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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. Haggren, Esq.  
*Executive Director, Lawyers Concerned for Lawyers of Pennsylvania*

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

BREAKOUTS BY PRACTICE SECTION  
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Dennis Lagan 27 Years- PSP	Gerald Nichols 30 Years - FBI	Benjamin Suchocki 30 Years - FBI/IRS	Jennifer Mazur Investigator
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# 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

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\$79 (nonmember)

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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.***

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***Contact the Erie County Bar Association for further details or to schedule a demonstration. (814) 459-3111 or admin@eriebar.com***

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. Schmiege, 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. Schmiege, 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, Harborcreek, 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. Schmiege, 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. Schmiege, 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. Schmiege, 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., boaring 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. Sauters 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. Schmiege, 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. Schmiege, 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. Schmiege, 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. Schmiege, 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. Schmiege, 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 wether 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. Schmiege, 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. Schmiege, 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. Schmiege, 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. Simmons,  
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 08-034.1.34.0-007.00

Premises being: 315 LEMON STREET, CORRY, PA 16407  
Daniel G. Schmiege, 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. Schmiege, 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 Pote 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. Schmiege, 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. Schmiege, 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. Vitti, 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. #15600 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 West, 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 0F 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  
 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



**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****BACHOFNER, HELEN L.,  
deceased**

Late of the City of Corry, Erie County, Pennsylvania  
*Executrix:* Judy Ann Wittig, 625 Conewango Avenue, Warren, PA 16365  
*Attorney:* William E. Barney, Esq., 200 North Center Street, Corry, Pennsylvania 16407

**BAKER, JOAN L.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Robert C. LeSuer, Esq.  
*Attorney:* Thomas J. Minarcik, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**DOMOWICZ, EDWARD C.,  
deceased**

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

**KARLE, THOMAS M.,  
deceased**

Late of the City of Erie, Erie County, PA  
*Administrator:* Matthew G. Karle, c/o Gregory A. Karle, Esquire, 900 State Street, Suite 103, Erie, PA 16501  
*Attorney:* Gregory A. Karle, Esquire, 900 State Street, Suite 103, Erie, PA 16501

**MCGINTY, JOYCE B.,  
deceased**

Late of the Township of Millcreek  
*Executrix:* Timothy J. McGinty, 322 Alderwood Dr., North Potomac, MD 20878  
*Attorney:* None

**PHELPS, JANE M., a/k/a  
JANE M. COVELL,  
deceased**

Late of the City of Corry  
*Administrator d.b.n.c.t.a.:* Shawn R. Phelps, 1023 West Sixth Street, Erie, PA 16507  
*Attorney:* Michael A. Fetzner, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**PLUTINO, RUTH A.,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania  
*Executrix:* Christine Doritty, c/o McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507  
*Attorney:* Joseph P. Martone, Esquire, McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**PRZYBYSZEWSKI, JOHN S.,  
deceased**

Late of Summit Township  
*Executrix:* 5545 West Sebago Road, Fairview, PA 16415  
*Attorney:* Brian Glowacki, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**SMITH, EUGENE F.,  
deceased**

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* David A. Smith  
*Attorney:* Edward P. Wittmann, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

**THORNE, MARJORIE, a/k/a  
MARJORIE ANN THORNE,  
a/k/a MARJORIE A. THORNE,  
deceased**

Late of the City of Erie, Erie County, PA  
*Executrix:* Tammy S. Wise, c/o Bernard, & Stuczynski, 234 West Sixth Street, Erie, PA 16507-1319  
*Attorney:* Bruce W. Bernard, Esq., Bernard, & Stuczynski, 234 West Sixth Street, Erie, PA 16507-1319

**TROCHOWSKI, GLADYS A.,  
deceased**

Late of the Township of Harborcreek, County of Erie, and Commonwealth of Pennsylvania  
*Executrix:* Christine Wozniak, 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

**TRIGILIO, FRANK S., JR.,  
a/k/a FRANK TRIGILIO, JR.,  
deceased**

Late of the Township of Millcreek  
*Co-Executors:* Frank S. Trigilio, III and Mary Ann Powell.  
*Attorney:* Michael G. Nelson, Esquire, Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, 300 State Street, Suite 300, Erie, Pennsylvania 16507

**WILSON, ORA JEAN, a/k/a  
ORA J. WILSON,  
deceased**

Late of the Township of Springfield, County of Erie, State of Pennsylvania  
*Executor:* Thomas B. Jones, 1960 Burton Avenue, Holt, Michigan 48842  
*Attorney:* James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**WINKELMES, MARY D.,  
deceased**

Late of the City of Erie, County of Erie, Pennsylvania  
*Executor:* Donald H. Winkelmes, Sr., c/o 150 West Fifth St., Erie, PA 16507  
*Attorney:* Colleen C. McCarthy, Esq., McCarthy, Martone Peasley, 150 West Fifth St., Erie, PA 16507

**SECOND PUBLICATION**

**BLYSTONE, EUGENE R.,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania  
*Administratrix:* Alexis J. Mustin, c/o 2580 West 8th Street, Erie, Pennsylvania 16505  
*Attorney:* Ralph R. Riehl, III, Esq. 2580 West 8th Street, Erie, Pennsylvania 16505

**BOGART, DOLORES, a/k/a  
DOLORES M. BOGART,  
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania  
*Executor:* Sharon Shaffer, c/o Denis W. Krill, Esquire, 309 French Street, Erie, Pennsylvania 16507  
*Attorney:* Denis W. Krill, Esquire, 309 French Street, Erie, Pennsylvania 16507

**CHROMIK, RICHARD V.,  
deceased**

Late of the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania  
*Executor:* Charles A. Chromik, 2641 Frontenac Drive, Erie, PA 16511  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**GREEN, JULIE ANNE,  
deceased**

Late of Washington Township, Erie County, Pennsylvania  
*Co-Executors:* Lizabeth Dilla and Alan Dilla, 4211 Old State Rd., Edinboro, PA 16412  
*Attorney:* None

**KANZIUS, JOHN S.,  
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Mary Ann Kanzius, 3170 Volkman Road, Erie, PA 16506-4759  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**KIMMY, IRENE H.,  
deceased**

Late of Union Township, Erie County, Pennsylvania  
*Executrix:* Sandra McGinnett, c/o Paul J. Carney, Jr., Esquire, 43 North Main Street, Union City, Pennsylvania 16438  
*Attorney:* Paul J. Carney, Jr., Esquire, 43 North Main Street, Union City, Pennsylvania 16438

**ROWLEY, VIRGINIA A.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Douglas Rowley, c/o Gary H. Nash, Esquire, 345 West Sixth Street, Erie, PA 16507  
*Attorney:* Gary H. Nash, Esquire, 345 West Sixth Street, Erie, PA 16507

**THOMAS, BARON, JR.,  
deceased**

Late of the Township of North East, County of Erie  
*Executor:* John B. Thomas, c/o Malcolm L. Pollard, 4845 W. Lake Rd., Erie, PA 16505  
*Attorney:* Malcolm L. Pollard, Esq., 4845 W. Lake Rd., Erie, PA 16505

**WALTER, LOIS M.,  
deceased**

Late of the City of Corry, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Ludwig Ganze, 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

**WEBER, RALPH C.,  
deceased**

Late of the Borough of Waterford, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Patricia A. Bonito, c/o Gary H. Nash, Esq., 345 West Sixth Street, Erie, PA 16507  
*Attorney:* Gary H. Nash, Esq., 345 West Sixth Street, Erie, PA 16507

**WEHRLE, CHARLES W., a/k/a  
CHARLES W. WEHRLE SR.,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania  
*Executor:* C. W. Wehrle Jr., 3143 W. 38th Street, Erie, PA 16506  
*Attorney:* Nadia A. Havard, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**WETSELL, DONALD JAMES,  
deceased**

Late of Washington Township,  
County of Erie, Commonwealth  
of Pennsylvania

*Administrator:* Don Z. Wetsell,  
c/o Quinn, Buseck, Leemhuis,  
Toohey & Kroto, Inc., 2222  
West Grandview Blvd., Erie, PA  
16506

*Attorney:* Scott L. Wallen, Esq.,  
Quinn, Buseck, Leemhuis,  
Toohey & Kroto, Inc., 2222  
West Grandview Blvd., Erie, PA  
16506

**THIRD 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,  
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

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