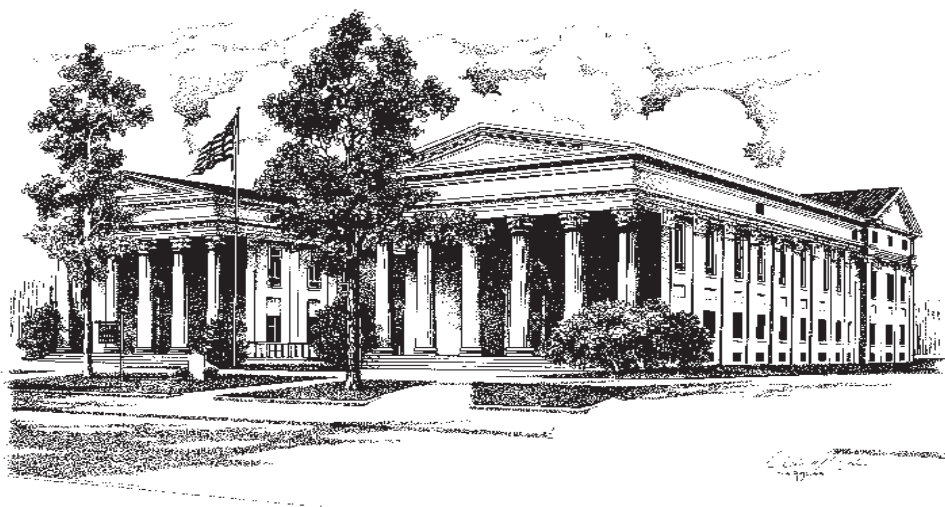


*Erie
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Legal
Journal*

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Stovall v. Frisco

Erie County Legal Journal

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

Managing Editor: Paula J. Gregory

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Erie County Bar Association

Calendar of Events and Seminars

MONDAY, JUNE 14, 2010

Juvenile Injustice in Luzerne County: What can be done to restore faith in the System

PBI Groupcast Seminar

Erie County Bar Association

9:00 a.m. - 1:15 p.m. (8:30 a.m. reg.)

\$214 (member) \$194 (admitted after 1/1/06)

\$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 1/1/06) \$209 (nonmember) 4 hours ethics

WEDNESDAY, JUNE 16, 2010

A Conversation with the Bankruptcy Bench

PBI Groupcast Seminar

Erie County Bar Association

12:00 p.m. - 2:00 p.m. (11:30 a.m. reg.)

lunch included

\$164 (member) \$144 (admitted after 1/1/04)

\$184 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee: \$139 (member) \$119 (admitted after 1/1/06) \$159 (nonmember) 2 hours substantive

THURSDAY, JUNE 17, 2010

Sophisticated Issues for Family Lawyers

PBI Groupcast Seminar

Erie County Bar Association

8:30 p.m. - 12:30 p.m. (8:00 a.m. reg.)

\$254 (member) \$234 (admitted after 1/1/04)

\$274 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee: \$229 (member) \$209 (admitted after 1/1/06) \$249 (nonmember) 4 hours substantive

TUESDAY, JUNE 22, 2010

The Amazing Case: How to make a Commercial Case come Alive!

PBI Video Seminar

Erie County Bar Association

9:00 a.m. - 4:00 p.m. (8:30 a.m. reg.)

Lunch is Included

\$344 (member) \$324 (admitted after 1/1/06)

\$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 1/1/06) \$339 (nonmember) 5 hours substantive/1 hour ethics

TUESDAY, JUNE 29, 2010

Mid-Year Meeting & Live ECBA Seminars
Bayfront Convention Center

10:00 a.m. - 3:30 p.m.

Package Deal available for ECBA members
go to www.eriebar.com for detailed information

WEDNESDAY, JUNE 30, 2010

General Practitioners Update 2010

PBI Groupcast Seminar

Bayfront Convention Center

8:30 a.m. - 4:10 p.m. (Reg. 8:00 a.m.)

lunch included

\$254 (member) \$234 (admitted after 1/1/06)

\$274 (nonmember)

Early Registration: If you register more than 2 days before this presentation you will qualify for this Early Registration Fee: \$229 (member) \$209 (admitted after 1/1/06) \$249 (nonmember) 5 hours substantive/1 hour ethics

WEDNESDAY, JULY 7, 2010

Social Security Disability: The Basics

PBI Groupcast Seminar

Erie County Bar Association

9:00 a.m. - 1:15 p.m. (8:30 a.m. reg.)

\$224 (member) \$204 (admitted after 1/1/06)

\$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 1/1/06) \$219 (nonmember) 4 hours substantive

THURSDAY, JULY 8, 2010

Handling the Sexual Harassment Case

PBI Video Seminar

Erie County Bar Association

9:00 a.m. - 1:30 p.m. (8:30 a.m. reg.)

\$129 (member) \$109 (admitted after 1/1/06)

\$149 (nonmember)

4 hours substantive

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In Memoriam



Peter George Schaaf

November 2, 1927 - June 4, 2010

Peter George Schaaf died Friday, June 4, 2010 at home. He was born in Erie, the son of the late Peter and Lucy Tate Schaaf.

Peter grew up on Station Road in Harborcreek, attended the Brook-side elementary school, and then graduated from Cathedral Prep, Gannon College, and Georgetown University

Law School respectively. He served with the United States Army from 1946 through 1947.

Peter worked in Washington, D.C. for the Federal Bureau of Investigation as a Clerk while in Law School and then the State Department's Office of Security and for the Office of Naval Intelligence, at both as an investigative agent. Upon graduation in 1954, he returned to Erie with his wife Peggy and began his practice of law in the office of J. S. Juliante, Sr. He was elected to the Pennsylvania General Assembly in 1953 and was re-elected in 1960. In 1958, he joined and became a partner, in the firm of MacDonald, Illig, Jones & Britton. There he practiced law until his retirement in 1997.

His legal career had many highlights. He worked with Mayer Louis Tulio in reconstituting the Erie City Water Authority and worked as Bond Counsel for the City of Erie, the Erie School District, Erie County and related municipal authorities. He was also Erie County Solicitor for a number of years. He was instrumental in the early 1960s in helping the Erie Catholic Diocese establish the Better-Housing for Erie low income housing project. He served on the Mercyhurst College Board of Trustees, Harborcreek Youth Services Board of Directors, and was active in the Catholic Cursillo movement and the Serra Club. He was a member of the Erie County, Pennsylvania and American Bar Associations and was honored as Chancellor of the Erie County Bar in 2002. He served as a member of two judicial selection committees, by appointment of Governors Shapp and Casey.

Peter was a proud and ardent lifelong Democrat. He served as the Chair of Erie County's Democratic Committee and was a delegate to two National Democratic Presidential Conventions. He was also a member of St. Peter Cathedral where he served as usher, lector, and eucharistic minister. He was a life member of the Erie Maennerchor Club and East Erie Turners.

In addition to his parents, he was preceded in death by his sister, Mary Ellen Schaaf Holland and her husband Earl T. Holland.

He is survived by his wife, Mary Margaret (Peggy) Mong Schaaf, whom he married, on June 7, 1952; three sons; Peter B. Schaaf and his wife Hilary of La Jolla, California, Matthew J. Schaaf of Erie, and John C. Schaaf and his partner Michael Weaver of San Francisco, California; four daughters; Anne Rattner and her husband Michael, Mary Mulard, Ellen Innes and her husband J.B., and Katie Schaaf, all of Erie; eight grandchildren, Margaret, Elizabeth and Nathalie Rattner, Peter, Sophie, and Claire Mulard, and Katherine and William Innes; one, sister, Martha Schaaf of Erie; and one brother, Charles W. Schaaf and his wife Carmelita of Erie. He is also survived by several nieces and nephews.

In lieu of flowers, donations can be made to St. Peter Cathedral, Cathedral Preparatory School, Father James Peterson's Maria House Project or Erie Cursillo.

DARIUS STOVALL, Plaintiff

v.

BRITTANY FRISCO, Defendant

FAMILY LAW / CHILD CUSTODY

The paramount concern in child custody cases is the best interests of the child. With this paramount concern in mind, "traditional burdens or presumptions such as; substantial change in circumstances or the fitness of one parent over another, or the tender years doctrine, must all give way."

FAMILY LAW / CHILD CUSTODY / MODIFICATION

A custody order is modifiable without proof of substantial change in circumstances where modification is in the best interest of the child. The "best interests" standard, decided on a case-by-case-basis, considers all factors which legitimately have an effect upon the child's physical, intellectual, moral and spiritual well-being.

FAMILY LAW / CHILD CUSTODY / RELOCATION

Where a custodial parent seeks to relocate out-of-state with a child over the objection of a non-custodial parent, in ascertaining the best interest of the child, the trial court must consider the following three factors enunciated by the Pennsylvania Superior Court in *Gruber*: (1) the potential advantages of the proposed move and the likelihood that the move would substantially improve the quality of life for the custodial parent and the children and is not the result of a momentary whim on the part of the custodial parent; (2) the integrity of the motives of both the custodial and non-custodial parent in either seeking the move or seeking to prevent it; and (3) the availability of realistic, substitute visitation arrangements which will adequately foster an ongoing relationship between the child and the non-custodial parent.

FAMILY LAW / CHILD CUSTODY / RELOCATION

The "polestar" of the analysis in custody relocation cases remains the "best interests of the child."

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,
PENNSYLVANIA

FAMILY DIVISION - CUSTODY

NO. 12774-2007

Appearances: Raquel L. Taylor, Esq., on behalf of the
Plaintiff, Darius Stovall
Brittany Frisco, the Defendant, *pro se*

MEMORANDUM OPINION

Brabender, J., March 10, 2010

This matter is before the Court on a Request for Adversarial Hearing filed by the mother, Brittany Frisco, *pro se*. The matter involves the custody of the parties' minor child, Amaria Stovall (d.o.b. November 27,

2006). The mother is requesting permission to relocate with the child to Cleveland, Ohio.

After a custody hearing held on February 11, 2010, the Court finds it is in the best interests of the child to deny the mother's request to relocate.

FACTUAL AND PROCEDURAL BACKGROUND

The mother and father were never married and have no other children together. This case began in July of 2007 with the father's Complaint for Custody of the child, Amaria Stovall. By Order of August 10, 2007, filed August 14, 2007, the physical and legal custody of the child was shared by mutual agreement.¹

On October 26, 2009 the father filed a Complaint for modification of the existing custody order to a 50/50 shared custody arrangement. Because of a Protection from Abuse ("PFA") Order,² the father indicated he was no longer permitted to contact the mother and wanted equal time with his daughter. A custody conciliation was held on November 24, 2009. On December 2, 2009, the Court entered a custody Order directing that shared physical and legal custody was to continue, with the mother to have primary physical custody of the child and the father to have partial custody of the child every weekend from Friday at 10:30 a.m. to Sunday at 7:00 p.m.³ The Order directed custody arrangements were to be made through the maternal grandmother, Wanda Blakely.

The mother filed a Request for Adversarial Hearing on December 3, 2009 requesting permission to relocate to Cleveland, Ohio and to modify the visitation Order. The mother wants to relocate to Cleveland, Ohio to attend Cleveland State University to further her education. The father opposes the mother's request as the child has special needs and attends pre-school at the Barber National Institute in Erie, Pennsylvania.

DISCUSSION

The paramount concern in child custody cases is the best interests of the child. *McMillen v. McMillen*, 529 Pa. 198, 202, 602 A.2d 845, 846-7 (1992); *Commonwealth ex rel. Pierce v. Pierce*, 493 Pa. 292, 295, 426

¹ Key features of the original Custody Order include: the mother to have primary physical custody and the father to have partial custody every weekend from Friday at 10:30 a.m. to Sunday at 7:00 p.m.; "non- festive" holidays of Memorial Day, July Fourth and Labor Day to be shared by mutual agreement; the holidays of Easter, Thanksgiving and Christmas to be shared by mutual agreement with each parent having one-half of the day; the child to spend Mother's and Father's day with the respective parent for specified times unless otherwise agreed upon and each parent to plan a birthday celebration for the child on a regularly scheduled partial custody day near the child's birthday.

² See Protection From Abuse Final Order of Court entered October 20, 2009 at Docket No. 16627-09, Court of Common Pleas of Erie County, Pennsylvania.

³ Under the Custody Order entered on December 2, 2009, the custody schedule for festive and non-festive holidays and for celebrating the child's birthday also remained the same, except that visitation with the father over the 2009 Thanksgiving holiday weekend was extended.

A.2d 555, 557 (1981). With this paramount concern in mind, "traditional burdens or presumptions such as; substantial change in circumstances; or the fitness of one parent over another; or the tender years doctrine, must all give way." *Moore v. Moore*, 535 Pa. 18, 31, 634 A.2d 163, 169 (1993). A custody order is modifiable without proof of substantial change in circumstances where modification is in the best interests of the child. *McMillen*, 529 Pa. at 202, 602 A.2d at 847.

"The 'best interests' standard, decided on a case-by-case-basis, considers all factors which legitimately have an effect upon the child's physical, intellectual, moral and spiritual well-being." *Sawko v. Sawko*, 425 Pa. Super. 450, 454, 625 A.2d 692, 693 (1993). *See also, Lee v. Fontaine*, 406 Pa. Super. 487, 488, 594 A.2d 724, 725 (1991). All factors which may affect the determination of what is in the best interests of the child are admissible, including the character and fitness of the respective parties, their respective homes; their ability to adequately care for the child and their ability to financially provide for the child. *In re Lewis (Shoemaker Appeal)*, 396 Pa. 378, 381, 152 A.2d 666, 668 (1959); *Gerald G. v. Theresa G.*, 284 Pa. Super. 498, 502, 426 A.2d 157, 159 (1981).

In custody cases involving the relocation of a parent, the ultimate objective remains the best interests of the children. *Lambert v. Lambert*, 409 Pa. Super. 552, 562, 598 A.2d 561, 565 (1991). Where a custodial parent seeks to relocate out-of-state with a child over the objection of a non-custodial parent, (an "interstate relocation" case), in ascertaining the best interests of the child, the trial court must consider the following three factors enunciated by the Pennsylvania Superior Court in the case of *Gruber v. Gruber*, 400 Pa. Super. 174, 184-5, 583 A.2d 434, 439 (1990):

- (1) the potential advantages of the proposed move and the likelihood that the move would substantially improve the quality of life for the custodial parent and the children and is not the result of a momentary whim on the part of the custodial parent;
- (2) the integrity of the motives of both the custodial and non-custodial parent in either seeking the move or seeking to prevent it; and
- (3) the availability of realistic, substitute visitation arrangements which will adequately foster an ongoing relationship between the child and the non-custodial parent.

Id.

With regard to the first *Gruber* factor, "the custodial parent has the initial burden of showing that the move is likely to significantly improve the quality of life for that parent and the children." *Id.* at 186, 583 A.2d at 400. Regarding the second *Gruber* factor, "each parent has the burden of establishing the integrity of his or her motives in either desiring to move or seeking to prevent it." *Id.* The Court must then consider the

third factor. *Id.*

In *Gruber*, the Superior Court emphasized that the best interests of the child are more closely allied with the interests and quality of life of the custodial parent and cannot be determined without reference to them. *Id.* at 183, 583 A.2d at 438. In the context of relocation cases, this means that, "when relocation is likely to result in a substantially enhanced quality of life for a custodial parent, often the child's best interests will be indirectly but genuinely served." *Id.* By the same token, the Superior Court in *Gruber* recognized the competing factor of "the mutual interest of the child and non-custodial parent in maintaining as healthy and loving a relationship as possible." *Id.*

The refinements of the "best interests of the child" analysis set out by the Superior Court in *Gruber* do not create a new standard: the "polestar" of the analysis in custody relocation cases remains the "best interests of the child." *Lee v. Fontaine*, 406 Pa. Super. 487, 489-90, 594 A.2d 724, 725-6 (1991).

Under *Gruber*, the mother's burden of proof is to present the potential advantages of the move and to show that the move is likely to substantially improve the quality of life for her and the child and is not the result of a momentary whim. *Gruber*, at 184-5, 583 A.2d at 439. In the instant case, the Court concludes that the mother has not met this burden.

The mother testified she is 22 years old and resides at 203 East 16th Street, Erie, Pennsylvania with the parties' three-year old child, Amaria Stovall. The child is her only child. She testified the child has special needs, having Down's Syndrome; epilepsy; diuretic issues; eye problems; ear, nose and throat problems and acute asthma. She testified the child has been involved with early intervention services since she was born.

The mother testified she is originally from Cleveland, Ohio. She is a sophomore at Gannon University in Erie, Pennsylvania and scheduled to graduate in 2012. She requests the Court's permission to relocate to Cleveland, Ohio, with her daughter, so that she can attend Cleveland State University where she intends to major in film and digital media. She testified her dream is to become a writer and a producer.

At Gannon she switched her major to journalism and communication, but this program is not as directly related to her career goals as the program offered at Cleveland State. She testified obtaining a degree from Cleveland State University in her field of interest will lead to increased employment opportunities upon graduation, and that employment prospects for her in Cleveland will be significantly greater than in Erie. She posits this will be conducive to a better quality of life for her and her daughter.

The mother testified she has a job waiting for her at a Hilton Hotel in Cleveland at the rate of pay of \$10.00 per hour. The mother testified her uncle would allow her to live in one of the properties he has in Cleveland. Her current income consists of child support payments and

the SSI benefits she receives for her daughter.

The mother testified she and her child would receive family support from extended family members, all of whom live in Cleveland. She testified the only relatives she has in Erie are her mother and brother. She testified her brother will be leaving Erie shortly and her mother intends to relocate to Cleveland.

The child has received medical treatment from pediatric specialists in Pittsburgh, Pennsylvania. Sometimes the father has traveled with her and the child to medical appointments in Pittsburgh. The mother testified the father is chronically late and makes her pay for gas. The mother testified there are quality medical facilities in Cleveland, Ohio specializing in treatment of children, and named the Rainbow Babies and Children's Hospital as one such example. She testified it would be easier for her to obtain medical treatment for the child if they lived in closer proximity to such facilities. However, the mother failed to offer testimony about specific ongoing medical treatment needs of the child and what, if any, arrangements she has made with medical providers in Cleveland for her child's continuing medical care.

Regarding the educational and developmental needs of the child, the mother testified the child received therapy services through the Achievement Center from January of 2009 to November of 2009. Currently, the child attends daycare in the morning; then pre-school at the Dr. Gertrude A. Barber National Institute, ("the Barber Center"); then returns to daycare.

The mother testified she has researched schools for her daughter to attend in Cleveland and believes there are schools in Cleveland of the same caliber as the Barber Center in Erie. The mother testified about the general availability of educational programs/services in Cleveland for children with special needs. She testified about a conversation she had with a woman in Ohio about a "bi-inclusive" program for both typical and atypical children. The mother credibly testified she learned that each district has "center based" learning, with programs similar to those at the Barber Center. She named some of the schools she researched and the programs they offer. She testified she does not yet have a school in place in Cleveland for the child, and that she wasn't planning on moving until the summer.

The mother presented the testimony of Jeanne Downey, speech pathologist with the Achievement Center. Ms. Downey testified she worked with the child from October 2008 to November 2009 on communication skills and signing.⁴ Ms. Downey testified the mother

⁴ Counsel for the father questioned Ms. Downey extensively about the reasons the child missed 46 out of approximately 147 scheduled therapy sessions with the Achievement Center. Ms. Downey testified, essentially, that the number of missed appointments was not unusual in an Early Intervention case and under the circumstances of this case did not reflect poorly on this mother. The Court finds this testimony credible and accepts it as fact.

talked about relocating to Cleveland and what she wanted to do with her professional career. Downey opined that placing the child in an integrated program or "inclusive setting" is a good move for the child. She testified that the best thing would be to treat this child like any other child and to offer support.

Ms. Downey testified credibly about her favorable impressions of the mother. She testified the mother participated in the child's therapy; was cooperative and very attentive to the child's needs. She testified the mother had high expectations for her daughter and was not prone to "giving in" to her daughter. In her words, the mother was very positive and "impressive." She testified the father never contacted her regarding the child.

Counsel for the father presented the testimony of Pamela Tywalk, a teacher at the Barber Center, and Bridgett Barber, Director of External Affairs and Privacy Officer of the Barber Center. Ms. Tywalk testified the Barber Center is a school to help children and adults with special needs. She testified she met with the mother when she wrote the child's "I.E.P." at the end of November or December of 2009, and does not recall the mother wanting to relocate with the child.

Ms. Barber testified to put this in perspective, the Barber Center had only served the child for 14 days. When asked by the Court about the availability of similar facilities in Cleveland, Ms. Barber testified she was not familiar with this.

The mother also presented the testimony of Wanda Blakely, the maternal grandmother. Ms. Blakely testified she resides at 410 East 21st Street, Erie, Pennsylvania with her husband, and a 17 year-old son. Ms. Blakely testified that she is originally from Cleveland, Ohio; she has lived in Erie, Pennsylvania for 15 years and she frequently travels to Cleveland. She testified she would see her daughter and granddaughter often if they were permitted to relocate to Cleveland. The child's father contacts her for visitation per the terms of the PFA Order. She testified the father has asked for his daughter approximately twice since entry of the PFA Order.

Ms. Blakely testified her daughter has lived in Erie since she was seven years old and moving to Cleveland has always been her daughter's dream. She believes better opportunities exist in Cleveland for her daughter. She testified her daughter had plans to move to Cleveland before the birth of the child and about her reasons for not moving afterward.

Regarding the first *Gruber* requirement, the Court finds the mother has presented evidence that the proposed relocation to Cleveland is likely to substantially improve the mother's educational and employment opportunities, given the mother's career interests and goals. The Court also finds the mother's desire to relocate to Cleveland is not a whim on her part and has been contemplated for some time. Further, the Court

believes that, on the maternal side, there would be a strong family support system in place for the mother and child in Cleveland.

In the absence of evidence of arrangements for the child's educational and developmental needs, this Court finds the mother has not satisfactorily shown the likelihood that the proposed move would be in the best interests of her child. The child has Down's Syndrome and requires special educational and developmental programs. With the best interests of this child as the Court's paramount concern, the Court must be assured those needs will be addressed. In addition, in the absence of evidence of any concrete plans for the child's medical treatment in Cleveland, this Court finds that the mother has not satisfactorily shown the likelihood that the move would substantially improve the quality of life of the child. This child has special medical needs. The Court must be assured those needs will be adequately addressed. The Court is also concerned about plans for child care while the mother is in school or at work, and notes that no evidence was presented about who will care for the child after school when the mother is working or attending classes. This Court recognizes that, "when relocation is likely to result in a substantially enhanced quality of life for a custodial parent, often the child's best interests will be indirectly but genuinely served." *Gruber, Id.* at 183, 438. However, under the first prong of *Gruber* and a best interests analysis, due to the unknown variables referenced above, this Court concludes the mother has not sufficiently shown at this time the likelihood the proposed move would substantially improve the quality of life of this child.

The Court must analyze the second *Gruber* factor: the integrity of the motives of both the custodial and non-custodial parent in either seeking the move or seeking to prevent it. *Gruber, Id.* Each parent has the burden of establishing the integrity of his or her motives in this regard. *Id.*

The Court accepts as credible the mother's testimony about her educational and career goals; her desire to be closer to relatives; her belief about enhanced employment opportunities in Cleveland upon graduation and her belief that this would lead to a better quality of life for her and the child. The mother credibly testified she did not want to remove the child from the father or his family; all she wants is to improve the quality of life for herself and her child. Based on this credible evidence, the Court concludes that the mother's desire to move is not motivated simply by a desire to frustrate the father's visitation rights or to impede the development of a healthy, loving relationship between the child and her father.

Regarding the father's motives in resisting the mother's efforts to relocate with the child, the mother testified the father is not agreeable to the relocation because she put a PFA on him.

The child's father testified he is 22 years old and lives with his parents;

his sister, Shaquay, who is 16 years old, and an individual named Dasean. The father is a junior at Edinboro State University and expects to graduate in May of 2011. He underwent basic training in the military, and one weekend each month he is scheduled to report to Niagara Falls, New York. He testified he was in a relationship with the Defendant since he was about 12 years old. From the time their daughter was born to the present, he has seen the child weekly except while he was in military training. He testified the same held true for his parents and also his sister who watched the child while he works. He testified his relationship with the child's mother ended in June of 2009, before he left for basic training. While in basic training, the mother kept him updated about the child. His parents and sister had contact with the child. After he returned from basic training in October of 2009, there were issues regarding child support and his request for increased visitation. He testified the child's mother was adverse to a 50/50 custody arrangement because that would result in discontinuance of the father's child support obligation.

The father testified he has contacted the Barber Center for updates on the child's progress. When the child was enrolled in the Achievement Center, he would get reports from the child's mother. He does not think that the child should be away from her father. He testified he took the child for surgery in Pittsburgh and that the child is doing good now as far as he knows.

Sean Stovall, the child's paternal grandfather, testified to his son's efforts to see his child. Before the PFA, when the child's mother would get mad at his son, she would not let his son see the child. He testified that, in the last three years, his son has done everything he can.

Shaquay Stovall, the child's paternal aunt, testified her brother, the child's father, has a good relationship with the child and takes her everywhere she wants to go. She enjoys a good relationship with the child and baby-sits her. She has seen the child weekly since she was born.

Based on the testimony of the father, the paternal grandfather and the paternal aunt, the Court concludes that there is a relationship between the child and the father and that the father wants to be involved in his child's life. No evidence was produced in support of the mother's assertion the father objects to the relocation out of spite for the mother's filing of the PFA Complaint. It is also clear from the procedural history of the case and from the testimony that the father sought to obtain increased custody/visitation of his daughter *before* the mother procedurally raised the issue of relocation.⁵ Based on the record presented, the Court concludes that the father's motives in objecting to relocation are genuine.

⁵ On October 26, 2009 the father sought modification of the existing custody order to a 50/50 arrangement. It was after the Court entered an Order on December 2, 2009 continuing the status quo that the mother raised the issue of relocation in her Request for Adversarial Hearing filed on December 3, 2009.

The third and last *Gruber* factor for the Court to consider is the availability of realistic, substitute visitation arrangements which will adequately foster an ongoing relationship between the child and the non-custodial parent. *Id.*

The mother's proposed visitation arrangement, should the Court approve of her relocation plan, is that the child's father would have reduced visitation/custody at the rate of two weekends per month, as opposed to the current visitation schedule. Currently, the father has visitation each weekend from Friday at 10:30 a.m. until Sunday at 7:00 p.m.⁶ The mother testified that visitation with the father during the week would be too disruptive of the child's established routine. The mother proposed she would transport the child to Erie when she visits her own mother. The mother believes the father is also capable of traveling to Cleveland for visitation. The mother proposes the child's maternal grandfather, who lives in Cleveland, would be the "go-between" for the child.

There is no doubt difficulties would be presented in shifting the parties' current visitation arrangements to account for the geographical distance between Erie and Cleveland and to account for this child's special needs. The father's former weekly visitation may well need to give way to an altered schedule that allows for less frequent but more extended contact between parent and child. *See Gruber*, at 185, 439. "[T]he necessity of shifting visitation arrangements to account for geographical distances will not defeat a move which has been shown to offer real advantages to the custodial parent and the children." *Id.*

However, shifting visitation arrangements, at least during the school year, may not be ideal from the perspective of the child's needs. The mother testified that, in her view, visitation with the father during the week would be too disruptive for the child. Without more information concerning how the child's educational and developmental needs would be met in Cleveland, the Court is unable to make a determination as to whether the schedule for school and other programming can or should be disrupted for visitation during the week.

On the other hand, continuation of the present visitation schedule if the mother were granted permission to relocate to Cleveland may be disruptive. The proposed relocation raised issues of hardship to the parties and the child in traveling and questions about whether the parties could maintain the father's current weekly visitation rights. The practicalities of the situation may require a reduction in the number of weekends the father is awarded visitation. However, without evidence of where in Cleveland the mother intends to live, where she plans to

⁶ The mother testified the father does not exercise his visitation rights one weekend per month due to his commitment to the military. As additional rationale for reducing the father's weekend visitation, the mother testified she would like to see the child on weekends.

send the child to school and the time requirements to address this child's special developmental and educational needs, the Court is unable to fashion a meaningful, realistic, long-distance visitation schedule. For the foregoing reasons, the Court finds that, under the third and last *Gruber* factor, it is not in this child's best interests for the Court to grant the mother's relocation request at this time.

CONCLUSION

The Petitioner has failed to meet her burden of proof in showing that the move is likely to significantly improve the quality of life for the child and is in the best interests of the child. The mother and father have met their respective burdens in establishing the integrity of their motives in seeking to relocate and in opposing the relocation request. Due to unknown variables pertaining to the meeting of the child's special needs in Cleveland, Ohio, the Court is presently unable to address the availability of realistic, substitute visitation arrangements which will adequately foster an ongoing relationship between the child and her father. Therefore, the Petitioner's request to relocate is denied. The Petitioner is not precluded from presenting a petition to relocate in the future.

An Order will follow consistent with the above.

ORDER

AND NOW, to-wit, this 10th day of March, 2010, after a hearing on February 11, 2010 on the Request for Adversarial Hearing of the Defendant, Brittany Frisco, and in consideration of the best interests of the child, Amaria Stovall, it is hereby **Ordered** that the request for relocation and change in time/length/number of visits is **Denied**.

BY THE COURT:

/s/ **Daniel J. Brabender, Jr., Judge**

BANKRUPTCY NOTICE

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

IN RE: WALTER ROTTHOFF
and VIRGINIA L. ROTTHOFF,
Debtors

WALTER ROTTHOFF and
VIRGINIA L. ROTTHOFF,
Movants
vs.

RONDA WINNECOUR, ESQ.,
CHAPTER 13 TRUSTEE
Bankruptcy Case No. 10-10427-TPA
NOTICE OF SALE

Notice is hereby given that the
Debtors in the above-captioned
proceeding intend to sell the
personal property formerly utilized
in the business operations of
Rotthoff's Strawberry Farms.

PRICE: Highest Bidder at Public
Auction

HEARING AND LOCATION:
June 23, 2010 at 2:30 p.m.
before Chief Judge Agresti, U.S.
Courthouse, Bankruptcy Court, 17
South Park Row, Erie, PA 16501.

OBJECTION DEADLINE: June 20,
2010, or thereafter as the Court
permits, with a copy to Debtors'
undersigned counsel.

PUBLIC AUCTION DATE,
TIME & LOCATION: **5:00 P.M.**
Wednesday July 14, 2010 at 13828
Route 8, Wattsburg, PA 16442.

TERMS & CONDITIONS:

(a) "as-is, where is and with all
faults";

(b) all cash or check on date of
auction, no financing contingencies,

PROPERTY TO BE SOLD: : a
1979 Ford F-350 Lariat EX cab
4x4 VIN X36SKDG7854, Clark
forklift, 4 row transplanter (2
mechanical – 2 Holland), 2 wheel
lawn cart, aluminum irrigation
npipe 14 sections 8" x 20' 2" 3"
& 6" connectors, sprinkler heads,
craftsman mulcher, 10' roller
section, berry carriers (100),
craftsman radial arm saw, power
mower, green machine weed
wacker, Lincoln 225 amp welder,
vice, floor drill press, banding
machine, draw bar seeder, lawn lime
sewer, 10' aluminum truck ramp,
tool bar, pipe fittings and wrenches,

several pallets, hydraulic pump,
trunks, desk, antique tools, hand and
power tools, washer and gas dryer,
GE refrigerator, log chains, binders,
several electric fence post, and other
miscellaneous items.

FOR INFORMATION: Contact
Debtors' undersigned counsel at
(814) 459-5557.

Melaragno & Placidi
John C. Melaragno, Esq.
P.A. I.D. No. 80207
502 West Seventh Street
Erie, PA 16502
johnm@mplegal.com
Phone: (814) 459-5557

Jun. 11

CERTIFICATE OF AUTHORITY

Notice is hereby given that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on May 19, 2010 by Darden Restaurants of PA Merger Corp., a foreign corporation formed under the laws of the State of Delaware where its principal office is located at 3411 Silverside Rd., Rodney Bldg., #104, Wilmington DE 19810, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988. The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Erie County.

Jun. 11

CERTIFICATE OF AUTHORITY

Notice is hereby given that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on April 14, 2010, by Ranger Fire, Inc., a foreign corporation formed under the laws of the State of Texas, where its principal office is located at 920 S. Main, Suite 200, Grapevine, TX 76051, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988. The registered agent in Pennsylvania is C T Corporation Systems in Dauphin County of Pennsylvania.

Jun. 11

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA

No. 12308-10
IN RE: NICOLE ELAINE KLOSS NOTICE is hereby given that on May 26, 2010, a Petition was filed in the above named Court requesting an order to change the name of Nicole Elaine Kloss to Nicole Elaine Smith.

A hearing will be held on July 29, 2010 at 9:00 a.m. in Courtroom 208

B of the Erie County Courthouse, 140 West 6th Street, Erie, PA 16501, when and where all interested parties may appear and show cause, if any, why the prayer of the Petitioner should not be granted.

Jun. 11

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA CIVIL DIVISION
NO.: 12283-10

Notice is hereby given that the petition for change of name of Stephanie Marie Lavelle was filed on May 24, 2010, praying for a decree to change her name to Stephanie Marie Powell. The Court has fixed July 19, 2010, at 9:00 a.m., in Courtroom No. I-217 Erie County Courthouse, 140 W. 6th Street, Erie, Pennsylvania 16501 for hearing. All persons interested may appear and show cause, if any that they have, why the prayer of said Petition should not be granted.

L. Dawn Haber, Esquire
345 Southpointe Blvd., Suite 100
Canonsburg, PA 15317
724.514.1001

Jun. 11

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 or Fictitious Name." Said Certificate contains the following information:

FICTITIOUS NAME NOTICE

1. The fictitious name is: Commercial Driving Institute
2. The address of the principal place of business: 5757 West Ridge Road, Erie, PA 16506-1013
3. The name and the address of the entity filing the registration: Tri-State Computer Institute, Inc. 5757 West Ridge Road, Erie, PA 16506-1013
4. The Application for Registration of Fictitious Name was filed with the Pennsylvania Department of State under the Fictitious Name Act on May 17, 2010.

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

Jun. 11

FICTITIOUS NAME NOTICE

1. Fictitious Name: TRS Pennsylvania Homes
2. Principal place of business: 8158 Bargain Rd., McKean, PA 16426
3. Name and address of the party to the registration: R.E. Fund Sky Harbor TRS, Inc., 560 Oakwood Avenue, Lake Forest, IL 60045
4. The Application for Registration of a Fictitious Name was filed with the Pennsylvania Department of State under the Fictitious Names Act on or about May 25, 2010.

Jun. 11

INCORPORATION NOTICE

Notice is hereby given that Fisk Company, Inc. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988. Michael A. Agresti, Esquire
4934 Peach Street
Erie, PA 16509

Jun. 11

INCORPORATION NOTICE

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

Jun. 11

DISSOLUTION NOTICE

TO ALL CREDITORS OF THE GEORGETOWN HEIGHTS SUBDIVISION ASSOCIATION:

This is to notify you that The Georgetown Heights Subdivision Association, a Pennsylvania nonprofit corporation with its registered office located at 8621 Maplecrest Drive, McKean, Pennsylvania 16426, is dissolving and winding up its business under the provisions of the Nonprofit Corporation Law of 1988, as amended.

Elliott J. Ehrenreich, Esquire
Knox McLaughlin Gornall & Sennett, P.C.
120 West Tenth Street
Erie, PA 16501-1461

Jun. 11

DISSOLUTION NOTICE

Notice is hereby given that the shareholders and directors of P & P ANESTHESIA SERVICES INC., a Pennsylvania corporation (the "Corporation"), with a registered address of 12275 Cole Road, North East, PA 16428, have approved a plan and proposal that the Corporation voluntarily dissolve, and that the Board of Directors is now engaged in winding up and settling the affairs of the Corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

Knox McLaughlin Gornall & Sennett, P.C.

120 West Tenth Street
Erie, Pennsylvania 16501

Jun. 11

LEGAL NOTICE

TO: John Doe Father of Rosealena Marie Jenkins

Please be advised that a Petition for Name Change in regard to your minor daughter, Rosealena Marie Jenkins, born to Melanie Su Jenkins in Erie, Pennsylvania, on March 15, 1995 has been filed in the Erie County Court of Common Pleas on June 1, 2010. A hearing will be held in the Court of Common Pleas of Erie County, Pennsylvania, at the Erie County Courthouse, 140 West Sixth Street, Erie, Pennsylvania 16501, before the Honorable Michael Dunlavey on the 17th day of June, 2010 at 9:00 a.m. in Courtroom I, Room 217. If you wish to object to the same your presence is required.

Any questions may be directed to Kari A. Froess, Esquire at 254 West Sixth Street, Erie, Pennsylvania 16507, (814) 453-5004.

Jun. 11

LEGAL NOTICE

TO: Melanie Su Jenkins, Mother of Rosealena Marie Jenkins

Please be advised that a Petition for Name Change in regard to your minor daughter, Rosealena Marie Jenkins, born to Melanie Su Jenkins in Erie, Pennsylvania, on March 15, 1995 has been filed in

the Erie County Court of Common Pleas on June 1, 2010. A hearing will be held in the Court of Common Pleas of Erie County, Pennsylvania, at the Erie County Courthouse, 140 West Sixth Street, Erie, Pennsylvania 16501, before the Honorable Michael Dunlavey on the 17th day of June, 2010 at 9:00 a.m. in Courtroom I, Room 217. If you wish to object to the same your presence is required.

Any questions may be directed to Kari A. Froess, Esquire at 254 West Sixth Street, Erie, Pennsylvania 16507, (814) 453-5004.

Jun. 11

LEGAL NOTICE

TO: John Doe Father of Rosealena Marie Jenkins

Please be advised that a Petition for Guardianship in regard to your minor daughter, Rosealena Marie Jenkins, born to Melanie Su Jenkins in Erie, Pennsylvania, on March 15, 1995 has been filed in the Erie County Court of Common Pleas on May 27, 2010. A hearing will be held in the Court of Common Pleas of Erie County, Pennsylvania, at the Erie County Courthouse, 140 West Sixth Street, Erie, Pennsylvania 16501, before the Honorable Stephanie Domitrovich on the 2nd day of July, 2010 at 11:45 a.m. in Courtroom G, Room 222. If you wish to object to the same your presence is required.

Any questions may be directed to Kari A. Froess, Esquire at 254 West Sixth Street, Erie, Pennsylvania 16507, (814) 453-5004.

Jun. 4, 11, 18

LEGAL NOTICE

TO: Melanie Su Jenkins, Mother of Rosealena Marie Jenkins

Please be advised that a Petition for Guardianship in regard to your minor daughter, Rosealena Marie Jenkins, born to Melanie Su Jenkins in Erie, Pennsylvania, on March 15, 1995 has been filed in the Erie County Court of Common Pleas on May 27, 2010. A hearing will be held in the Court of Common Pleas of Erie County, Pennsylvania, at the Erie County Courthouse, 140 West Sixth Street, Erie, Pennsylvania 16501,

before the Honorable Stephanie Domitrovich on the 2nd day of July, 2010 at 11:45 a.m. in Courtroom G, Room 222. If you wish to object to the same your presence is required. Any questions may be directed to Kari A. Froess, Esquire at 254 West Sixth Street, Erie, Pennsylvania 16507, (814) 453-5004.

Jun. 4, 11, 18

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 Thermal Learning System, Pro V10 Two Post Lift, and Paper Towels and Toilet Tissues, up to Thursday, June 24, 2010 at 12:00 p.m., Daylight Savings Times, and will be opened in the Board Room on Thursday, June 24, 2010, at 1:30 p.m. in accordance with the bid forms and specifications to be obtained from the Purchasing Department.

Robin Smith
Secretary

Jun. 4, 11, 18



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Michael Ocilka, CLTC

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Erie, PA 16505

Phone: (814) 833-5433
Fax: (814) 838-6172
Email: ealthof@LSinsure.com

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 18, 2010
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 28 and Jun. 4, 11

SALE NO. 1

Ex. #10059 of 2010
**AMERICAN GENERAL
CONSUMER DISCOUNT
COMPANY, Plaintiff**

v.

**REO ADKINS and
RODERICK ADKINS,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10059-2010; American General Consumer Discount Company vs. Roderick Adkins and Reo Adkins, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 712 East 21st Street Parcel contains 0.1085 acres of land Assessment Map Number:

(18) 5029-204
Assessed Value Figure: \$28,350.00
Improvement thereon: two-story frame dwelling
William T. Morton, Esq.
Attorney for Plaintiff
3213 West 26th Street
Erie, PA 16506
(814) 836-1011

May 28 and Jun. 4, 11

SALE NO. 2

Ex. #10060 of 2010
**AMERICAN GENERAL
CONSUMER DISCOUNT
COMPANY, Plaintiff**

v.

LOUIS W. JOHNSON, JR.,

Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10060-2010 American General Consumer Discount Company vs. Louis W. Johnson, Jr.

Louis W. Johnson, Jr., owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 852 East 23rd Street, Erie, Pennsylvania 16503

Parcel contains 0.0788 acres of land Assessment Map Number: 18-5034-234

Assessed Value Figure: \$39,702.60
Improvement thereon: Two story frame dwelling
William T. Morton, Esq.
Attorney for the Plaintiff

3213 West 26th Street
Erie, PA 16506

(814) 836-1011

May 28 and Jun. 4, 11

SALE NO. 3

Ex. #12595 of 2009
**GREENFIELD INVESTMENT
COMPANY, Plaintiff**

v.

DAVID A. KELLOGG,

Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 12595-09, Greenfield Investment Company v. David A. Kellogg, owner of property situated in Summit Township, Erie County, Pennsylvania, on Old Oliver Road and bearing approximately 2.011 acres.

Assessment Map number:

(40) 17-73-208
Assessed Value figure: \$73,800.00
Improvement thereon: Vacant Land Elderkin, Martin, Kelly & Messina Joseph T. Messina, Esquire
PA I.D. No. 6574
Attorney for Plaintiff
150 East Eighth Street
Erie, Pennsylvania 16501
(814) 456-4000

May 28 and Jun. 4, 11

SALE NO. 4

Ex. #10391 of 2010
**Northwest Savings Bank
v.**

Vernon W. Lilly

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 10391-2010, Northwest Savings Bank vs. Vernon W. Lilly, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 356 West 23rd Street, Erie, Pennsylvania.

33' X 125' X 33' X 125'
Assessment Map Number:

(19) 6011-222
Assessed Value Figure: \$35,000.00
Improvement Thereon: Residence Kurt L. Sundberg, Esq.
Marsh Spaeder Baur Spaeder & Schaff, LLP
Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

May 28 and Jun. 4, 11

SALE NO. 6

Ex. #15659 of 2009
**NORTHWEST CONSUMER
DISCOUNT COMPANY, d/b/a
ERIE CONSUMER DISCOUNT
COMPANY, Plaintiff**

v.

**CHARLES M. FARRELL and
CRISTLE L. FARRELL, his
wife, Defendants**

ADVERTISING DESCRIPTION

By virtue of Writ of Execution filed to No. 2009-15659 NORTHWEST CONSUMER DISCOUNT COMPANY, d/b/a ERIE CONSUMER DISCOUNT COMPANY vs. CHARLES M. FARRELL and CRISTLE L. FARRELL, owners of the property situate in City of Erie, Erie County, as follows:

Address: 531-533 EAST 10TH

STREET, ERIE, PA
 Assessment Map No.: (15) 2027-216
 Assessed Value Figure: \$39,000.00
 Improvement Thereon: Two Story
 Frame Building and Frame Garage
 Stephen H. Hutzelman, Esq.
 305 West Sixth Street
 Erie, PA 16507
 (814) 452-6800
 PA ID# 06541

May 28 and Jun. 4, 11

SALE NO. 7

Ex. #12321 of 2009

**Wells Fargo Bank, National
 Association, as Trustee for
 Merrill Lynch Mortgage
 Investors Trust Mortgage Loan
 Asset-Backed Certificates, Series
 2004-OPT1, Plaintiff**

v.

Denise M. Bender, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Borough of Girard, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at the southwesterly corner of the piece at a point in the relocated centerline of the Old Ridge Road distant thereon the following two courses and distances from its intersection with the westerly line of the Borough of Girard, viz; thence along the centerline of said highway, along the arc of a curve to the left having a radius of 674.69 feet, the chord of which bears North 42° 40' 55" East, 63.16 feet, 63.18 feet to the original southwesterly corner of the whole piece; and continuing along the arc of said curve, the chord of which bears North 36° 36' East, 80.64 feet, an arc distance of 80.70 feet, said point also being the northwesterly corner of a 1.052 acre parcel of land heretofore conveyed to Kenneth W. and Janice J. Borland; thence continuing along the arc of said curve having a radius of 674.69 feet; the chord of which bears North 31° 21' 10" East, 42.32 feet, forty-two and thirty-three hundredths (42.33) feet to a point of compound curve; thence continuing along the centerline of the Old Ridge Road, along the arc of a curve to the left having a radius of 3755.86 feet, the chord of which bears North 28° 43'

43" East, one hundred eight and forty-two hundredths (108.42) feet to the southwesterly corner of Girard Plastics; thence along said land South 60° 31' East, thirty-nine and fifty-three hundredths (39.53) feet to an iron survey point; thence by the same South 22° 39' West, twelve and no one hundredths (12.00) feet to an iron survey point; thence by the same South 60° 31' East, two hundred seventy-five and fifty-five hundredths (275.55) feet to an iron survey point and continuing along land of Girard Plastics South 29° 29' West, one hundred seventy-four and ninety-four hundredths (174.94) feet to an iron survey point at the northeasterly corner of aforesaid 1.052 acres parcel of land heretofore conveyed to Kenneth W. and Jance [sic] J. Borland; thence along said land for the following three courses and distances, viz; North 61° 30' 30" West, one hundred forty and thirty-three hundredths (140.33) feet to an iron survey point; North 28° 46' 40" West, sixty-two and forty-three hundredths (62.43) feet to an iron survey point; and North 57° 51' 40" West, passing over an iron survey point at distance of 24.8 feet, one hundred twenty-three and no one hundredths (123.00) feet to the place of beginning and having a two-story frame dwelling, frame barn and appurtenances erected thereupon. Being commonly known as 711 Old Ridge Road, Girard, Pennsylvania. Subject to all restrictions, easements, right of ways, building lines, leases, and/or gas leases of record and to all easements and right of ways visible and discoverable upon an inspection of the premises.
 BEING KNOWN AS: 711 OLD RIDGE ROAD, GIRARD, PA 16417
 PROPERTY ID NO.: 23-16-53-1
 TITLE TO SAID PREMISES IS VESTED IN Denise M. Bender by Deed from Denise M. Bender and Edward J. Tome, her husband dated 7/16/01 recorded 7/20/01 in Deed Book 794 Page 521.
 Mark J. Udren, Esquire
 Udren Law Offices, P.C.
 Woodcrest Corporate Center
 111 Woodcrest Road, Suite 200
 Cherry Hill, NJ 08003-3620
 856-669-5400

May 28 and Jun. 4, 11

SALE NO. 8

Ex. #10177 of 2010

**Household Finance Consumer
 Discount Company, Plaintiff**

v.

**Terry K. Dimperio
 Camella S. Dimperio,
 Defendant(s)**

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Borough of North East, County of Erie and Commonwealth of Pennsylvania, more particularly bounded and described as follows, to-wit: BEGINNING at an iron pin at the intersection of the north line of Lincoln Street with the west line of Center Street; thence westerly along the north line of Lincoln Street, sixty-six (66) feet to an iron pin; thence northerly parallel with the west line of Center Street, one hundred sixty-five (165) feet to an iron pin; thence easterly parallel with the north line of Lincoln Street, sixty-six (66) feet to an iron pin on the west line of Center Street; thence southerly along the west line of Center Street, one hundred sixty-five (165) feet to a point and the place of beginning.
 BEING KNOWN AS PARCEL 35-6-24-31
 BEING KNOWN AS: 26 LINCOLN STREET, NORTH EAST, PA 16428
 PROPERTY ID NO.: 35-6-24-31
 TITLE TO SAID PREMISES IS VESTED IN Terry K. Dimperio and Camella S. Dimperio, his wife, as Tenants by the Entireties with the Right of Survivorship by Deed from Peter D. Adams, single dated 5/6/94 recorded 5/6/94 in Deed Book 333 Page 191.
 Mark J. Udren, Esquire
 Udren Law Offices, P.C.
 Woodcrest Corporate Center
 111 Woodcrest Road, Suite 200
 Cherry Hill, NJ 08003-3620
 856-669-5400

May 28 and Jun. 4, 11

SALE NO. 10

Ex. #10543 of 2010

**Wells Fargo Bank, N.A. as
 Trustee for Option One Mortgage
 Loan Trust 2005-2 Asset-Backed
 Certificates, Series 2005-2,
 Plaintiff**

v.

James Myers

Kimberly Myers, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in Township of Elk Creek, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point on the centerline of the Kidder Road, said point being the southwest corner of lands conveyed to Ellis L. Herring and wife by Deed recorded in Erie County Deed Book 984 and Page 635, and said point being four hundred and sixty-seven (467) feet west of the point of intersection of the centerline of the Kidder Road and the west line of Miller Road; thence north zero (0) degrees forty-five (45) feet east, along the west line four hundred and ninety two (492) feet to a point and point being the northwest corner of said Herring Land as described in Erie County Deed Book 984 at Page 635; thence westerly, parallel with the centerline of the Kidder Road and four hundred and ninety-two (492) feet distant therefrom, two hundred seventy-five (275) feet more or less to a point in the west line of lands conveyed to Glenn T. Griffis and wife by Deed recorded in Erie Deed Book 898 at Page 324; thence south along the west line of said Griffis Lands, four hundred ninety-two (492) feet more or less to the centerline of the Kidder Road; thence along the centerline to the place of beginning; containing two and three fourths (2 ¾) acres more or less having erected thereon a dwelling house with storage shed; and being more commonly known as 9750 Kidder Road, Cranesville, Pennsylvania 16410. Being further identified as Erie County Tax Identification No. (13) 1-11-6.02 BEING KNOWN AS: 9750 KIDDER ROAD (ELK CREEK TOWNSHIP), CRANESVILLE, PA 16410 PROPERTY ID NO.: 13-1-11-6.02 TITLE TO SAID PREMISES IS VESTED IN James Myers and Kimberly Myers, his wife by Deed from Frank L. Hillman and Linda R. Hillman, his wife dated

12/23/04 recorded 12/28/04 in Deed Book 1200 Page 469.

Udren Law Offices, P.C.
Attorneys for Plaintiff

Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

May 28 and Jun. 4, 11

SALE NO. 11

Ex. #12502 of 2009

**HSBC Mortgage Services, Inc.,
Plaintiff**

v.

Dr. Frank J. Taylor

Mary Jane Taylor, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in Tract 289 in the Township of Fairview, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

BEING Lot No. One (1) of Pine Tree Subdivision, as recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Erie County Map Book 15 at Page 206, reference to which is hereby made for a more complete description of said Lot.

This conveyance is subject to a Joint Use Agreement by and among first parties herein and Arnold E. Bergquist and Marilyn R. Bergquist, his wife and Jack R. Foht and Ann Foht, his wife, with respect to Lots One, Two and Three (1, 2, and 3) of Pine Tree Subdivision, recorded or intended to be recorded at or about the recording hereof in Erie County, Pennsylvania.

This conveyance is subject to mortgages and encumbrances of record.

BEING KNOWN AS: 80 LORD ROAD, FAIRVIEW, PA 16415
PROPERTY ID NO.: 21-13-11-12-04
TITLE TO SAID PREMISES IS VESTED IN Dr. Frank J. Taylor and Mary Jane Taylor, his wife by Deed from Dr. Frank J. Taylor and Mary Jane Taylor, his wife, dated 06/06/1978 Recorded 06/06/1978 in Deed Book 1311 Page 434.

Mark J. Udren, Esquire
Udren Law Offices, P.C.

Woodcrest Corporate Center
111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620
856-669-5400

May 28 and Jun. 4, 11

SALE NO. 12

Ex. #15520 of 2009

Marquette Savings Bank

v.

**Richard A. Shade and
Deborah A. Shade**

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 15520-2009, Marquette Savings Bank vs. Richard A. Shade and Deborah A. Shade, owners of property situate in Summit Township, Erie County, Pennsylvania being: 8530 Oliver Road, Erie, Pennsylvania.

1.52 acres

Assessment Map Number:
(40) 17-80-1.01

Assessed Value Figure: \$176,150.00

Improvement Thereon: Residence
Donald F. Fessler, Jr., Esq.

Marsh Spaeder Baur Spaeder
& Schaaf, LLP

Suite 300, 300 State Street

Erie, Pennsylvania 16507

814-456-5301

May 28 and Jun. 4, 11

SALE NO. 14

Ex. #15562 of 2009

**PNC BANK, NATIONAL
ASSOCIATION, Plaintiff**

v.

**Gerald A. SanFelice, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2009-15562 PNC Bank, National Association vs. Gerald A. SanFelice, owner(s) of property situated in Borough of Lake City, Erie County, Pennsylvania being 2218 Rice Avenue, Lake City, PA 16423

0.3610 Acres

Assessment Map number:
(28) 13-23.2

Assessed Value figure: \$148,400.00
Improvement thereon: Residential
Dwelling

Michael C. Mazack, Esq.
1500 One PPG Place

Pittsburgh, PA 15222
(412) 594-5506

May 28 and Jun. 4, 11

SALE NO. 15
Ex. #13549 of 2009
DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE UNDER POOLING AND SERVICING AGREEMENT DATED AS OF JANUARY 1, 2006 MORGAN STANLEY ABS CAPITAL I INC. TRUST 2006-NC1 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-NC1, PLAINTIFF
v.
VINCENT J. ALBANO, TERESA I. ALBANO, AND THE UNITED STATES INTERNAL REVENUE SERVICE, DEFENDANTS
SHORT PROPERTY
DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania and being further described as follows:

ALL THAT CERTAIN piece or parcel bounded and described as Lots 22, 23 and 24 in Block "S" of the Bayview Subdivision of Tracts 34 and 62 as further shown in Map Book 1, pages 272 and 273.

DWELLING KNOWN AS 1285 EAST 37TH STREET, ERIE, PA 16504

IDENTIFIED as TAX/PARCEL ID#: 18-052-014-0-006.00 in the Deed Registry Office of Erie County, Pennsylvania

Daniel J. Mancini, Esquire

Attorney for Plaintiff

201A Fairview Drive
 Monaca, PA 15061

May 28 and Jun. 4, 11

SALE NO. 16
Ex. #14890 of 2007
DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE, PLAINTIFF
v.
KAREN L. TUSZYNSKI AND KENNETH R. TUSZYNSKI, JR., DEFENDANTS
SHORT PROPERTY
DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Wayne, County of Erie and

Commonwealth of Pennsylvania, bounded and described as follows to-wit: Commencing at the point of intersection of the centerline of Donation Road a distance of 702.53 feet to a point.

DWELLING KNOWN AS 16843 DONATION ROAD, CORRY, PA 16407

IDENTIFIED AS TAX/PARCEL ID#: (49) 8-22-1.06 in the Deed Registry Office of Erie County, Pennsylvania.

Daniel J. Mancini, Esquire

Attorney for Plaintiff

201A Fairview Drive

Monaca, PA 15061

May 28 and Jun. 4, 11

SALE NO. 17
Ex. #15394 of 2009
US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2007-AHL1, Plaintiff
v.
DOROTHY BAKER A/K/A DOROTHY D. LADOW, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15394-09

US BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES 2007-AHL1 vs. DOROTHY BAKER A/K/A

DOROTHY D. LADOW

Amount Due: \$80,914.40

DOROTHY BAKER A/K/A DOROTHY D. LADOW, owner(s)

of property situated in the 5TH WARD OF THE CITY OF ERIE, Erie County, Pennsylvania being 936 EAST 28TH STREET, ERIE, PA 16504-1306

Dimensions: 37 X 127.75

Acreeage: 0.1085

Assessment Map number: 18050052013000

Assessed Value: \$53,090.00

Improvement thereon: residential Phelan Hallinan & Schmieg, LLP

One Penn Center at Suburban

Station, Suite 1400

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

(215) 563-7000

May 28 and Jun. 4, 11

SALE NO. 18
Ex. #10039 of 2010
U.S. BANK, NATIONAL ASSOCIATION, AS SUCCESSOR TRUSTEE TO BANK OF AMERICA, N. A. AS SUCCESSOR BY MERGER TO LASALLE BANK N.A., AS TRUSTEE FOR MERRILL LYNCH FIRST FRANKLIN MORTGAGE LOAN TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-2, Plaintiff
v.
BETTY A. BOLLA MICHAEL BOLLA, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10039-2010

U.S. BANK, NATIONAL ASSOCIATION, AS SUCCESSOR TRUSTEE TO BANK OF AMERICA, N. A. AS SUCCESSOR BY MERGER TO LASALLE BANK N.A., AS TRUSTEE FOR MERRILL LYNCH FIRST FRANKLIN MORTGAGE LOAN TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-2 vs. BETTY A. BOLLA and MICHAEL BOLLA

Amount Due: \$74,224.38

BETTY A. BOLLA and MICHAEL BOLLA, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 821 WEST 29TH STREET, ERIE, PA 16508-3217

Dimensions: 30x92

Acreeage: 0.0634

Assessment Map number: 19-6042-210

Assessed Value: \$49,680.00

Improvement thereon: Residential Phelan Hallinan & Schmieg, LLP

One Penn Center at Suburban

Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

May 28 and Jun. 4, 11

SALE NO. 19
Ex. #15805 of 2009
PHH MORTGAGE CORPORATION, Plaintiff
v.

May 28 and Jun. 4, 11

ERIC B. BORING, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15805-09
PHH MORTGAGE CORPORATION vs. ERIC B. BORING
Amount Due: \$62,341.72
ERIC B. BORING, owner(s) of property situated in the City of Erie, Erie County, Pennsylvania being 212 EAST 30TH STREET, ERIE, PA 16504-1020
Dimensions: 30 x 135
Acreage: 0.0930
Assessment Map number: 18-050-082.0-129.00
Assessed Value: \$41,520.00
Improvement thereon: Residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000
May 28 and Jun. 4, 11

SALE NO. 21

Ex. #13311 of 2009
NATIONAL CITY REAL ESTATE SERVICES LLC, S/B/M TO NATIONAL CITY MORTGAGE, INC, F/K/A NATIONAL CITY MORTGAGE CO., Plaintiff
v.
LARRY P. DIANGI A/K/A LARRY DIANGI
JULIE M. DIANGI, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13311-09
NATIONAL CITY REAL ESTATE SERVICES LLC, S/B/M TO NATIONAL CITY MORTGAGE, INC, F/K/A NATIONAL CITY MORTGAGE CO. vs. LARRY P. DIANGI A/K/A LARRY DIANGI and JULIE M. DIANGI
Amount Due: \$104,315.91
LARRY P. DIANGI A/K/A LARRY DIANGI and JULIE M. DIANGI, owner(s) of property situated in TOWNSHIP OF SPRINGFIELD, Erie County, Pennsylvania being 11883 RIDGE ROAD, SPRINGFIELD, PA 16411
Acreage: 3.24
Assessment Map number: 39-041-012.0-001.00

Assessed Value: \$90,350.00
Improvement thereon: Residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000
May 28 and Jun. 4, 11

SALE NO. 23

Ex. #10206 of 2010
GMAC MORTGAGE, LLC F/K/A GMAC MORTGAGE CORPORATION, Plaintiff
v.
HELEN M. PALMER
JAMES P. PALMER, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10206-10
GMAC MORTGAGE, LLC F/K/A GMAC MORTGAGE CORPORATION vs. HELEN M. PALMER and JAMES P. PALMER
Amount Due: \$177,723.73
HELEN M. PALMER and JAMES P. PALMER, owner(s) of property situated in the TOWNSHIP OF HARBORCREEK, Erie County, Pennsylvania being 2608 PARKER AVENUE, ERIE, PA 16510-2038
Dimensions: 60 x 125
Acreage: 0.1625
Assessment Map number: 27052161000201
Assessed Value: \$79,560.00
Improvement thereon: residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000
May 28 and Jun. 4, 11

SALE NO. 24

Ex. #13865 of 2009
GMAC MORTGAGE, LLC, Plaintiff
v.
ERIC A. PETROFF
KELLI R. PETROFF, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13865-09
GMAC MORTGAGE, LLC vs. ERIC A. PETROFF and KELLI R.

PETROFF
Amount Due: \$69,734.61
ERIC A. PETROFF and KELLI R. PETROFF, owner(s) of property situated in TOWNSHIP OF MILLCREEK, Erie County, Pennsylvania being 5640 OLD ZUCK ROAD, ERIE, PA 16506-5033
Dimensions: 90.56 x 293 Irr.
Acreage: 0.5952
Assessment Map number: 33-140-554.0-011.00
Assessed Value: \$97,140.00
Improvement thereon: Residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000
May 28 and Jun. 4, 11

SALE NO. 25

Ex. #10132 of 2010
WELLS FARGO BANK, N.A., Plaintiff
v.
LINDA L. SANDERSON, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10132-2010
WELLS FARGO BANK, N.A. vs. LINDA L. SANDERSON
Amount Due: \$53,334.66
LINDA L. SANDERSON, owner(s) of property situated in the CITY OF ERIE, Erie County, Pennsylvania being 3009 - 3011 PINE AVENUE, ERIE, PA 16504-1155
Dimensions: 41.04 x 199.1
Acreage: 0.1876
Assessment Map number: 18-050-076.0-120.00
Assessed Value: \$51,350.00
Improvement thereon: Residential Phelan Hallinan & Schmiegl, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000
May 28 and Jun. 4, 11

SALE NO. 26

Ex. #10178 of 2010
JPMC SPECIALTY MORTGAGE, LLC, Plaintiff
v.

**JENNIFER SMITH A/K/A
JENNIFER MIKOLAJCZYK,
Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10178-10
JPMC SPECIALTY MORTGAGE, LLC vs. JENNIFER SMITH A/K/A JENNIFER MIKOLAJCZYK
Amount Due: \$59,181.17
JENNIFER SMITH A/K/A JENNIFER MIKOLAJCZYK, owner(s) of property situated in the 5TH WARD OF THE CITY OF ERIE, Erie County, Pennsylvania being 923 EAST 27TH STREET, ERIE, PA 16504-2903
Dimensions: 38 X 127.75
Acreage: 0.1115
Assessment Map number: 18050052011500
Assessed Value: \$45,120.00
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000

May 28 and Jun. 4, 11

SALE NO. 28

**Ex. #15597 of 2009
CITIZENS BANK OF
PENNSYLVANIA, Plaintiff,**

v.

**RANDY L. SANFORD,
Administrator of the Estate of
Charles R. Sanford, Defendant
LEGAL DESCRIPTION**

ALL THAT CERTAIN parcel of land situated in Tract No. 362 in the Township of Greene, County of Erie and State of Pennsylvania bound and described as follows to wit:
BEGINNING at a point in the west line of Morehouse Road at the northeast corner of land conveyed by William J. Liebau, et ux, to Chester I. Alendandrowicz and Nancy L. Alendandrowicz, his wife by Deed recorded in Erie County, Pennsylvania Deed Book No. 856 Page 460;
thence north 26 degrees west along the West line of the Moorehouse Road, one hundred (100) feet to a point;
thence south 64 degrees west two hundred fifty (250) feet to a point;

thence south 26 degrees east one hundred (100) feet to a point in the northwest corner of land of Chester J. Alendandrowicz, his wife; thence north 64 degrees east along the north line of Land of Chester J. Alendandrowicz and Nancy L. Alendandrowicz, his wife, two hundred fifty (250) feet to the place of beginning and having erected thereon a one-story frame dwelling with attached garage, situate on the west side of Morehouse Road.

BEING further identified as County of Erie Tax Index Number (25) 2-6-10.

BEING the same property which Charles R. Sanford, Ruth E. Sanford, Henry Sanford, Mable Sanford by Deed dated November 10, 1964, and recorded with the Erie County Recorder of Deeds Office on November 11, 1964, in Deed Book 906 Page 502, granted and conveyed unto Charles R. Sanford and Ruth E. Sanford, his wife (both now deceased).

Parcel No. 25-002-006.0-010.00
COMMONLY KNOWN AS: 8330 Morehouse Road, Erie, PA 16509.
Lauren Berschler Karl, Esquire
355 Fifth Avenue, Suite 400
Pittsburgh, PA 15222
412-232-0808

May 28 and Jun. 4, 11

SALE NO. 29

**Ex. #10031 of 2010
U.S. BANK NATIONAL
ASSOCIATION TRUSTEE
FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
Plaintiff**

v.

**JOETTE D. O'NEAL F/K/A
JOETTE D. SCHICK,
Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 10031-10 U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. JOETTE D. O'NEAL F/K/A JOETTE D. SCHICK, Defendants
Real Estate: 3102 PLUM STREET, ERIE, PA
Municipality: CITY OF ERIE
Erie County, Pennsylvania
Dimensions: 34 ft. x 80 ft.

See Deed Book 1020, Page 0546
Tax I.D. (19) 6040-107
Assessment: \$12,500. (Land)
\$48,020. (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 28 and Jun. 4, 11

SALE NO. 30

**Ex. #14871 of 2009
DEUTSCHE BANK NATIONAL
TRUST COMPANY ON
BEHALF OF LSF6 MERCURY
REO INVESTMENTS TRUST
SERIES 2008-1, Plaintiff
v.
JOANNE WILLIAMS,
JOSEPH WILLIAMS AND
MELISSA HOPE WILLIAMS
N/K/A MELISSA H. WARDELL,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution No. 14871-09 DEUTSCHE BANK NATIONAL TRUST COMPANY ON BEHALF OF LSF6 MERCURY REO INVESTMENTS TRUST SERIES 2008-1, Plaintiff vs. JOANNE WILLIAMS, JOSEPH WILLIAMS AND MELISSA HOPE WILLIAMS N/K/A MELISSA H. WARDELL, Defendants

Real Estate: 309-311 WEST SEVENTH STREET, ERIE, PA
Municipality: City of Erie
Erie County, Pennsylvania
Dimensions: 120 ft. x 41.25 ft.
See Deed Book 796, Page 1416
Tax I.D. (17) 040-010.0 108.00
Assessment: \$ 6,900.00 (Land)
\$76,460.00 (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 28 and Jun. 4, 11

SALE NO. 31

**Ex. #14341 of 2006
JPMorgan Chase Bank, National
Association, Plaintiff**

v.
Kevin A. Dukich and
Kimberly M. Dukich, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14341-06 JPMorgan Chase Bank, National Association vs. Kevin A. Dukich and Kimberly M. Dukich, owner(s) of property situated in Borough of Wesleyville, Erie County, Pennsylvania being 2114 Eastern Avenue, Erie, PA 16510

.2204
 Assessment Map number: 50-3-24-11
 Assessed Value figure: \$54,230.00
 Improvement thereon: a residential dwelling

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

May 28 and Jun. 4, 11

SALE NO. 32
Ex. #10429 of 2010
U.S. BANK, NATIONAL
ASSOCIATION, AS
SUCCESSOR TRUSTEE TO
BANK OF AMERICA, N.A. AS
SUCCESSOR BY MERGER
TO LASALLE BANK N.A., AS
TRUSTEE FOR MERRILL
LYNCH FIRST FRANKLIN
MORTGAGE LOAN TRUST,
MORTGAGE LOAN ASSET-
BACKED CERTIFICATES
SERIES 2007-2, Plaintiff,

v.
BECO JAHIC, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2010-10429, U.S. Bank, National Association, et al, vs. Beco Jahic, owner(s) of property situated in the Township of Millcreek, Erie County, Pennsylvania being 4113 W Lake Road.

Dimensions: 0.29 acres; 12,660 sq ft (Call Assessment (814) 451-6225 for square footage and/or acreage)
 Assessment Map Number: (33) 19-100-2.02
 Assess Value figure: \$120,128.40 (off title)
 Improvement thereon: Dwelling
 Louis P. Vitti, Esquire

Attorney for Plaintiff
 916 Fifth Avenue
 Pittsburgh, PA 15219
 (412) 281-1725
 May 28 and Jun. 4, 11

SALE NO. 33
Ex. #15050 of 2009
DEUTSCHE BANK NATIONAL
TRUST COMPANY, as trustee
for FIRST FRANKLIN
MORTGAGE LOAN TRUST
2006-FF8, ASSET-BACKED
CERTIFICATES SERIES
2006-FF8, Plaintiff,
v.
KATHEY L. THURAU and
ARTHUR V. THURAU,
Defendants
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15050-09, Deutsche Bank, National Trust Company, et al, vs. Kathey L. Thureau and Arthur V. Thureau, owner(s) of property situated in Township of Waterford, Erie County, Pennsylvania being 3989 Lowe Road, Union City, PA 16438.

Dimensions: 15 acres
 Assessment Map Number: 47005019000400
 Assess Value figure: \$54,700.00 (off title)
 Improvement thereon: Dwelling
 Louis P. Vitti, Esquire
 Attorney for Plaintiff
 916 Fifth Avenue
 Pittsburgh, PA 15219
 (412) 281-1725

May 28 and Jun. 4, 11

SALE NO. 34
Ex. #14822 of 2009
The Bank of New York Mellon
Trust Company, National
Association as grantor trustee
of the Protium Master Grantor
Trust
v.
Sharen L. Hicks, Original
Mortgagor and Real Owner
and Dennis C. Hicks, Original
Mortgagor
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14822-2009 The Bank of New York Mellon Trust Company, National Association

as grantor trustee of the Protium Master Grantor Trust vs. Sharen L. Hicks, Original Mortgagor and Real Owner and Dennis C. Hicks, Original Mortgagor, owners of property situated in Borough of North Girard, Erie County, Pennsylvania being 9994 Smith Street, Lake City, PA 16423
 Assessment Map number: 28-10-4-46
 Assessed Value figure: \$70,060.00
 Improvement thereon: Residential Dwelling
 Mary L. Harbert-Bell, Esquire
 220 Lake Drive East, Suite 301
 Cherry Hill, NJ 08002
 (856) 482-1400

May 28 and Jun. 4, 11

SALE NO. 35
Ex. #13328 of 2009
JPMORGAN CHASE
BANK, N.A., AS ACQUIRER
OF CERTAIN ASSETS
AND LIABILITIES OF
WASHINGTON MUTUAL
BANK FROM THE FEDERAL
DEPOSIT INSURANCE
CORPORATION ACTING AS
RECEIVER, Plaintiff
v.
CHRISTY BARNES
GEORGE E. BARNES JR.,
Defendant(s)
DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, being more particularly described as follows, to-wit: Being all of Lot 35 of Block "J" Map 3 of Fairville Annex No. 1 as recorded in Erie County Map Book 1 at pages 154 and 155, said premises fronting forty (40) feet on the north side of Woodlawn Avenue and having a uniform depth of one hundred twenty (120) feet. SAID premises have erected thereon a dwelling commonly known as 2234 Woodlawn Avenue, Erie, Pennsylvania and are further identified by Erie County Assessment Index Number (18) 5135-240. BEING the same premises conveyed to the Mortgagor(s) by deed which is intended to be recorded forthwith.

PROPERTY ADDRESS: 2234 Woodlawn Avenue, Erie, PA 16510
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
(215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 38

Ex. #10211 of 2010

JPMORGAN CHASE BANK, N.A., AS ACQUIRER OF CERTAIN ASSETS AND LIABILITIES OF WASHINGTON MUTUAL BANK FROM THE FEDERAL DEPOSIT INSURANCE CORPORATION ACTING AS RECEIVER F/K/A WASHINGTON MUTUAL BANK F.A., Plaintiff

v.

SAMUEL L. BUZZARD, Defendant(s)

DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being Lot Number Two Hundred Sixty-nine (269) and Two Hundred Seventy (270) of Eastholme Subdivision, being part of Tract No. 62 as shown upon a map of subdivision recorded in the Office of the Recorder of Deeds for Erie County in Map Book 1, page 401 and having erected thereon a two-family frame dwelling and garage known as 1127 East 35th Street, Erie, Pennsylvania. Bearing Erie County Tax Index No. (18) 5211-414.

TAX PARCEL #: (18) 5211 414
PROPERTY ADDRESS: 1127 East 35th Street, Erie, PA 16504
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
(215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 40

Ex. #10727 of 2010

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE

FOR THE SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST MORTGAGE LOAN ASSET-BACKED CERTIFICATES SERIES 2007-AB1, Plaintiff

v.

LESLIE K. FREEMAN MICHAEL J. FREEMAN a/k/a MIKE FREEMAN, Defendant(s)
DESCRIPTION

All that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania being a part of original Tract No. 81 and bounded and described as follows, to-wit: BEGINNING in the west line of the Lancaster Road at a point thereon which is four hundred sixty (460') feet northwardly from the intersection of the north line of the Knobloch Road with the west line of the said Lancaster Road; thence south 64 degrees and 06 minutes west, parallel with the north line of the Knobloch Road, 320 feet to a point; thence north 25 degrees and 54 minutes west, parallel with the west line of the Lancaster Road, 80 feet to a point; thence north, 64 degrees and 06 minutes east, parallel with the north line of the Knobloch Road, 320 feet to a point in the west line of the Lancaster Road; and thence south, 25 degrees and 54 minutes east, along the west line of the Lancaster Road, 80 feet to the point of beginning, being the whole of Lot numbered 22 of the Minniglyn Subdivision accordingly as said subdivision is recorded in Erie County, Pennsylvania Deed Book No. 372 at page 17 thereof.
PROPERTY ADDRESS: 3624 Lancaster Road, Erie, PA 16506
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
(215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 41

Ex. #13386 of 2009

CITIMORTGAGE, INC., Plaintiff

v.

Eric James Ginkel, Executor of the Estate of Maryzita Grinkel, Deceased, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land with the buildings and improvements thereon and being known as 2414 Alan Drive, in the City of Erie, County of Erie and State of Pennsylvania and being more particularly described in a Deed Recorded 3-11-68 in Book 977 at page 370 of the Erie County Public Land Records.
Parcel# 18-5239-402
PROPERTY ADDRESS: 4214 Alan Drive, Erie, PA 16510
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
(215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 42

Ex. #10068 of 2010

BANK OF AMERICA, NATIONAL ASSOCIATION S/B/M LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF CREDIT SUISSE SEASONED LOAN TRUST 2006-1 HOME EQUITY PASS-THOUGH CERTIFICATES, SERIES 2006-1, Plaintiff

v.

CHRISTOPHER R. LAUDERBAUGH a/k/a CHRISTOPHER LAUDERBAUGH, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, and known as Lots No. 239 and 240 of the "EUCLID HEIGHTS" Subdivision, a plan of the same being recorded in Map Book 2, Pages 368 and 369, in the Office of the Recorder of Deeds in and for the said County of Erie, to which plan reference is made for a further description of said lot.
Parcel# (18) 5235-416
PROPERTY ADDRESS: 4331

Longview Avenue, Erie, PA 16510
 Michael T. McKeever, Esquire
 Attorney for Plaintiff
 Suite 5000 - Mellon Independence
 Center, 701 Market Street
 Philadelphia, PA 19106
 (215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 43

Ex. #10441 of 2010
WACHOVIA BANK NATIONAL
ASSOCIATION, AS TRUSTEE
OF THE SECURITY
NATIONAL MORTGAGE
LOAN TRUST 2005-1, Plaintiff

v.

CHARLES A. PETERSON
JUNE M. PETERSON,
Defendant(s)

DESCRIPTION

ALL THAT CERTAIN lot, tract of land, parcel, piece of ground which the buildings and improvements thereon erected, situated in North East Township, Erie County, Pennsylvania, bounded and described as follows, to wit: BEGINNING at a point in the center line of the Findley Lake Road, said point being 600 feet southeast along the center line of the Findley Lake Road and the north line of Parcel No. 1 as described in Erie County Deed Book 4876 at Page 266, said beginning point also being approximately 1600 feet in a northwesterly direction along the center line of the Findley Lake Road from the intersection of the center line of Findley Lake Road and the tract line between Tract No. 16 and 17; thence east parallel with the east line of Parcel No. 1 as described in Erie County Deed Book 486 at page 266.500 feet to a point; thence south parallel with the center line of the Findley Lake Road, 300 feet to a point; thence westerly and parallel in the north line of Parcel No. 1 as described in Erie County Deed Book 486 at Page 266, 500 feet to a point on the center line of the Findley Lake Road; thence north along the center line of the Findley Lake Road, 300 feet to a point and THE PLACE OF BEGINNING.
 Parcel# 37-35-136-19.01
 PROPERTY ADDRESS: 9639

Findley Lake Road, North East, PA 16428
 Michael T. McKeever, Esquire
 Attorney for Plaintiff
 Suite 5000 - Mellon Independence
 Center, 701 Market Street
 Philadelphia, PA 19106
 (215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 44

Ex. #10030 of 2010
CITIFINANCIAL SERVICES,
INC, Plaintiff

v.

DONALD E. ROSE,
Defendant(s)
DESCRIPTION

ALL that certain parcel of land in Borough of Waterford, Erie County, Commonwealth of PA, as more fully described in Book 974 Page 102 ID# 46-3-12-3. BEING known and designated as a metes and bounds property. BEING the same Fee Simple Property conveyed by Deed from Marion Rose aka Marion E. Rose by her agent Martha L. Dean to Donald Rose, dated 04/15/2002 recorded on 4/26/2002 in Book 874, Page 102 in Erie County Records, Commonwealth of PA. 741 Chestnut St.
 ALSO DESCRIBED AS:
 ALL that certain piece or parcel of land situate in the Borough of Waterford, County of Erie and Commonwealth of Pennsylvania, being that part of Out Lot No. 59, containing one acre, more or less, and bounded as follows: On the North by lands of the same Out Lot now under sales agreement to Gerald Ester; on the east by East Street; on the south by lot of Virgil A. McArdle, and on the west by Chestnut Street. Having a dwelling erected, thereon and being commonly known and municipally numbered as 741 Chestnut Street, Waterford, Pennsylvania, and being further identified by Erie County Tax Index No. (46) 3-12-3.
 TAX PARCEL NO: (46) 3-12-3
 PROPERTY ADDRESS: 741 Chestnut Street, Waterford, PA 16441
 Michael T. McKeever, Esquire
 Attorney for Plaintiff

Suite 5000 - Mellon Independence
 Center, 701 Market Street
 Philadelphia, PA 19106
 (215) 627-1322
 May 28 and Jun. 4, 11

SALE NO. 45

Ex. #13357 of 2005
ABN AMRO MORTGAGE
GROUP, INC., Plaintiff

v.

TRACY A. SHEPARD
STEVEN G. SHEPARD,
Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania bounded and described as follows to-wit: BEING Lot Number Ten (10) of a replot of PLEASANT VALLEY Subdivision Number 1, of E.L. Rilling Estate, as shown on a plot of said subdivision recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Map Book 5, at pages 74 and 75, to which plot reference is hereby made for a further description of said property. HAVING erected thereon a one story frame dwelling with brick front and being commonly known as 1352 West 43rd Street, Erie, Pennsylvania, 16509 and bearing Erie County Tax Index No. (19) 6173-113.
 PROPERTY ADDRESS: 1352 West 43rd Street, Erie, PA 16509
 Michael T. McKeever, Esquire
 Attorney for Plaintiff
 Suite 5000 - Mellon Independence
 Center, 701 Market Street
 Philadelphia, PA 19106-1532
 (215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 46

Ex. #11082 of 2008
CITIMORTGAGE, INC.,
S/B/M CITIFINANCIAL
MORTGAGE CO., INC., F/K/A
CITIFINANCIAL MORTGAGE
CONSUMER DISCOUNT
COMPANY, Plaintiff

v.

TERRY L. SWAB
KATHLEEN S. SWAB,
Defendant(s)

DESCRIPTION

All that certain property situated in the Township of McKean, in the County of Erie, and the Commonwealth of Pennsylvania, being described as follows parcel 31-3-11-1 and being more fully described in a deed dated 01/27/1976, and recorded 01/27/1976, among the land records of the county and state set forth above, in Deed Book 1195, page 44. Prior interest since 9-3-53 in DBV 659-208

ALSO DESCRIBED AS:

ALL THAT certain piece or parcel of land situate in the Township of McKean, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Beginning at a post in the South line of Millcreek Township, five and fifty-two one hundredths (5.52) rods westerly from the northwest corner of Summit Township; thence Southwardly 22° West, fifteen and ninety-two one-hundredths (15.92) rods to the center of a public road; thence North 68° 35' west, fourteen and two-tenths (14.2) rods to a post in the South line of land of C. Breckley's heirs; thence along said land, North 63° 52' east twenty-one and eighty-four one hundredths (21.84) rods to the place of beginning; containing one hundred thirteen (113) square rods of land, be the same more or less.

TAX PARCEL #: 31-3-11-1
 PROPERTY ADDRESS: 3360 Hershey Road, Erie, PA 16506
 Michael T. McKeever, Esquire
 Attorney for Plaintiff
 Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 47

Ex. #15451 of 2009
BANK OF AMERICA,
NATIONAL ASSOCIATION
S/B/M LASALLE BANK
NATIONAL ASSOCIATION,
AS TRUSTEE FOR
STRUCTURED ASSET
SECURITIES CORPORATION
STRUCTURED ASSET

**INVESTMENT LOAN TRUST
 MORTGAGE PASS-THROUGH
 CERTIFICATES, SERIES
 2004-3, Plaintiff**

v.

**PHILIP F. VASILE
 BRENDA L. VASILE,**

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, to-wit:

BEGINNING at a point in the south line of Fifth Street, one hundred forty (140) feet east of the east line of Ash Street;

THENCE southwardly, parallel with Ash Street, one hundred sixty-five (165) feet;

THENCE eastwardly, parallel with Fifth Street, fifty (50) feet;

THENCE northwardly, parallel with Ash Street, thirty-three (32) [sic] feet;

THENCE westwardly, parallel with Fifth Street ten (10) feet;

THENCE northwardly, parallel with Ash Street, one hundred thirty-three (133) feet to the south line of Fifth Street;

THENCE westwardly, along the south line of Fifth Street, forty (40) feet to the place of beginning.

PROPERTY ADDRESS: 615 East 5th Street, Erie, PA 16507
 Michael T. McKeever, Esquire
 Attorney for Plaintiff

Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106
 (215) 627-1322

May 28 and Jun. 4, 11

SALE NO. 48

Ex. #12991 of 2009
PNC Bank, N.A., Plaintiff

v.

Michael E. Ames, Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12991-09 PNC Bank, N.A., vs. Michael E. Ames, owner(s) of property situated in East Springfield, Erie County, Pennsylvania being 12024 Main Street, East Springfield, PA 16411 Containing 0.480 Acres of Land

Assessment Map number: 39-42-10-7
 Assessed Value figure: \$76,520.00
 Improvement thereon: Dwelling Patrick Thomas Woodman, Esq. 436 Seventh Ave. 1400 Koppers Bldg. Pittsburgh, PA 15219 (412) 434-7955

May 28 and Jun. 4, 11

SALE NO. 49

Ex. #15255 of 2009
BBJD VENTURES, LLC,
Plaintiff

v.

PENNIE L. McBRIDE,
Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2009-15255 BBJD Ventures, LLC vs. Pennie L. McBride, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 2919 Pennsylvania Avenue, Erie, PA 16504

73' east x 33' 9" south, x 72' 10" west x 33' 9" north

Assessment Map number (18) 5048-122

Assessed Value figure: \$43,400.00
 Improvement thereon: Two Story Frame Dwelling

Patrick Thomas Woodman, Esq. 436 Seventh Ave. 1400 Koppers Bldg. Pittsburgh, PA 15219 (412) 434-7955

May 28 and Jun. 4, 11

SALE NO. 50

Ex. #15560 of 2009
Deutsche Bank National Trust
Company as Trustee for HSI
Asset Securitization Corporation
2006-OPT4 Mortgage Pass-
Through Certificates, Series
2006-OPT4

v.

Vincent R. Brown and
Cathy J. Brown

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 09-15560 Deutsche Bank National Trust Company as Trustee for HSI Asset Securitization Corporation 2006-OPT4 Mortgage Pass-Through Certificates, Series 2006-OPT4 v. Vincent R. Brown

and Cathy J. Brown, owners of property situated in the Township of City of Erie, Erie County, Pennsylvania being 1117 West 25th Street, Erie, Pennsylvania 16502. Tax I.D. No. 19-6036-109 Assessment: \$78,899.80 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 May 28 and Jun. 4, 11

SALE NO. 51

Ex. #15802 of 2009
Chase Home Finance, LLC

v.

Anne M. Burnett

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 15802-09 Chase Home Finance, LLC v. Anne M. Burnett, owners of property situated in the City of Erie, Erie County, Pennsylvania being 420 Monaca Drive, Erie, Pennsylvania 16505. Tax I.D. No. 17-4107-303 Assessment: \$148,275.64 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 May 28 and Jun. 4, 11

SALE NO. 52

Ex. #15590 of 2009
Everhome Mortgage Company

v.

Gabriel Charles

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 15590-09 Everhome Mortgage Company v. Gabriel Charles, owners of property situated in the Township of Borough of Wesleyville, Erie County, Pennsylvania being 2921 Gray Avenue, Erie, Pennsylvania 16511. Tax I.D. No. 50003023000300 Assessment: \$71,363.54 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 May 28 and Jun. 4, 11

SALE NO. 53

Ex. #15060 of 2009

AmTrust Bank

v.

Mark M. Ferreri and

Jessica S. Logan aka

Jessica S. Ferreri

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 15060-09 AmTrust Bank v. Mark M. Ferreri and Jessica S. Logan aka Jessica S. Ferreri, owners of property situated in the Township of Fourth Ward of the City of Erie, Erie County, Pennsylvania being 714 Park Avenue North, Erie, Pennsylvania 16502. Tax I.D. No. 17-4023.117 Assessment: \$75,893.94 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 May 28 and Jun. 4, 11

SALE NO. 54

Ex. #15736 of 2009

Beneficial Consumer Discount

Company dba Beneficial

Mortgage Company of

Pennsylvania

v.

Gerald D. Hickin, Jr.

and Denise G. Hickin

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 15736-09 Beneficial Consumer Discount Company dba Beneficial Mortgage Company of Pennsylvania v. Gerald D. Hickin, Jr. and Denise G. Hickin, owners of property situated in the Township of Millcreek, Erie County, Pennsylvania being 2920 Garland Street, Erie, Pennsylvania 16506. Tax I.D. No. 33-73-299-4 Assessment: \$82,549.12 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 May 28 and Jun. 4, 11

SALE NO. 55

Ex. #14135 of 2009

BAC Home Loan Servicing LP
fka Countrywide Home Loans

Servicing LP

v.

Scott W. Jordan

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 14135-09 BAC Home Loans Servicing LP fka Countrywide Home Loans Servicing LP v. Scott W. Jordan, owners of property situated in the Township of Greene, Erie County, Pennsylvania being 4610 Steger Road, Erie, Pennsylvania 16510. Tax I.D. No. 25-7-26-11 Assessment: \$108,858.72 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 May 28 and Jun. 4, 11

SALE NO. 56

Ex. #10014 of 2010

Deutsche Bank National Trust

Company, as Trustee for

NovaStar Mortgage Funding

Trust, Series 2007-1

v.

Daniel Ratiu

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 10014-10 Deutsche Bank National Trust Company, as Trustee for NovaStar Mortgage Funding Trust, Series 2007-1 v. Daniel Ratiu, owners of property situated in the Township of Second Ward of the City of Erie, Erie County, Pennsylvania being 409 East 11th Street, Erie, Pennsylvania 16503. Tax I.D. No. 15-20-22-118 Assessment: \$78,865.08 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 2080 Philadelphia, PA 19109
 May 28 and Jun. 4, 11

SALE NO. 57

Ex. #10052 of 2010

The Bank Of New York Mellon

Fka The Bank Of New York,

As Trustee, For Cwabs, Inc,

Asset-backed Certificates, Series

2007-13

v.

**Ralph T. Russell, Jr. and
Linda I. Russell**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 10052-10 The Bank Of New York Mellon Fka The Bank Of New York, As Trustee, For Cwabs, Inc, Asset-backed Certificates, Series 2007-13 v. Ralph T. Russell, Jr. and Linda I. Russell, owners of property situated in the Township of Fairview, Erie County, Pennsylvania being 4400 Kell Road, Fairview, Pennsylvania 16415.

Tax I.D. No. 21-066-093.0-0098.00
Assessment: \$151,238.05

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.

123 South Broad Street, Suite 2080 Philadelphia, PA 19109

May 28 and Jun. 4, 11

SALE NO. 58

Ex. #10400 of 2010

**Wells Fargo Bank, N.A.,
As Trustee For The**

**Certificateholders Of Carrington
Mortgage Loan Trust, Series
2004-OPT1, Asset Backed Pass-
Through Certificates**

v.

**Timothy Smith a/k/a
Timothy W. Smith**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 10400-10 Wells Fargo Bank, N.A., As Trustee For The Certificateholders Of Carrington Mortgage Loan Trust, Series 2004-OPT1, Asset Backed Pass-Through Certificates v. Timothy Smith a/k/a Timothy W. Smith, owners of property situated in the Township of City of Erie, Erie County, Pennsylvania being 3541 Zimmerman Road, Erie, Pennsylvania 16510.

Tax I.D. No. 18-5230-215

Assessment: \$109,301.80

Improvements: Residential Dwelling

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

May 28 and Jun. 4, 11

SALE NO. 59

Ex. #15403 of 2008

**BAC Home Loans Servicing, L.P.
fka Countrywide Home Loans
Servicing, L.P. s/i/i/t Countrywide
Home Loans**

v.

**Ronald R. Spinelli a/k/a
Ronald R. Spinelli, Jr.,**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 15403-08 BAC Home Loans Servicing, L.P. fka Countrywide Home Loans Servicing, L.P. s/i/i/t Countrywide Home Loans v. Ronald R. Spinelli a/k/a Ronald R. Spinelli, Jr., owners of property situated in the Township of City of Erie, Erie County, Pennsylvania being 1403 East 37th Street, Erie, Pennsylvania 16504.

Tax I.D. No. 18-5223-106

Assessment: \$78,005.84

Improvements: Residential Dwelling

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

May 28 and Jun. 4, 11

SALE NO. 60

Ex. #10512 of 2010

**Household Finance Consumer
Discount Company**

v.

**Jonathan Lee Walker and
Lynne Walker**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 10512-10 Household Finance Consumer Discount Company v. Jonathan Lee Walker and Lynne Walker, owners of property situated in the Township of City of Erie, Erie County, Pennsylvania being 3114 Old French Road, Erie, Pennsylvania 16504.

Tax I.D. No. 18-5080-102

Assessment: \$69,231.93

Improvements: Residential Dwelling

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

May 28 and Jun. 4, 11

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**BIEL, MARY ANN,
deceased**

Late of the City of Erie, Erie County, Pennsylvania

Executor: Kevin Michael Biel, c/o 3209 East Avenue, Erie, PA 16504

Attorney: Cathy M. Lojewski, Esq., 3209 East Avenue, Erie, PA 16504

**DeMARCO, MILDRED L.,
deceased**

Late of the City of Erie, Erie County, Pennsylvania

Executor: Linda Lee Montgomery, 2840 Greeley Avenue, Erie, PA 16506

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

**DOUGAN, MARTHA G.
deceased**

Late of the Township of Harborcreek

Executor: H. Patrick Dougan, c/o Malcolm L. Pollard, 4845 W. Lake Rd., Erie, PA 16505

Attorney: Malcolm L. Pollard, 4845 W. Lake Rd., Erie, PA 16505

**MORRIS, JOHN H.,
deceased**

Late of the Township of Harborcreek

Executor: Ronald J. Morris, c/o James S. Bryan, Esq., 11 Park Street, North East, PA 16428

Attorney: James S. Bryan, Esq., Knox McLaughlin Gornall & Sennett, P.C., 11 Park Street, North East, PA 16428

**MOWERY, BETTY L., a/k/a
BETTY MOWERY,
deceased**

Late of the Borough of Girard, County of Erie, State of Pennsylvania

Executrix: Karen S. Ellis, 905 Michigan Blvd., Erie, Pennsylvania 16505

Attorney: James R. Steadman, Esq., 24 Main St. E., Girard, Pennsylvania 16417

**SCEIFORD, GEORGE W.,
deceased**

Late of North East

Executor: Susan E. Sceiford, 611 Dewey Road, North East, PA 16428

Attorney: James M. Rayback, James M. Rayback, Inc., 102 E. College Avenue, State College, PA 16801

**YAPLE, IDA F., a/k/a
IDA YAPLE,
deceased**

Late of the City of Waterford, Green Township, County of Erie and State of Pennsylvania

Executor: Wellie W. Yaple, II, c/o Denis W. Krill, P.C., 309 French Street, Erie, Pennsylvania 16507

Attorney: Denis W. Krill, Esquire, 309 French Street, Erie, Pennsylvania 16507

**YARBENET, MICHAEL R.,
deceased**

Late of the Township of Fairview, County of Erie and Commonwealth of Pennsylvania

Co-Executors: Carole A. Collins and Douglas M. Yarbent

Attorney: Thomas J. Minarcik, Esquire, Elderkin, Martin, Kelly & Messina, 150 East 8th Street, Erie, PA 16501

SECOND PUBLICATION**BLYSTONE, BETTY J.,
deceased**

Late of the Township of Union, County of Erie, Commonwealth of Pennsylvania

Executrix: Jean M. Sumner, 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

**ECKERT, HARRY EDWARD,
deceased**

Late of the City of Erie

Executrix: Ruth Ann Cacchione, 2244 Oak Ave., Northbrook, IL 60062

Attorney: None

**FISHLOW, KATE V., a/k/a
KATE VIKTORA FISHLOW,
deceased**

Late of the Township of Millcreek, County of Erie

Executrix: Sandra L. Morris

Attorney: Michael G. Nelson, Esquire, Marsh, Spaeder, Baur, Spaeder & SchAAF, LLP, 300 State Street, Suite 300, Erie, Pennsylvania 16507

**GRAVES, BARBARA L.,
deceased**

Late of the Township of Millcreek

Executor: Christopher M. Graves, 2765 Alexandra Drive, Erie, PA 16506

Attorney: Michael A. Fetzner, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**GUZAK, GEORGE,
deceased**

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

Executrix: Vicki L. Natalo, 1404 East 35th Street, Erie, PA 16504

Attorney: Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

**MALLON, BETTY STEWART,
a/k/a BETTY MALLON a/k/a
BETTY J. STEWART,
deceased**

Late of the Township of Millcreek
Co-Executors: Christine
Blackman and Rosemary Buzzard
Attorney: Michael G. Nelson,
Esquire, Marsh, Spaeder, Baur,
Spaeder & Schaaf, LLP, 300
State Street, Suite 300, Erie,
Pennsylvania 16507

**MILLER, PATRICIA D., a/k/a
PATRICIA K. MILLER,
deceased**

Late of the City of Corry, County
of Erie, Commonwealth of
Pennsylvania
Executrix: Michelle Osinski,
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

**PARADISE, SUSAN A.,
deceased**

Late of the Township of
Summit, County of Erie, State of
Pennsylvania
Executrix: Susan Paradise Baxter,
c/o 24 Main St. E., Girard,
Pennsylvania 16417
Attorney: James R. Steadman,
Esq., 24 Main St. E., Girard,
Pennsylvania 16417

**ROBINSON, CLARENCE N.,
a/k/a C. NORBERT ROBINSON,
deceased**

Late of the City of Erie
Administratrix: Deborah Lemmon,
c/o Attorney Terrence P.
Cavanaugh, 3336 Buffalo Road,
Wesleyville, PA 16510
Attorney: Terrence P. Cavanaugh,
Esq., 3336 Buffalo Road,
Wesleyville, PA 16510

**WISHNOK, STELLA A.,
deceased**

Late of Erie, Erie County, PA
Administratrix: Patricia A.
Wishnok, 138 Alexander Ave.,
Strabane, PA 15363
Attorney: None

THIRD PUBLICATION

**BERRY, DORIS B.,
deceased**

Late of the Township of
Millcreek, County of Erie and
Commonwealth of Pennsylvania
Executrix: Lisa Ann Berry, c/o
Eugene C. Sundberg, Jr., Esq.,
Suite 300, 300 State Street, Erie,
PA 16507
Attorneys: Marsh, Spaeder,
Baur, Spaeder & Schaaf, LLP,
Attorneys-at-Law, 300 State
Street, Erie, PA 16507

**CHURCH, BEVERLY A., a/k/a
BEVERLY ANN CHURCH,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Administratrix: Kathleen J.
Earley, c/o Yochim, Skiba &
Nash, 345 West Sixth Street, Erie,
PA 16507
Attorney: Gary H. Nash, Esquire,
Yochim, Skiba & Nash, 345 West
Sixth Street, Erie, PA 16507

**DABROWSKI, ZDZISLAW,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Executrix: Mary Ann Rivera
Attorney: Edward P. Wittmann,
Esquire, Elderkin, Martin, Kelly
& Messina, 150 East 8th Street,
Erie, PA 16501

**DeBELLO, JOHN M.,
deceased**

Late of Millcreek Township
Co-Administrators: Anne
Debello, 464 West Ninth Street,
First Floor, Erie, PA 16502 and
John Olson, 3833 Atterbury
Street, Norfolk, VA 23513
Attorney: Jerome C. Wegley,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**KIEHL, DOROTHY J., a/k/a
DOROTHY KIEHL,
deceased**

Late of the Township of
Millcreek, County of Erie, State
of Pennsylvania
Executrix: Fred W. Garnon,
Jr., 4160 Feidler Drive, Erie,
Pennsylvania 16506
Attorney: James R. Steadman,
Esq., 24 Main St. E., Girard,
Pennsylvania 16417

**LEVINE, MYRTLE L., a/k/a
MYRTLE FOX LEVINE,
deceased**

Late of the City of Erie, Erie
County, Pennsylvania
Administrator C.T.A.: Randy L.
Shapira, 305 West Sixth Street,
Erie, PA 16507-1244
Attorney: Randy L. Shapira, Esq.,
305 West Sixth Street, Erie, PA
16507

**MILLER, DAVID B.,
deceased**

Late of the Township of
Millcreek, County of Erie, and
Commonwealth of Pennsylvania
Executrix: Nancy P. Morgan, c/o
The McDonald Group, L.L.P.,
Gary Eiben, P.O. Box 1757, Erie,
PA 16507-1757
Attorney: Gary Eiben, Esq., The
McDonald Group, L.L.P., P.O.
Box 1757, Erie, PA 16507-1757

**RIOS, HECTOR LUIS,
deceased**

Late of the City of Erie, County
of Erie and State of Pennsylvania
Administratrix: Lillianette
Santiago
Attorney: Philip B. Friedman,
Esquire, Conner Riley Friedman
& Weichler, 17 West 10th Street,
Erie, Pennsylvania 16501

**SCHNEIDER, EDWARD
WALTER, a/k/a EDWARD W.
SCHNEIDER,
deceased**

Late of the City of Erie
Co-Executors: Edward J.
Schneider, Terance P. Schneider
and Margaret E. Schneider, 1817
Oakwood St., Erie, PA 16508
Attorney: None

**YEAGER, GERALD T.,
deceased**

Late of the City of Erie, Erie
County, PA
Executor: Kathryn A. Acri
Attorney: Louis A. Colussi, Esq.,
925 French Street, Erie, PA 16501

Notice is hereby given of the
administration of the Estate and
Trust set forth below. All persons
having claims or demands against
the decedent are requested to make
known the same and all persons
indebted to said decedent are
required to make payment without
delay to the executrix, trustee or her
attorney named below.

**JAQUITH, LAVERNE G.,
deceased**

Late of the Township of Wayne,
Erie County, Pennsylvania
Trustees: Karen Kubich, 13500
Stewart Road, Corry, PA 16407
and Charles Jaquith, 60 N. First
St., Allegany, NY 14706
Trustee's Attorney: Paul J.
Carney, Jr., Esq., Carney and
Ruth Law Office, 224 Maple
Avenue, Corry, PA 16407



DENNIS & ASSOCIATES, INC
LAGAN
INVESTIGATORS AND CONSULTANTS

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