

# Erie County Legal Journal

June 5, 2015

Vol. 98 No. 23

USPS 178-360



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98 ERIE 60 - 65

DiMattio, et al. v. Millcreek Township Zoning Hearing  
Board v. Township of Millcreek

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# Erie County Legal Journal

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

Managing Editor: Heidi M. Weismiller

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

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# Erie County Bar Association Calendar of Events and Seminars

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## **THURSDAY, JUNE 11, 2015**

ECBA Young Lawyers Caravan Event  
An Evening at Presque Isle Downs & Casino  
5:30 p.m. - 2nd floor dining area  
Young Lawyers attend free; spouse/guest \$10/person

## **FRIDAY, JUNE 12, 2015**

*A Refresher Regarding the Intersection of Municipal Law and Bankruptcy*

ECBA Live Lunch-n-Learn Seminar  
Bayfront Convention Center  
11:45 a.m. - Lunch/Registration  
12:15 p.m. - 1:15 p.m. Seminar  
\$45 (ECBA member/non-attorney staff)  
\$58 (nonmember) \$30 (member Judge not needing CLE)  
1 hour substantive law credit

## **TUESDAY, JUNE 16, 2015**

ECBA Mid-Year Meeting  
Sheraton Erie Bayfront Hotel  
*see page 12 for further details*

## **MONDAY, JUNE 22, 2015**

ECBA Golf Tournament  
Lake Shore Country Club  
1:00 p.m. shotgun start  
\$99/ECBA member



Erie County Bar  
Association



@eriepabar

To view PBI seminars visit the events calendar on the ECBA website  
<http://www.eriebar.com/public-calendar>

### **2015 BOARD OF DIRECTORS**

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### Notice to the Profession

If you are thinking of retiring, a local, young, solo attorney would like to speak with you about the possibility of purchasing your practice. Confidentiality and compliance with Rules of Professional Conduct a must. Contact sbsmith@eriebar.com for more info.

Jun. 5, 12

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
MOTION COURT DATES FOR JUDGE THOMAS P. AGRESTI  
ERIE AND PITTSBURGH DIVISION CASES**

**JUNE 2015 NOTICE**

The following is a list of **June 2015, July 2015 and August 2015** motion court dates and times to be used for the scheduling of motions pursuant to *Local Rule 9013-5(a)* before **Judge Thomas P. Agresti** in the Erie and Pittsburgh Divisions of the Court. The use of these dates for scheduling motions consistent with the requirements of *Local Rule 9013-5(a)* is summarized below and on Judge Agresti's website at: [www.pawb.uscourts.gov](http://www.pawb.uscourts.gov). ***The motions will be heard in the Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501 and Courtroom C, 54th Floor, U.S. Steel Building, 600 Grant Street, Pittsburgh, PA 15219.***

Counsel for a moving party shall select one of the following dates and times for matters subject to the "self-scheduling" provisions of the *Local Bankruptcy Rules* and the Judge's procedures, insert same on the notice of hearing for the motion, and serve the notice on all respondents, trustee(s) and parties in interest. Where a particular type of motion is listed at a designated time, filers shall utilize that time for the indicated motions(s) *unless*: (a) special arrangements have been approved in advance by the Court, or, (b) another motion in the same bankruptcy case has already been set for hearing at a different time and the moving party chooses to use the same date and time as the previously scheduled matter.

**SCHEDULE CHAPTERS 13 & 12 MOTIONS ON:**

Wednesday, June 24, 2015	9:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, July 22, 2015	10:00 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, August 19, 2015	10:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
	11:00 a.m.:	Ch. 13 Sale, Financing and Extended/Impose Stay and Ch. 12 matters at this time, only
	11:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters

**NOTE:** Judge Agresti will be conducting Erie and Pittsburgh Ch. 13 & 12 hearings in the morning, only.

**SCHEDULE CHAPTERS 11 & 7 MOTIONS ON:**

Thursday, June 4, 2015	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, June 18, 2015	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, July 9, 2015		-- Ch. 11 Sale motions at this time, only
Thursday, July 30, 2015	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
Thursday, August 13, 2015	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters **
Thursday, August 27, 2015	11:30 a.m.:	Ch. 7 Sale motions at this time, only

\*\*All Motions to Extend/Impose Stay are to be scheduled at 11:00 a.m.

**NOTE:** Beginning with the June 4, 2015 hearings, Judge Agresti will be conducting Erie and Pittsburgh Ch. 11 & Ch. 7 hearings in the morning. Please select the above times, only.

***ALL OF THE ABOVE DATES ARE SUBJECT TO REVISION. Please check each month for any changes in the dates that have been published previously. THIS SCHEDULE CAN BE VIEWED ON PACER*** (Public Access to Court Electronic Records) and on the Court's Web Site ([www.pawb.uscourts.gov](http://www.pawb.uscourts.gov)).

Michael R. Rhodes  
Clerk of Court

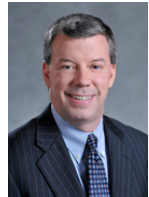
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Jun. 5

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**MICHAEL DIMATTIO, EILEEN TIGHE, DREW CARLIN, NADIA CARLIN,**  
**Appellants**  
**v.**  
**MILLCREEK TOWNSHIP ZONING HEARING BOARD, Appellee**  
**v.**  
**TOWNSHIP OF MILLCREEK, Intervener**

*SPOT ZONING*

A party has standing to appeal a rezoning ordinance, even when he/she does not own property contiguous to a subject property, when they are affected by the rezoning and opposed the rezoning at the municipal level. 53 P.S. §10908(3).

*SPOT ZONING*

The power to enact and amend zoning ordinance rests with a local municipality and it is not the role of a court to substitute its judgment for the municipality. Accordingly, a rezoning ordinance may only be overturned where the party challenging the rezoning ordinance establishes there has been an abuse of discretion or an error of law.

*SPOT ZONING*

Spot zoning exists where a small parcel of land is set apart from surrounding land without any reasonable basis, despite indisputable similarities between the subject property and the surrounding properties.

*SPOT ZONING*

A zoning reclassification of a parcel to a classification different than the surrounding areas in and of itself does not automatically mean spot zoning has occurred. Consideration of the differences in classification, the nature of the property, the nature of the surrounding properties and the actual changes that will result from the rezoning can affect the determination.

*SPOT ZONING*

A municipality is not bound by a comprehensive development plan and as a result, such a plan is not a basis through which a zoning ordinance can be challenged or invalidated.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA  
 CIVIL DIVISION NO. 12963-2014

Appearances: Richard Perhacs, Esq., Attorney for Appellee  
 Evan Adair, Esq., Attorney for Intervener

**OPINION**

Cunningham, William R., Judge

The presenting matter is a land use appeal challenging the enactment of a rezoning ordinance. Because there was not an abuse of discretion or an error of law in the passage of the rezoning ordinance, the appeal is denied.

**PROCEDURAL BACKGROUND**

On June 3, 2014, the Millcreek Township Board of Supervisors (Intervener) passed Ordinance 2014-7 changing the zoning classification of a parcel of land bearing Millcreek Township Map Index Number 608-055 and Erie County Tax Index Number (33)185-554-026 (subject property) from a mix of RR Rural Residential and R-1 Single Family Residential classifications to an R-2 Low Density Residential classification.<sup>1</sup> Appellants

<sup>1</sup> While not named as a Defendant, Millcreek Township Board of Supervisors was granted leave to intervene since it passed the ordinance being challenged herein.

filed an appeal to the Millcreek Zoning Hearing Board (Appellee) seeking to invalidate Ordinance 2014-7 (rezoning ordinance). Upon the denial of their appeal, Appellants filed the present appeal requesting the same relief.

### **STANDING TO CHALLENGE THE REZONING ORDINANCE**

The subject property fronts on Golf Club Road, which is a continuation of Old Zuck Road. The only means of ingress and egress for the subject property is through Old Zuck Road from its intersection with Zimmerly Road. Appellants live in homes in the 5600 and 5700 block of Old Zuck Road, locations which are north of the subject property approximately six-tenths of a mile and three-quarters of a mile. Two of the Appellants live near the intersection of Old Zuck Road and Zimmerly Road while the other two Appellants live closer to the subject property and have three young children.

Since Old Zuck Road is the only means of access to the subject property, Appellants are affected by the rezoning of the subject property. Appellants were given notice of the proposed rezoning of the subject property before the Millcreek Township Planning Commission and the Millcreek Township Board of Supervisors. Appellants appeared before both of these municipal bodies and expressed their objections to the rezoning of the subject property. Hence, Appellants have opposed the rezoning of the subject property at every municipal opportunity.

Accordingly, Appellants are aggrieved parties who have standing to challenge the rezoning ordinance despite the fact their properties are not contiguous to the subject property. See 53 P.S. §10908(3).

### **APPELLANTS' OBJECTIONS**

Appellants are concerned about the possible impact of the development of the subject property on traffic for Old Zuck Road, for the safety of the residents on Old Zuck Road and a potential decrease in property values. Appellants expressed these concerns to the Millcreek Township Planning Commission. Appellants' objections were likely a factor when the owners of the subject property withdrew a prior request for a zoning re-classification to R-4, which is more expansive in land uses than R-2, R-1 and RR. Thereafter, when the owners of the subject property submitted a second request for rezoning, this time to an R-2 classification, the Millcreek Township Planning Commission recommended the denial of this request. Likewise the Erie County Department of Planning recommended the denial of the request for R-2 zoning.

Despite the opposition of these two planning bodies, by a unanimous vote the Intervener passed the rezoning ordinance amending the classification of the subject property to R-2. In the ensuing appeal, by a unanimous vote Appellee denied Appellants' request to invalidate the rezoning ordinance.

### **STANDARD OF REVIEW**

Understandably, Appellants want to maintain the underdeveloped tranquility of the neighborhood. To do so, however, requires Appellants to impose their will upon the owners of the subject property. Appellants seek to prevent the owners of the subject property from developing it beyond the restrictions of RR and/or R-1. It becomes the responsibility of the Intervener to balance the interests of the owners of the subject property with the interests of nearby landowners, as well as the township as a whole, in making a zoning decision.

The inherent power to enact or amend zoning ordinances rests with the local municipality.

53 P.S. §10601, et seq. The passage of a zoning ordinance is fundamentally a legislative act of the municipality. It is not the role of a court to substitute its judgment for the municipality in determining zoning classifications. It is the burden of the party challenging the rezoning ordinance to establish its passage was an abuse of discretion or an error of law.

### ISSUES ON APPEAL

Appellants present three issues in this appeal. First, Appellants argue the rezoning ordinance is unconstitutional because it is discriminatory spot zoning. Next, Appellants contend the development of the subject property will have a negative impact on the public health, safety, morals and general welfare. Lastly, Appellants seek to invalidate the rezoning ordinance because it is inconsistent with the Intervener’s long range zoning plan. Each of these arguments will be addressed seriatim.

#### A. Spot Zoning

The Pennsylvania Supreme Court has described spot zoning as the “unreasonable or arbitrary classification of a small parcel of land, dissected or set apart from surrounding properties, with no reasonable basis for the differential zoning.” *Penn Street, L.P., v. East Lampeter Township Zoning Hearing Board*, 84 A.3d 1114, 1121 (2014). Among the requisite elements of spot zoning are the indisputable similarities between the subject property and its adjoining properties and the lack of any rational or reasonable basis to treat the subject property differently. As the Pennsylvania Supreme Court posed it, the question is “whether the parcel in question is being singled out for treatment unjustifiably differing from that of similar surrounding land, thereby creating an island having no relevant differences from its neighbors.” *Appeal of Mulac*, 210 A.2d 275, 277 (1965).

In the case sub judice, the analysis begins with a look at whether a reclassification from R-1 to R-2 creates the possibility of spot zoning. In most respects, the differences between the two zoning classifications are not significant. The developmental restrictions for properties in R-2 are similar to those in R-1 in terms of setbacks, maximum building heights, maximum lot coverage and minimum lot widths.

There are differences between the R-2 and R-1 classifications in density restraints. R-1 classifications are restricted to single family dwellings or a group residence serving up to six residents. R-2 classifications allow single family homes, two family dwellings or a group residence serving twelve residents. Apartment complexes, high rise buildings and commercial uses are not permitted in R-1 or R-2.

If public water and sewer services are available, the maximum density of development in an R-1 classification is 4.25 dwelling units per acre versus 6 units per acre in an R-2 classification. If public water or sewer is not available, both R-1 and R-2 classifications mandate larger lot sizes resulting in lower density in each classification.

Both R-1 and R-2 are characterized as “Low Density” classifications and there are not such drastic differences that a re-classification from R-1 to R-2 alone would create spot zoning. It is much harder to establish spot zoning from R-1 to R-2 than it would be from a reclassification from R-1 to R-4. Nonetheless, the possibility of spot zoning exists so the next factors to consider are the size and density of the subject property with its R-2 classification.

The subject property consists of 24.186 acres of vacant, undeveloped land. The rezoning of a parcel the size of the subject property does not single it out for treatment unjustifiably different from the surrounding properties or the properties of Appellants, who live over



one-half mile away on lots much smaller than the subject property.

Applying the density restrictions of R-1 and R-2 does not result in unjustifiable treatment for the subject property. The density of the subject property is first determined by the amount of developmental acreage within it. At most, about one-half of the subject property can be developed.

According to Appellants' Exhibit 12, there are four separate areas within the subject property designated as undevelopable wetlands. The largest wetlands is on the western part of the subject property identified as "A". There is a discrepancy in computing the acreage of A: on the survey it is described as 9.276 acres while in the summary of property highlights it is described as 4.843 acres. The other three wetlands, noted as B, C, and D respectively, together consist of .794 of an acre. Appellants use the lower figure for A to argue there are 5.637 acres of wetlands while the Appellees and Intervener use the larger figure for A to conclude there are 10.070 acres of wetlands. To the naked eye viewing the survey, the wetlands appear to be much closer to 10 acres than 5.637 acres.

Nonetheless, using these two figures means approximately twenty-five to forty percent of the subject property is not developable because of wetlands. The varying sizes and locations of the four wetland areas means the subject property is not neatly arranged for full development. In addition, the infrastructure requirements and topographical impediments reduce the amount of the acreage that can be developed on the subject property. Appellants contend there are about twelve acres of developable land on the subject property. While Appellants' number is the most optimistic pre-development possibility, it will be used to consider the resulting density.

Because of its unique characteristics, the 24 acres of the subject property is reduced by half to 12 acres for development. This means there are at least 12 acres that will remain uninhabitable consistent with the wishes of Appellants. More importantly, it means that what differences exist in the density requirements between R-1 and R-2 are diluted by fifty percent because 12 acres of development are spread over 24 acres.

Applying the density differences of R-1 and R-2 classifications over 12 acres, with the other 12 acres remaining undeveloped, does create a sufficient disparity with the adjoining properties tantamount to spot zoning. As found by Appellee, "(b)oth R-1 and R-2 constitute low density residential uses, in one case single family dwellings and in another, townhouses or duplexes. They are not fundamentally inconsistent with each other and locating them in proximity to each other certainly reflects a rational planning result." *Adjudication, September 25, 2014, p.2.*

Another factor in determining spot zoning is whether the subject property is similar to its surrounding properties. According to Appellants, the combined length of Golf Club Road and Old Zuck Road to its intersection with Zimmerly Road is approximately one mile and consists of sixteen single family residences, a private school and a public golf course. Appellants contend the subject property is similar to its surrounding properties in terms of large lot sizes and topographical features including wooded lots, hills, creeks and ravines. All of the surrounding properties in Millcreek Township have RR or R1 classifications and are used as single family homes with the notable exceptions of the golf course and school. However, these similarities do not mean the rezoning of the subject property created an "island" within Millcreek Township.

The bulk of road frontage for the subject property is on Golf Course Road across from a

public golf course. The western border of the subject property is also limited by the public golf course. Its eastern border is the I-79 interstate highway. Its southern border is the boundary line separating Millcreek Township from Summit Township, thus only three of its borders are in Millcreek Township. At most the subject property could be argued to be a “peninsula” within Millcreek Township.

Importantly this is not a case where the peninsula is surrounded by single family homes. To the contrary, none of the adjoining properties have a single family residence; the nearest residence is approximately two-tenths of a mile to the north. The adjoining property to the east can never contain single family homes because of the interstate highway. The parcels to the north and west of the subject property consist of a public golf course owned by Millcreek Township. Most, if not all, of the southern border is with Summit Township.

As a result, this is not a case where the rezoning of the subject property caused disparate treatment for similar properties. In fact, before and after its rezoning, the subject property was fundamentally different from its adjoining properties. The subject property is unique in its neighborhood because no other property on Old Zuck Road or Golf Course road is bounded by the constraints facing the subject property.

The rezoning of the subject property does not create an island or a peninsula constituting spot zoning. Because of its location, size and unique developmental challenges, the subject property was not singled out for zoning treatment which is unjustifiably different from its surrounding golf course, interstate highway and Summit Township. This is not a situation where apartment complexes, high rise developments or commercial uses are occurring in the middle of a residential neighborhood, particularly since there are no homes surrounding the subject property.

Based on the record, the decision to rezone the subject property was not arbitrary or unreasonable.

## **B. The Public Health, Safety, Morals and General Welfare of the Community**

Appellants allege the Intervener did not adduce any evidence that the rezoning of the subject property promotes public health, safety, morals and general welfare. However, in light of the finding that spot zoning does not exist in this case, the issue of whether the rezoning ordinance serves the public health, safety, morals and general welfare of the municipality is not reached.

A zoning ordinance is presumed to be valid. *Mahoney v. Township of Hampton*, 651 A.2d 525, 526 (Pa. 1994). Further, “if the validity of the ordinance is debatable, the legislative judgment is allowed to control.” *Sharp v. Zoning Hearing Bd of Township of Radnor*, 157 Pa. Com. 50, 63 (1993). Appellants’ allegation alone, in the absence of spot zoning, is not a basis for relief since this Court cannot substitute its judgment on whether the legislative discretion exercised by the municipality serves the public health, safety, morals or general welfare.

As observed by the Pennsylvania Supreme Court, “what serves the public interest is primarily a question for the appropriate legislative body in a given situation to ponder and decide. And, so long as it acts within its constitutional power to legislate in the premises, courts do well not to intrude their independent ideas as to the wisdom of the particular legislation. Specifically, with respect to zoning enactments, judges should not substitute their individual views for those of the legislators as to whether the means employed are likely to serve the public health, safety, morals or general welfare.” *Bilbar Construction Co. v. Easttown Township Board of Adjustment*, 141 A.2d 851, 865 (1958).

In this case there is no basis to find the rezoning ordinance unconstitutional, thus the presumption of its validity has not been overcome by Appellants. Accordingly, judicial deference is given to the legislative discretion exercised by the Intervener in passing the rezoning ordinance. *Langmaid Lane Homeowners Ass'n Appeal*, 77 Pa. Com. 53, 465 A.2d 72 (1983).

### C. Comprehensive Plan

Appellants' Exhibit 37 is titled Millcreek Township Future Land Use Plan Map (hereafter Comprehensive Plan). By color coding the Comprehensive Plan shows the subject property as "Parks and Recreation." Appellants contend the rezoning of the subject property has to be vacated because it is not consistent with the Comprehensive Plan. This argument is legally untenable for several reasons.

It is uncontroverted the subject property is privately owned. Absent an eminent domain taking, a government entity cannot compel private property to become a park. Likely for that reason, Millcreek Township does not have a zoning classification of "Parks and Recreation."

The prior classification of the subject property as R-1 permitted single family homes or group homes, both of which are inconsistent with a designation as "parks and recreation". Hence, even if Appellants succeeded in this appeal, the subject property would still be inconsistent with the Comprehensive Plan.

In making zoning determinations, a municipality is not bound by its comprehensive plan. A zoning ordinance cannot be challenged or invalidated on the basis it is inconsistent with a comprehensive plan. 53 P.S. §10303(c). The law recognizes that a comprehensive plan is a fluid vision taken as a snapshot in time and subject to revision as circumstances change. Therefore, Appellants reliance on Exhibit 37 cannot be a basis for invalidating the rezoning of the subject property.

### CONCLUSION

Appellants bear a heavy burden of proof because merely restating their reasons why the ordinance should not have passed is not enough to prevail on appeal. Appellants' arguments had sufficient merit to create debate about whether the rezoning ordinance should be passed within the legislative arena of the local municipality. However, once it was passed, the debate is over and Appellants have a loftier mountain to climb to establish the rezoning ordinance is unconstitutional spot zoning.

Based on this record the Millcreek Township Board of Supervisors did not commit an error of law or abuse its discretion in rezoning the subject property to R-2. While this Court is empathetic to the concerns expressed by the Appellants, the law requires the denial of their challenge to the rezoning ordinance.

### ORDER

For the reasons set forth in the accompanying Opinion, the appeal is DENIED.

**BY THE COURT:**

**/s/ WILLIAM R. CUNNINGHAM, JUDGE**



## Mid-Year Membership Meeting

**Tuesday, June 16, 2015**

Sheraton Erie Bayfront Hotel, ballroom



### Schedule

- 11:45 am - 12:15 pm - Lunch
- 12:15 pm - 12:30 pm - Business Meeting
- 12:30 pm - 1:30 pm - Seminar

**Cost:** \$45/ECBA member

\$30/Member Judge not needing CLE

\$58/Nonmember - Lunch & Seminar

### Business Meeting Agenda

- Call the meeting to order
- Minutes of the last meeting  
(to be emailed for review)
- Financial Report
- Brief Comments from PBA Unit County  
Governor, Judge James Ross
- Business Partners Program Report
- Update on other ECBA business

### Cancellation Policy for ECBA Events/Seminars:

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

## The Story of “Kids for Cash” and the Lessons Learned

This seminar has been approved by the PA CLE Board for 1 hour ethics credit.

It happened in our own state of Pennsylvania. Between 2003 and 2008, a Luzerne County judge mishandled the delinquency cases of thousands of children who appeared before him. In what has become known as the “Kids for Cash” scandal, two judges orchestrated a scheme in which they were paid millions of dollars to arrange for the development of a privately owned juvenile facility to which one of the judges then sent hundreds of children.

We are pleased and honored to welcome as our Mid-Year Meeting speaker Senior Judge John M. Cleland who, as chair of the Interbranch Commission on Juvenile Justice, led an investigation into the scandal and the development of changes to Pennsylvania's juvenile justice system that will help assure such abuses can never happen again.



### The Honorable John M. Cleland

Judge Cleland is a Senior Judge of the McKean County Court of Common Pleas. He has earned a reputation throughout the state for his unwavering fairness and commitment to juvenile justice during his 30+ years on the bench. In 2009, Judge Cleland was appointed by the Chief Justice of Pennsylvania to chair the *Interbranch Commission on Juvenile Justice* which was charged with investigating the corruption leading to the breakdown of the juvenile justice system in Luzerne County and the “Kids for Cash” tragedy.

*Reservations due to the ECBA office by Wednesday, June 10.*

*Register online at [www.eriebar.com](http://www.eriebar.com)*

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania  
In Re: Nicole Marie Foster  
Docket No.: 11500-15

Notice is hereby given that a petition was filed with the above named Court, requesting an order to change the name of Nicole Marie Foster to Nicoletta Maria Casillo. The Court has fixed the 22nd day of June, 2015 at 3:00 p.m. in Courtroom G, Room 222 of the Erie County Courthouse, 140 W. 6th St., Erie, PA 16501 as the time and date for the hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

Jun. 5

**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**

Notice is hereby given that an application for registration of fictitious name has been filed with the Department of State, Commonwealth of Pennsylvania on the 15th day of May, 2015. The fictitious name is: 1. The Village Tavern. 2. Address of the principal place of business, including street and number: 2295 West Center Street, Mill Village, PA 16427. 3. The real name(s) and address, including street and number of the persons who are parties to the registration: Jeff's Village Inn, Inc., c/o Robyn M. Keith, President, 2295 West Center Street, Mill Village, PA 16427. Herman & Herman, LLC  
Jeffrey G. Herman, Esq.  
114 High Street  
Waterford PA 16441

Jun. 5

**FICTITIOUS NAME NOTICE**

1. Fictitious Name: Z's Tavern
2. Address of the principal place of business: 118 East 35th Street, Erie, Pennsylvania 16504
3. The real name and address of the persons who are party to the registration: Seven Below, Inc., 118 East 35th Street, Erie, Pennsylvania 16504
4. The fictitious name registration was filed with the Department of State on April 13, 2015.

Jun. 5

**ORGANIZATION NOTICE**

Notice is hereby given that a Certificate of Organization was filed with the Pennsylvania Department of State on April 21, 2015 for D'ruiz Sales LLC in accordance with the provisions of the Pennsylvania Limited Liability Company Law of 1994.

Jun. 5

**LEGAL NOTICE**

A Petition for Reinstatement to the active practice of law has been filed by MICHAEL T. JOYCE and will be the subject of a hearing on June 24, 2015 before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District IV Office of the Disciplinary Board of the Supreme Court of Pennsylvania, Suite 1300, Frick Building, 437 Grant Street, Pittsburgh, PA 15219, phone; 412-565-3173, on or before **June 12, 2015**.

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

Jun. 5

**LEGAL NOTICE**

ATTENTION: ANTONIO  
DIMALK MCLAURIN  
INVOLUNTARY TERMINATION  
OF PARENTAL RIGHTS  
IN THE MATTER OF THE  
ADOPTION OF MINOR MALE  
CHILD A.D.M  
DOB: JUNE 5, 2013  
BORN TO: ELIZABETH DIANE  
TAYLOR

**16 IN ADOPTION 2015**

If you could be the parent of the above mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Daniel J. Brabender, Jr., Court Room No. 220-F City of Erie on June 18, 2015 at 1:30 p.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your children and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present.

You have a right to be represented at the Hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

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

NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S. §§2731-2742. This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable voluntary agreement for continuing contact or communication following

an adoption between an adoptive parent, a child, a birth parent and/ or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the court. The agreement must be signed and approved by the court to be legally binding. If you are interested in learning more about this option for a voluntary agreement, contact the Office of Children and Youth at (814) 451-7726, or contact your adoption attorney, if you have one.

Jun. 5

**LEGAL NOTICE**

ATTENTION: ELIZABETH  
DIANE TAYLOR  
INVOLUNTARY TERMINATION  
OF PARENTAL RIGHTS

IN THE MATTER OF THE  
ADOPTION OF MINOR MALE  
CHILD A.D.M

DOB: JUNE 5, 2013

16 IN ADOPTION 2015

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Jun. 5



**SHERIFF SALES**

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

**JUNE 19, 2015**

**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.

John T. Loomis

Sheriff of Erie County

May 29 and June 5, 12

**SALE NO. 1**

**Ex. #10281 of 2015**

**CALIBRI CAPITAL, LLC,**

**Plaintiff**

**v.**

**ROBERT J. MILLER and**

**KIMBERLY S. MILLER,**

**Defendants**

**DESCRIPTION**

By virtue of Writ of Execution filed at No. 10281-2015, Calibri Capital, LLC v. Robert J. Miller and Kimberly S. Miller, owner of the following properties identified below:

1) Situate in the Township of Lawrence Park, County of Erie, and Commonwealth of Pennsylvania at 1049 Rankine Avenue, Erie, Pennsylvania 16511:

Assessment Map No.: 29-18-590-3300  
Assessed Value Figure: \$65,370.00  
Improvement Thereon: Single Family Residential Dwelling  
Michael S. Jan Janin, Esquire  
Pa. I.D. No. 38880  
The Quinn Law Firm  
2222 West Grandview Boulevard  
Erie, PA 16506  
(814) 833-2222

May 29 and June 5, 12

**SALE NO. 2**

**Ex. #10168 of 2015**

**ERIE COMMUNITY CREDIT UNION, Plaintiff**

**v.**

**JAMIE L. LOCKWOOD,**

**Defendant**

**SHORT DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania with an address of 2916 German Street, Erie, Pennsylvania 16504, having erected thereon a two story frame dwelling.

BEING the same premises conveyed to Jamie L. Lockwood, by deed dated March 31, 1998 and recorded April 1, 1998 in Erie County Deed Book 551, page 1841.

Erie County Tax Index No. (18) 5082-101.

Jennifer B. Hirneisen, Esq.

PA. Supreme Court ID No. 93345

MacDonald Illig Jones &

Britton LLP

100 State Street, Suite 700

Erie, Pennsylvania 16507-1459

(814) 870-7703

May 29 and June 5, 12

**SALE NO. 3**

**Ex. #13343 of 2014**

**PNC BANK, NATIONAL ASSOCIATION, Plaintiff**

**v.**

**GREGORY J. WALTERS and**

**THE UNITED STATES OF**

**AMERICA, Defendants**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13343-14, PNC Bank, National Association vs. Gregory J. Walters and The United States of America.

Gregory J. Walters, owner of

property situated in Township of Lawrence Park, Erie County, Pennsylvania being 3721 Emmet Drive, Erie, PA 16511

0.1798

Assessment Map number:

29012034000200

Assessed Value figure: \$83,300.00

Improvement thereon: single family dwelling

Brett A. Solomon, Esquire

Michael C. Mazack, Esquire

1500 One PPG Place

Pittsburgh, PA 15222

(412) 566-1212

May 29 and June 5, 12

**SALE NO. 4**

**Ex. #13188 of 2014**

**Nationstar Mortgage LLC, Plaintiff**

**v.**

**Darrell L. Hall, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2014-13188, Nationstar Mortgage LLC vs. Darrell L. Hall, owner of property situated in Concord Township, Erie County, Pennsylvania being 13866 Stewart Road, Corry, PA 16407

1.0000

Assessment Map number: (3) 4-9-6.02

Assessed Value figure: \$107,780.00

Improvement thereon: a residential dwelling

Bradley J. Osborne

Shapira & DeNardo, LLC

3600 Horizon Drive, Suite 150

King of Prussia, PA 19406

(610) 278-6800

May 29 and June 5, 12

**SALE NO. 5**

**Ex. #12911 of 2014**

**Nationstar Mortgage LLC, Plaintiff**

**v.**

**Jesse Piotrowski and Heidi**

**Piotrowski, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12911-14 Nationstar Mortgage LLC vs. Jesse Piotrowski and Heidi Piotrowski, owner(s) of property situated in Edinboro Borough, Erie County, Pennsylvania being 201 Hillcrest Drive, Edinboro, PA 16412

0.4591  
Assessment Map number:  
11-9-32-26.09  
Assessed Value figure: \$138,000.00  
Improvement thereon: a residential dwelling  
Bradley J. Osborne  
Shapiro & DeNardo, LLC  
3600 Horizon Drive, Suite 150  
King of Prussia, PA 19406  
(610) 278-6800  
May 29 and June 5, 12

**SALE NO. 6**

**Ex. #13228 of 2014**  
**JPMorgan Chase Bank, National Association, Plaintiff**  
**v.**  
**Michael J. Schmitt and Karen M. Schmitt, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2014-13228 JPMorgan Chase Bank, National Association vs. Michael J. Schmitt and Karen M. Schmitt, owner(s) of property situated in Township of Venango, Erie County, Pennsylvania being 13661 Joy Avenue, Wattsburg, PA 16442  
0.9276  
Assessment Map number: (44) 15-39-3  
Assessed Value figure: \$135,200.00  
Improvement thereon: a residential dwelling  
Bradley J Osborne  
Shapiro & DeNardo, LLC  
3600 Horizon Drive, Suite 150  
King of Prussia, PA 19406  
(610) 278-6800  
May 29 and June 5, 12

**SALE NO. 7**

**Ex. #10110 of 2015**  
**JPMC Specialty Mortgage LLC, Plaintiff**  
**v.**  
**John R. Sheldon and Cherie R. Sheldon, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10110-15 JPMC Specialty Mortgage LLC vs. John R. Sheldon and Cherie R. Sheldon, owner(s) of property situated in Township of Girard, Erie County, Pennsylvania being 8395 Lexington Road, Girard, PA 16417  
1.6100

Assessment Map number:  
24-21-75-4-.01  
Assessed Value figure: \$116,300.00  
Improvement thereon: a residential dwelling  
Bradley J Osborne  
Shapiro & DeNardo, LLC  
3600 Horizon Drive, Suite 150  
King of Prussia, PA 19406  
(610) 278-6800  
May 29 and June 5, 12

**SALE NO. 8**

**Ex. #13417 of 2014**  
**Wells Fargo Bank, N.A., Plaintiff**  
**v.**  
**Steven J. Anthony a/k/a Steven John Anthony**  
**Alicia I. Anthony a/k/a Alicia Irene Anthony, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13417-14  
Wells Fargo Bank, N.A. vs. Steven J. Anthony a/k/a Steven John Anthony, Alicia I. Anthony a/k/a Alicia Irene Anthony  
Amount Due: \$125,932.83  
Steven J. Anthony a/k/a Steven John Anthony, Alicia I. Anthony a/k/a Alicia Irene Anthony, owner(s) of property situated in CONCORD TOWNSHIP, Erie County, Pennsylvania being 11888 Concord Road, Corry, PA 16407-9506  
Acreage: 4.19  
Assessment Map number:  
03-016-029.0-006.01  
Assessed Value: \$110,900.00  
Improvement thereon: residential  
Phelan Hallinan Diamond & Jones, LLP  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000  
May 29 and June 5, 12

**SALE NO. 9**

**Ex. #13309 of 2012**  
**JPMorgan Chase Bank, N.A., Plaintiff**  
**v.**  
**Douglas M. Davis, Sr.**  
**Yolanda V. Davis, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13309-12, JPMorgan

Chase Bank, N.A. vs. Douglas M. Davis, Sr, Yolanda V. Davis  
Amount Due: \$83,978.43  
Douglas M. Davis, Sr, Yolanda V. Davis, owner(s) of property situated in the CITY OF ERIE, Erie County, Pennsylvania being 630 Liberty Street, Erie, PA 16502-1229  
Dimensions: 30 X 52.60  
Acreage: 0.0362  
Assessment Map number:  
17-040-0250-20100  
Assessed Value: 65,170.00  
Improvement thereon: residential  
Phelan Hallinan Diamond & Jones, LLP  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000  
May 29 and June 5, 12

**SALE NO. 10**

**Ex. #13099 of 2014**  
**Wells Fargo Bank, NA, Plaintiff**  
**v.**  
**Daniel W. Eades**  
**Josiane Eades, Defendant(s)**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13099-14 Wells Fargo Bank, NA vs. Daniel W. Eades, Josiane Eades  
Amount Due: \$128,758.04  
Daniel W. Eades, Josiane Eades, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 4033 Warsaw Avenue, Erie, PA 16504-2545  
Dimensions: 40 X 132  
Acreage: 0.1212  
Assessment Map number:  
18052021021700  
Assessed Value: \$125,920.00  
Improvement thereon: residential  
Phelan Hallinan Diamond & Jones, LLP  
One Penn Center at Suburban Station, Suite 1400  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103-1814  
(215) 563-7000  
May 29 and June 5, 12

**SALE NO. 11**

**Ex. #12410 of 2014**  
**Bank of America, N.A Successor by Merger to BAC Home Loans**



**Servicing, L.P. f/k/a Countrywide  
Home Loans Servicing, L.P.,  
Plaintiff**

**v.**

**Brian J. Farmer**

**Anna K. Farmer, Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12410-14 Bank of America, N.A Successor by Merger to BAC Home Loans Servicing, L.P. f/k/a Countrywide Home Loans Servicing, L.P. vs. Brian J. Farmer, Anna K. Farmer  
Amount Due: \$131,925.78  
Brian J. Farmer, Anna K. Farmer, owner(s) of property situated in WATERFORD TOWNSHIP, Erie County, Pennsylvania being 12869 Washington Circle, Waterford, PA 16441-9067

Dimensions: 1320 SQ. FT.

Acreage: 0.8616

Assessment Map number:  
47026084007300

Assessed Value: 119,360.00

Improvement thereon: residential

Phelan Hallinan Diamond &

Jones, LLP

One Penn Center at Suburban  
Station, Suite 1400

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

(215) 563-7000

May 29 and June 5, 12

**SALE NO. 13**

**Ex. #11917 of 2013**

**The Bank of New York Mellon  
Trust Company, National  
Association fka The Bank of  
New York Trust Company, N.A.  
Successor to JPMorgan Chase  
Bank N.A., as Trustee for Rase  
2004-KS10, Plaintiff**

**v.**

**Conrad L. Mcnees**

**Leonard A. Johnson Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11917-13 The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. Successor to JPMorgan Chase Bank N.A., as Trustee for Rase 2004-KS10 vs. Conrad L. Mcnees, Leonard A. Johnson  
Amount Due: \$95,950.18

Conrad L. Mcnees, Leonard A. Johnson, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 801 West 9th Street, a/k/a 807 West 9th Street, Erie, PA 16502-1222

Dimensions: 82.5 x 75

Acreage: 0.1421

Assessment Map number:  
16030042010400

Assessed Value: 74,600.00

Improvement thereon: residential

Phelan Hallinan Diamond &  
Jones, LLP

One Penn Center at Suburban  
Station, Suite 1400

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

(215) 563-7000

May 29 and June 5, 12

**SALE NO. 14**

**Ex. #13263 of 2014**

**Bank of America, N.A. Successor  
by Merger to BAC Home Loans  
Servicing, L.P. f/k/a Countrywide  
Home Loans Servicing, L.P.,  
Plaintiff**

**v.**

**William Seth Moss, Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13263-14 Bank of America, N.A. Successor by Merger to BAC Home Loans Servicing, L.P. f/k/a Countrywide Home Loans Servicing, L.P. vs. William Seth Moss

Amount Due: \$70,555.44

William Seth Moss, owner(s) of property situated in UNION TOWNSHIP, Erie County, Pennsylvania being 17490 Oneil Road, Union City, PA 16438-7910

Dimensions: 1,430 square feet

Acreage: 5.000

Assessment Map number:  
43014043001001

Assessed Value: \$66,700.00

Improvement thereon: residential

Phelan Hallinan Diamond &  
Jones, LLP

One Penn Center at Suburban  
Station, Suite 1400

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

(215) 563-7000

May 29 and June 5, 12

**SALE NO. 15**

**Ex. #10789 of 2012**

**U.S. Bank Trust National  
Association, Not in Its Individual  
Capacity But Solely as Delaware  
Trustee and U.S. Bank National  
Association, Not in Its Individual  
Capacity But Solely as CO-  
Trustee for Government Loan  
Securitization Trust 2011-Fvl,  
Plaintiff**

**v.**

**David J. Nowakowski, Jr.**

**Deborah S. Nowakowski,**

**Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10789-12 U.S. Bank Trust National Association, Not in Its Individual Capacity But Solely as Delaware Trustee and U.S. Bank National Association, Not in Its Individual Capacity But Solely as CO-Trustee for Government Loan Securitization Trust 2011-Fvl vs. David J. Nowakowski, Jr, Deborah S. Nowakowski

Amount Due: \$99,797.61

David J. Nowakowski, Jr, Deborah S. Nowakowski, owner(s) of property situated in TOWNSHIP OF HARBORCREEK, Erie County, Pennsylvania being 2013 Cook Avenue, Erie, PA 16510-2212

Dimensions: 80 X 120

Acreage: 0.2204

Assessment Map number:  
27045148000400

Assessed Value: \$93,040.00

Improvement thereon: residential

Phelan Hallinan Diamond &  
Jones, LLP

One Penn Center at Suburban  
Station, Suite 1400

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

(215) 563-7000

May 29 and June 5, 12

**SALE NO. 16**

**Ex. #11885 of 2014**

**Wells Fargo Bank, N.A., s/b/m  
to Wells Fargo Home Mortgage,  
Inc., f/k/a Norwest Mortgage,  
Inc., Plaintiff**

**v.**

**Adam Clark, in Capacity as  
Administrator of The Estate  
of Stephen M. Webb a/k/a**

**Stephen Webb Unknown Heirs,  
Successors, Assigns, and All  
Persons, Firms, or Associations  
Claiming Right, Title or Interest  
From or Under Stephen Webb  
a/k/a Stephen Webb, Deceased,  
Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11885-14 Wells Fargo Bank, N.A., s/b/m to Wells Fargo Home Mortgage, Inc., f/k/a Norwest Mortgage, Inc. vs. Adam Clark, in Capacity as Administrator of The Estate of Stephen M. Webb a/k/a Stephen Webb, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Stephen Webb a/k/a Stephen Webb, Deceased Amount Due: \$42,015.83

Adam Clark, in Capacity as Administrator of The Estate of Stephen M. Webb a/k/a Stephen Webb, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Stephen Webb a/k/a Stephen Webb, Deceased, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 2620 Glendale Avenue, Erie, PA 16510-1526 Dimensions: 40.5 X 130 Acreage: 0.1209

Assessment Map number: 18051042012000

Assessed Value: \$63,070.00

Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP

One Penn Center at Suburban Station, Suite 1400

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

May 29 and June 5, 12

**SALE NO. 17**

**Ex. #13320 of 2014**

**CITIZENS BANK OF  
PENNSYLVANIA**

v.

**Timothy J. Lyons  
Betty Jo Lyons**

**ADVERTISING DESCRIPTION**

ALL THAT CERTAIN piece of ground situate in the Township

of Millcreek, Commonwealth of Pennsylvania.

BEING KNOWN AS: 3021 West 22nd Street, Erie, PA 16506

PARCEL #33-052-219.0-013.00 Improvements: Residential

Dwelling

Gregory Javardian, Esquire

ID No. 55669

1310 Industrial Boulevard

1st Floor, Suite 101

Southampton, PA 18966

(215) 942-9690

May 29 and June 5, 12

**SALE NO. 18**

**Ex. #12685 of 2014**

**CITIMORTGAGE, INC.**

v.

**DAVID B. GETZ**

**ADVERTISING DESCRIPTION**

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

BEGINNING at a point in the south line of West 8th Street, 40 feet east of the east line of Raspberry Street, thence running southwardly parallel with Raspberry Street 121 feet, thence eastwardly parallel with West 8th Street 40 feet to a point; thence northwardly parallel with Raspberry Street 121 feet to the south line of West 8th Street; thence westwardly along the south line of West 8th Street, 40 feet to the place of beginning.

BEING KNOWN AS: 1057-1059 WEST 8TH STREET, ERIE, PA 16502

PARCEL # (16)3052-216

Improvements: Residential

Dwelling

Harry B. Reese, Esquire

Id. No. 310501

Powers, Kim & Associates, LLC

Eight Neshaminy Interplex Suite 215 Trevoze, PA 19053

(215) 942-2090

May 29 and June 5, 12

**SALE NO. 19**

**Ex. #10237 of 2014**

**NATIONSTAR MORTGAGE  
LLC D/B/A CHAMPION  
MORTGAGE COMPANY**

v.

**CHARLES A.J. HALPIN,  
III, ESQUIRE PERSONAL  
REPRESENTATIVE OF  
THE ESTATE OF CHARLES  
GRUTKOWSKI, DECEASED  
ADVERTISING 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: Being Lot No. 279 of Southlands, Second Section, Subdivision of Reserve Tract No. 73, in the City of Erie, Pennsylvania, made by the Andrews Land Company, as per map recorded in Erie County Map book No. 3, Page 82 and 83.

SAID premises commonly known as 3620 Washington Avenue, Erie, Pennsylvania 16508 and are further identified by Erie County Assessment Index Number (19) 6142-107

BEING KNOWN AS: 3620 WASHINGTON AVENUE, ERIE, PA 16508

PARCEL # 19-6142-107

Improvements: Residential Dwelling.

Daniel C. Fanaselle, Esquire

Id. No. 312292

Powers, Kim & Associates, LLC

Eight Neshaminy Interplex Suite 215 Trevoze, PA 19053

(215) 942-2090

May 29 and June 5, 12

**SALE NO. 20**

**Ex. #10208 of 2015**

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

v.

**Christy L. Casler, Defendant  
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 2015-10208 U.S. Bank National Association, as Trustee for the Pennsylvania Housing Finance Agency vs. Christy L. Casler Real Estate: 311 POPLAR STREET, ERIE, PA 16507

Municipality: City of Erie, Erie County, Pennsylvania Dimensions: 125' x 31'

See Deed Instrument #2012-008866

Tax I.D. (17) 4021-125

Assessment: \$7,500. (Land)

\$52,400. (Bldg)

Improvement thereon: a residential dwelling house as identified above  
Leon P. Haller, Esquire  
Purcell, Krug & Haller  
1719 North Front Street  
Harrisburg, PA 17104  
(717) 234-4178

May 29 and June 5, 12

**SALE NO. 21**

**Ex. #10141 of 2012**

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

v.

**ANIBAL GARCIA AND  
MARIBEL GARCIA, Defendants  
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 10141-12 U.S. Bank National Association, as Trustee for the Pennsylvania Housing Finance Agency vs. Anibal Garcia and Maribel Garcia

Real Estate: 2648 WEST 24TH STREET, ERIE, PA 16506  
Municipality: Township of Millcreek, Erie County, Pennsylvania  
See Deed Book 1373, Page 2138  
Tax I.D. (33) 51-198-17

Assessment: \$23,300. (Land)

\$54,690. (Bldg)

Improvement thereon: a residential dwelling house as identified above  
Leon P. Haller, Esquire  
Purcell, Krug & Haller  
1719 North Front Street  
Harrisburg, PA 17104  
(717) 234-4178

May 29 and June 5, 12

**SALE NO. 23**

**Ex. #12962 of 2014**

**MIDFIRST BANK, Plaintiff**

v.

**CHARLETTE M. KELLY,  
Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 12962-2014 Midfirst Bank vs. Charlette M. Kelly

Real Estate: 2226 BUFFALO ROAD, ERIE, PA 16510  
Municipality: City of Erie, Erie County, Pennsylvania  
Plan: Lots 160 and 161, Andrews

Land Subdivision, Part of Reserve Tract 50 Erie County Map Book 1, Page 376.

See Deed Book 1359, Page 1838

Tax I.D. No. (15) 2132-123

Assessment: \$6,300. (Land)

\$27,290. (Bldg)

Tax I.D. No. (15) 2132-124

Assessment: \$5,000. (Land)

\$0 (Bldg)

Improvement thereon: a residential dwelling house as identified above

Leon P. Haller, Esquire  
Purcell, Krug & Haller  
1719 North Front Street  
Harrisburg, PA 17104  
(717) 234-4178

May 29 and June 5, 12

**SALE NO. 25**

**Ex. 10183 of 2015**

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

v.

**Hernando I. Vargas, Defendant  
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 10183-15 U.S. Bank National Association, as Trustee for the Pennsylvania Housing Finance Agency vs. Hernando I. Vargas

Real Estate: 1440 EAST 34TH STREET, ERIE, PA 16504  
Municipality: City of Erie, Erie County, Pennsylvania

Plan: Lot 96 of Charles H. Gloth Subdivision Replot, Map Book 4, Pgs. 364-365

See Deed Instrument 2012-010608

Tax I.D. (18) 5154-417

Assessment: \$19,100. (Land)

\$75,140. (Bldg)

Improvement thereon: a residential dwelling house as identified above

Leon P. Haller, Esquire  
Purcell, Krug & Haller  
1719 North Front Street  
Harrisburg, PA 17104  
(717) 234-4178

May 29 and June 5, 12

**SALE NO. 26**

**Ex. #10175 of 2015**

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

**PURSUANT TO A TRUST  
INDENTURE DATED AS OF  
APRIL 1, 1982), Plaintiff,**

v.

**KIMBERLY B. POPOVIC and  
JOHN R. POPOVIC, Defendants  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2015-10175, U.S. Bank, National Association, et al vs. Kimberly B. Popovic and John R. Popovic, owner(s) of property situated in Summit Township, Erie County, Pennsylvania being 2440 Glory Drive, Waterford, PA 16441. Dimensions: (Call Assessment (814) 451-6225 for square footage and/or acreage)

Assessment Map Number:  
(40) 16-72-43.21

Assess Value figure: \$308,780.00

Improvement thereon: Dwelling

Louis P. Vitti, Esquire

Attorney for Plaintiff

215 Fourth Avenue

Pittsburgh, PA 15222

(412) 281-1725

May 29 and June 5, 12

**SALE NO. 27**

**Ex. #10364 of 2015**

**U.S. Bank National Association,  
as Trustee for Structured Asset  
Securities Corporation Mortgage  
Pass-Through Certificates, Series  
2006-GEL3, Plaintiff**

v.

**JEFFREY E CARR  
LISA M CARR, Defendant(s)  
SHORT DESCRIPTION FOR**

**ADVERTISING**

ALL THAT CERTAIN LOT OF LAND SITUATE IN CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA BEING KNOWN AS 2668 Chestnut St., Erie, PA 16508

PARCEL NUMBER:

19060048010500

IMPROVEMENTS: Residential Property

Udren Law Offices, P.C.

J. Eric Kishbaugh, Esquire

PA ID 33078

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

May 29 and June 5, 12

**SALE NO. 28**

**Ex. #13583 of 2013**

**PNC Bank, National Association,  
Plaintiff**

**v.**

**DEBORAH L. KEPPLER  
RICHARD W. KEPPLER,  
Defendant(s)**

**SHORT DESCRIPTION FOR  
ADVERTISING**

ALL THAT CERTAIN LOT OF  
LAND SITUATE IN TOWNSHIP  
OF SUMMIT, ERIE COUNTY,  
PENNSYLVANIA:

BEING KNOWN AS 2205 New  
Road, Waterford, PA 16441

PARCEL NUMBER: (40) 20-103-6  
IMPROVEMENTS: Residential  
Property

Udren Law Offices, P.C.

J. Eric Kishbaugh, Esquire  
PA ID 33078

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

May 29 and June 5, 12

**SALE NO. 29**

**Ex. #10264 of 2015**

**Federal National Mortgage  
Association ('Fannie Mae'),  
Plaintiff**

**v.**

**Rita J. Drzal and Robert E.  
Drzal, Defendant  
SHERIFF'S SALE**

By virtue of a Writ of Execution  
filed to No. 2015-10264 Federal  
National Mortgage Association  
("Fannie Mae") v. Rita J. Drzal  
and Robert E. Drzal, Owner(s) of  
property situated in Summit, Erie  
County, Pennsylvania, being 9342  
Donation Road, Waterford, PA  
16441

ALL THAT CERTAIN piece and  
parcel of land situate in the Township  
of Summit, County of Erie and State  
of Pennsylvania, being part of Tract  
No. 395, bounded and described as  
follows, to-wit:

Beginning at a point in the west  
line of the Tate Road, or Donation  
Road, said point being six hundred  
ninety-four and four-tenths (694.4)  
feet North, twenty-six (26) degrees  
West from the intersection of the  
West line of the Tate Road, or  
Donation Road, and the North line

of the Graham Road; thence South  
sixty-four (64) degrees, West one  
hundred ninety-eight (198) feet to a  
point; thence South twenty-six (26)  
degrees, East one hundred forty  
(140) feet to a point; thence North  
Sixty-four (64) degrees, East one  
hundred ninety-eight (198) feet to  
a point in the West line of the Tate  
Road or Donation Road; thence  
North twenty-six (26) degrees, West  
one hundred forty (140) feet to the  
point of beginning. Having erected  
thereon a one story frame dwelling  
commonly known as 9342 Donation  
Road, Waterford, Pennsylvania,  
with County of Erie Index No.  
(40) 22-95-3.

Assessment Map number:

40-022-095.0-003.00

Assessed Value figure: \$118,100.00

Improvement thereon: Residential  
Dwelling

Martha E. Von Rosenstiel, Esquire  
No. 52634

649 South Avenue, Unit #6

P.O. Box 822

Secane, PA 19018

(610) 328-2887

May 29 and June 5, 12

**SALE NO. 30**

**Ex. #11274 of 2014**

**PNC BANK, NATIONAL  
ASSOCIATION, SUCCESSOR  
BY MERGER TO NATIONAL  
CITY BANK, SUCCESSOR BY  
MERGER TO NATIONAL CITY  
MORTGAGE, A DIVISION OF  
NATIONAL CITY BANK OF  
INDIANA, Plaintiff**

**v.**

**ANDREW C. ELIASON  
ELISSA M. ELIASON,  
Defendant(s)**

**DESCRIPTION**

ALL THAT CERTAIN Lot Or Piece  
Of Ground Situate In The Township  
Of Greene, County Of Erie And  
Commonwealth Of Pennsylvania,  
Being Known As Lot A As  
Surveyed By Edward E. Northrop,  
Pls, As Shown On The Yaple Hill  
Subdivision As Same Is Recorded  
In The Erie County Recorder Of  
Deeds In Map Book 2004, Page 35.  
BEGINNING At An Existing Iron  
Pipe In The North Right Of Way  
Line Of Clemens Road (TR-589),

Said Pipe Is The Southwest Corner  
Of The Lot Herein Conveyed, Said  
Pipe Is Also The Southeast Corner  
Of A Lot Now Or Formerly Owned  
By Fallacaro (Tax Identification  
Number 25-19-54-30.05); THENCE  
S 71° 17' 22" E A Distance Of 46.11  
Feet Along The North Right Of Way  
Line Of Clemens Road To A Set  
Iron Pipe; THENCE N 89° 33' 14"  
E A Distance Of 282.33 Feet Along  
The North Property Line Of Yaple  
To An Existing iron Pipe; THENCE  
S 01° 32' 08" E A Distance of  
209.01 Feet To A Set Iron Pipe In  
The North Right Of Way Line Of  
Clemens Road; THENCE S 49° 21'  
06" E A Distance Of 133.08 Feet  
Along The North Right Of Way  
Line Of Clemens Road To A Set  
Iron Pipe; THENCE N 00° 25' 22"  
W A Distance of 851.09 Feet To  
A Set iron Pipe In The South Line  
Of Niemeyer; THENCE S 88° 36'  
32" W A Distance Of 430.24 Feet  
Along The South Line Of Niemeyer  
To An Existing Iron Pipe, Said Pipe  
Is The Northeast Corner Of The  
Fallacaro Property; THENCE S  
00° 25' 22" E A Distance Of 532.41  
Feet To An Existing Iron Pipe, Said  
Pipe Is The Point Of Beginning.  
Containing 6.03 Acres Of Land  
As Shown On The Yaple Hill  
Subdivision Plat Being Lot A As  
Surveyed By Edward E. Northrop,  
PLS And Recorded In The Erie  
County Recorder Of Deeds In  
MapBook 2004 Page 35.

PROPERTY ADDRESS: 5250  
Clemens Road, Waterford, PA  
16441

KML Law Group, P.C.

Suite 5000 - BNY Independence

Center, 701 Market Street

Philadelphia, PA 19106-1532

(215) 627-1322

May 29 and June 5, 12

**SALE NO. 31**

**Ex. #13353 of 2014**

**The Bank of New York Mellon  
FKA The Bank of New York, as  
Trustee for Certificateholders  
of CWABS Inc., Asset-Backed  
Certificates, Series 2007-5,  
Plaintiff**

**v.**

**Lisa McElroy, Defendant**

**REAL PROPERTY SHORT  
DESCRIPTION FORM**

TO THE SHERIFF OF ERIE  
COUNTY:

PROPERTY OF: Lisa McElroy

EXECUTION NO: 13353-14

JUDGMENT AMT: \$82,820.68

ALL the right, title, interest and  
claim of: Lisa McElroy  
Of in and to:

ADDRESS: 934 W 5" Street, Erie,  
PA 16507

MUNICIPALITY: City of Erie

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

Tax ID: 17040029022800

Commonly known as 934 W 5th  
Street, Erie, PA 16507

Parker McCay, P.A.

Richard J. Nalbandian, III, Esquire  
9000 Midlantic Drive, Suite 300  
P.O. Box 5054

Mount Laurel, NJ 08054-1539

(856) 810-5815

May 29 and June 5, 12

**SALE NO. 33**

**Ex. #12120 of 2014**

**Wells Fargo Bank, N.A., as  
Trustee in trust for the registered  
holders of Morgan Stanley ABS  
Capital I Trust 2005-WMC6,  
Mortgage Pass-Through  
Certificates, Series 2005-WMC6**

v.

**Heather D. Quick**

**SHERIFF'S SALE**

By virtue of a Writ of Execution  
filed to No. 12120-14 Wells Fargo  
Bank, N.A., as Trustee, in trust for  
the registered holders of Morgan  
Stanley ABS Capital I Trust 2005-  
WMC6, Mortgage Pass-Through  
Certificates, Series 2005-WMC6  
vs. Heather D. Quick, owners of  
property situated in Erie City, Erie  
County, Pennsylvania being 1933  
W. 33rd Street, Erie, PA 16508

Assessment Map number: 19-6156-110  
Improvement thereon: Residential  
Dwelling

Robert W. Williams, Esquire

1 E. Stow Road

Marlton, NJ 08053

(856) 482-1400

May 29 and June 5, 12

**SALE NO. 34**

**Ex. #10177 of 2014**

**Bank of New York Mellon (fka  
Bank of New York, successor  
to JPMorgan Chase Bank),  
as Trustee, an behalf of  
registered holders of Specialty  
Underwriting and Residential  
Finance Trust, Mortgage Loan  
Asset-Backed Certificates, Series  
2005-BC3, Plaintiff**

v.

**Mary Moore; Mathew Brocious  
SHERIFF'S SALE**

By virtue of a Writ of Execution  
file to No. 10177-14 Bank of  
New York Mellon (fka Bank of  
New York, successor to JPMorgan  
Chase Bank). as Trustee, an behalf  
of registered holders of Specialty  
Underwriting and Residential  
Finance Trust, Mortgage Loan  
Asset-Backed Certificates, Series  
2005-BC3, Plaintiff vs. Mary  
Moore; Mathew Brocious, owner(s)  
of property situated in the Township  
of Springfield, County of Erie,  
Pennsylvania being 12452 Main  
Street, East Springfield, PA 16411  
1300 square feet

Assessment Map Number:  
39017054000300

Assessed Value figure: 131,600.00  
Improvement thereon: Single  
Family Dwelling

Scott A. Dietterick, Esquire  
Zucker, Goldberg & Ackerman, LLC  
200 Sheffield Street, Suite 101  
Mountainside, NJ 07092  
(908) 233-8500

May 29 and June 5, 12

**SALE NO. 35**

**Ex. #13479 of 2014**

**U.S. BANK NATIONAL  
ASSOCIATION AS  
TRUSTEE FOR THE  
CITIGROUP MORTGAGE  
LOAN TRUST INC. ASSET-  
BACKED PASS-THROUGH  
CERTIFICATES SERIES 2007-  
AMC1**

v.

**Marjorie E. Krysiak  
SHERIFF'S SALE**

By virtue of a Writ of Execution  
file to No. 13479-14 U.S. Bank  
National Association as Trustee for

the Certificateholders of Citigroup  
Mortgage Loan Trust Inc. Asset-  
Backed Pass-Through Certificate  
Series 2007-AMC1 vs. Marjorie  
E. Krysiak; owner(s) of property  
situated in the City of Erie, County  
of Erie, Pennsylvania being 2732  
East 29th Street, Erie, PA 16510

51 X 123 864 square feet

Assessment Map Number:  
18051049023200

Assessed Value figure: 71,690.00  
Improvement thereon: Single  
Family Dwelling

Scott A. Dietterick, Esquire  
Zucker, Goldberg & Ackerman, LLC  
200 Sheffield Street, Suite 101  
Mountainside, NJ 07092  
(908) 233-8500

May 29 and June 5, 12

**SALE NO. 36**

**Ex. #11627 of 2014**

**Deutsche Bank National Trust  
Company, as Trustee for First  
Franklin Loan Trust 2006-  
FFS, Mortgage Pass-Through  
Certificates, Series 2006-FF5**

v.

**Allison K. Lamp; Lucas C. Lamp  
SHERIFF'S SALE**

By virtue of a Writ of Execution  
file to No. 11627-14 Deutsche  
Bank National Trust Company,  
as Trustee for First Franklin Loan  
Trust 2006-FF5, Mortgage Pass-  
Through Certificates, Series 2006-  
FF5 vs. Allison K. Lamp; Lucas C.  
Lamp owner(s) of property situated  
in the City of Erie, County of Erie,  
Pennsylvania being 4302 Caroline  
Drive, Erie, PA 16509

1,458 square feet

Assessment Map Number:  
19061077011400

Assessed Value figure: 115,560.00  
Improvement thereon: Single  
Family Dwelling

Scott A. Dietterick, Esquire  
Zucker, Goldberg & Ackerman, LLC  
200 Sheffield Street, Suite 101  
Mountainside, NJ 07092  
(908) 233-8500

May 29 and June 5, 12

**SALE NO. 37**

**Ex. #10206 of 2015**

**U.S. Bank, National Association,  
as Trustee for Citigroup**



**Mortgage Loan Trust Inc.,  
Asset-Backed Pass-Through  
Certificates, Series 2006-AMC1,  
c/o Ocwen Loan Servicing, LLC**

v.

**Deborah C. Harmon**

**LEGAL DESCRIPTION**

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

Being all of Lot No. 5 of the Clyde W. Kane subdivision as shown in Erie County Map Book 31 at Page 176 and being more fully described as follows: Beginning at a point in the centerline of Walbridge Road (50 foot R.O.W.), said point being located North 32 degrees, 16 minutes, 16 seconds West, 450 feet from the Southeast corner of the Clyde W. Kane property as described in Erie County Deed Book 1667 at Page 142. Thence South 57 degrees, 43 minutes 44 seconds West, passing over an Iron Pipe in the West line of Walbridge Road at 25 feet, a total distance of 275 feet to an Iron Pipe. Thence North 32 degrees, 16 minutes, 16 seconds West, 100 feet to an Iron pipe. Thence North 57 degrees, 43 minutes, 44 seconds East, passing over an Iron Pipe in the West line of Walbridge Road at 250 feet, a total distance of 275 feet to a point in the centerline of said Road. Thence South 32 degrees, 16 minutes, 16 seconds East, along said centerline, 100 feet to the place of beginning. Source of Title: Book 0804, Page 2367, (Recorded 08/29/2001) APN: 27-005-076.1-003.00  
PROPERTY ADDRESS: 456 Walbridge Road, Erie, PA 16511  
PARCEL 27-005-076.1-003.00  
BEING the same premises Deborah C. Harmon, married, who acquired title as Deborah C. Mills, single, by Deed dated May 31, 2006, and recorded September 14, 2006, in the Office of the Recorder of Deeds in and for Adams County in Deed Book 1361, Page 0001, granted and conveyed unto Deborah C. Harmon, married.

William E. Miller, Esquire

Stern & Eisenberg, PC  
1581 Main Street, Suite 200  
The Shops at Valley Square  
Warrington, PA 18976  
(215) 572-8111

May 29 and June 5, 12

**SALE NO. 39**

**Ex. #10455 of 2014**

**Wells Fargo Bank, N.A.,  
as Trustee, for Carrington  
Mortgage Loan Trust, Series  
2006-NC2 Asset-Backed Pass-  
Through Certificates, Plaintiff**

v.

**Luis R. Reyes and Antonia Reyes,  
Defendant**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10455-14 Wells Fargo Bank, N.A., as Trustee, for Carrington Mortgage Loan Trust, Series 2006-NC2 Asset-Backed Pass-Through Certificates v. Luis R. Reyes and Antonia Reyes, owners of property situated in the Township of Erie, Erie County, Pennsylvania being 2052 Downing Avenue, Erie, Pennsylvania 16510-000.  
Tax I.D. No. (18) 5118-200  
Assessment: \$75,452.93  
Improvements: Residential Dwelling  
McCabe, Weisberg and Conway, P.C.  
123 South Broad Street, Suite 1400  
Philadelphia, PA 19109  
215-790-1010

May 29 and June 5, 12

**SALE NO. 41**

**Ex. #10067 of 2015**

**The Bank of New York Mellon  
f/k/a The Bank of New York as  
Trustee for the Certificateholders  
of the CWABS, Inc., Asset-  
Backed Certificates, Series 2005-  
13, Plaintiff**

v.

**Heather E. Stevens-Jones,  
Defendant**

**SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10067-15, The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2005-13 v. Heather E. Stevens-Jones, owners of property

situated in the Township of City of Erie, Erie County, Pennsylvania being 1141 East 30th Street, Erie, Pennsylvania 16504.

Tax ID. No. 18-5047-312

Assessment: \$85,257.70

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.  
123 South Broad Street, Suite 1400  
Philadelphia, PA 19109  
215-790-1010

May 29 and June 5, 12

**SALE NO. 42**

**Ex. #12389 of 2014**

**The Bank of New York Mellon  
fka The Bank of New York, as  
trustee for the Certificateholders  
of the CWABS, Inc., Asset-  
Backed Certificates, Series  
2007-13**

v.

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

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12389-14, The Bank of New York Mellon fka The Bank of New York, as Trustee for the certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2007-13 vs. Ralph T. Russell and Linda I. Russell, owner(s) of property situated in Township of Fairview, County of Erie, Commonwealth of Pennsylvania being 4400 Kell Road, Fairview, PA 16415  
0.7055 Acres  
Assessment Map No.:  
21-066-093.0-098.00  
Assessed Value Figure: 151,200.00  
Improvement Thereon: Residential Dwelling  
Thomas M. Federman, Esq.  
ID # 64068  
Federman & Associates, LLC  
305 York Road, Suite 300  
Jenkintown, PA 19046

May 29 and June 5, 12

**ESTATE NOTICES**

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same and all persons indebted to said estates are requested to make payment without delay to the executors or their attorneys named below.

**FIRST PUBLICATION****ALEXA, MATTHEW,  
deceased**

Late of Erie, Erie County, PA  
*Administrator:* Mark W. Alexa,  
 c/o Gerald J. Villella, Esquire,  
 150 East Eighth Street, 2nd Floor,  
 Erie, PA 16501  
*Attorney:* Gerald J. Villella,  
 Esquire, 150 East Eighth Street,  
 2nd Floor, Erie, PA 16501

**BUSH, ANNA MAE,  
deceased**

Late of the City of Erie, County  
 of Erie, Commonwealth of  
 Pennsylvania  
*Administrator:* Laura A. Brokos,  
 PO Box 166, Fairview, PA 16415  
*Attorney:* None

**DEVARENNE, BONNIE L.,  
deceased**

Late of the Township of Fairview,  
 Erie County, Pennsylvania  
*Executor:* Joseph P. Devarenne,  
 III, 232 S. Lafayette Park Place,  
 Unit 402, Los Angeles, CA 90057  
*Attorney:* Randy L. Shapira, Esq.,  
 305 West Sixth Street, Erie, PA  
 16507

**DiLORETO, EVELYN TAYLOR,  
a/k/a EVELYN T. DiLORETO,  
deceased**

Late of the City of Erie, County  
 of Erie, Commonwealth of  
 Pennsylvania  
*Executor:* Gregory T. DiLoreto,  
 1516 Perimeter Road, M-105, West  
 Palm Beach, FL 33406-1454  
*Attorneys:* MacDonald, Illig,  
 Jones & Britton LLP, 100  
 State Street, Suite 700, Erie,  
 Pennsylvania 16507-1459

**EWER, CHARLOTTE F.,  
deceased**

Late of the City of Erie, County  
 of Erie and Commonwealth of  
 Pennsylvania  
*Executor:* Kent G. Ewer, c/o  
 Norman A. Stark, Esq., Suite 300,  
 300 State Street, Erie, PA 16507  
*Attorneys:* Marsh, Spaeder, Baur,  
 Spaeder & Schaaf, LLP, Suite  
 300, 300 State Street, Erie, PA  
 16507

**GATES, MERLE L.,  
deceased**

Late of Fairview Township,  
 County of Erie  
*Executor:* Thomas A. Testi, Esq.,  
 3952 Avonia Road, PO Box 413,  
 Fairview, PA 16415  
*Attorney:* Thomas A. Testi, Esq.,  
 3952 Avonia Road, PO Box 413,  
 Fairview, PA 16415

**HEILE, MARY ANN H., a/k/a  
MARY ANN HEILE,  
deceased**

Late of the City of Erie, County  
 of Erie  
*Executor:* Deborah J. Stefanucci,  
 232 Wood Street, Meadville,  
 Pennsylvania 16335  
*Attorney:* Kari A. Froess, Esquire,  
 Carney & Good, 254 West Sixth  
 Street, Erie, Pennsylvania 16507

**HOLODNAK, MABEL L.,  
deceased**

Late of Harborcreek Township,  
 County of Erie, Commonwealth  
 of Pennsylvania  
*Administrator:* Deborah A.  
 Angelo, 7025 Clark Rd., Erie, PA  
 16510  
*Attorney:* None

**KIGHTLINGER, MARGARET G.,  
deceased**

Late of the Township of  
 Millcreek, Erie County, PA  
*Executrix:* Suzanne R. Bello, c/o  
 120 West 10th Street, Erie, PA  
 16501  
*Attorney:* Christine Hall McClure,  
 Esquire, Knox McLaughlin  
 Gornall & Sennett, P.C., 120 West  
 Tenth Street, Erie, PA 16501

**KOHLER, JOHN J.,  
deceased**

Late of the City of Erie, County  
 of Erie and Commonwealth of  
 Pennsylvania  
*Executor:* Thomas S. Kubinski,  
 Esq., The Conrad - F.A. Brevillier  
 House, 502 Parade Street, Erie,  
 PA 16507  
*Attorney:* Thomas S. Kubinski,  
 Esquire, The Conrad - F.A.  
 Brevillier House, 502 Parade  
 Street, Erie, PA 16507

**KOHLER, LINDA M. BASTOW,  
a/k/a LINDA M. BASTOW,  
deceased**

Late of Fairview, County of  
 Erie and Commonwealth of  
 Pennsylvania  
*Executrix:* Kimberly Ann  
 Halstead, c/o Eugene C.  
 Sundberg, Esq., Suite 300, 300  
 State Street, Erie, PA 16507  
*Attorneys:* Marsh, Spaeder, Baur,  
 Spaeder & Schaaf, LLP, Suite  
 300, 300 State Street, Erie, PA  
 16507

**PRANSKY, GEORGE N.,  
deceased**

Late of the City of Corry, County  
 of Erie, Commonwealth of  
 Pennsylvania  
*Executrix:* Carolyn Mosher, 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

**TODDY, JERRY W., a/k/a  
JERRY TODDY,  
deceased**

Late of the Borough of  
 Cranesville, County of Erie, State  
 of Pennsylvania  
*Administratrix:* Shirley Church,  
 116 Tammy Lane, P.O. Box 342,  
 Benton TN 37307  
*Attorney:* Grant M. Yochim,  
 Esq., 24 Main St. E., PO Box 87,  
 Girard, PA 16417

**SECOND PUBLICATION**

**BENNETT, DOROTHY E., a/k/a  
DOROTHY BENNETT,  
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania

*Co-Executrices:* Connie L. Walker, 6831 Old Ridge Road, Fairview, PA 16415 and Patricia L. Kowalczyk, 1167 Old State Road, Waterford, PA 16441

*Attorney:* James R. Steadman, Esq., 24 Main St., E., PO Box 87, Girard, PA 16417

**BEST, JAMES GALEN,  
deceased**

Late of the Borough of North East, County of Erie, State of Pennsylvania

*Administrator:* Chad A. Best, c/o 78 East Main Street, North East, PA 16428

*Attorney:* John C. Brydon, Esq., Brydon Law Office, 78 East Main Street, North East, PA 16428

**BOWERS, STEVEN K.,  
deceased**

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

*Executrix:* Laura Talak, c/o James E. Marsh, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507

*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

**BURKHART, JOHN H., JR.,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania

*Executors:* Hamlin Bank and Trust Company, 333 West Main Street, Smethport, PA 16749

*Attorneys:* Woods Baker and Ross, PO Box 360, Kane, PA 16735

**CHORNEY, RICHARD, a/k/a  
RICHARD A. CHORNEY, a/k/a  
RICHARD ALLAN CHORNEY,  
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania

*Administrator:* Raymond T. Chorney, 6621 West Ridge Road, Lot 39E, Fairview, PA 16415

*Attorney:* Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**CHRISTOFF, DOROTHY E.,  
a/k/a DOROTHY CHRISTOFF,  
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania

*Executrix:* Connie Garrison, 2442 Maple Avenue, Lake City, PA 16423

*Attorney:* James R. Steadman, Esq., 24 Main St., E., PO Box 87, Girard, PA 16417

**COLLIN, LINDA M.,  
deceased**

Late of the Township of Millcreek, Erie County, PA

*Executor:* PNC Bank, N.A., c/o Trust Division, 901 State Street, Erie, PA 16501

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

**DONIHIL, BETTY LOU,  
deceased**

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

*Co-Executors:* Richard F. Donihi and Debra Lee Thompson, c/o Norman A. Stark, Suite 300, 300 State Street, Erie, PA 16507

*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

**FLAGELLA, JEANETTE F.,  
a/k/a JEANETTE FRANCES  
FLAGELLA,  
deceased**

Late of the City of Erie

*Executor:* Edward Peter Flagella, 1342 West 41st Street, Erie, PA 16509

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

**GREENMAN, RUTH E.,  
deceased**

Late of the City of North East, Erie County, Commonwealth of Pennsylvania

*Executrix:* Linda J. Mazza, c/o Leigh Ann Orton, Esquire, 11 Park Street, North East, PA 16428

*Attorney:* Leigh Ann Orton, Esq., Knox McLaughlin Gornall & Sennett, P.C., 11 Park Street, North East, PA 16428

**HADZEGA, MABEL J.,  
deceased**

Late of the Borough of North East, County of Erie, State of Pennsylvania

*Executor:* Paula S. Carr, c/o 78 East Main Street, North East, PA 16428

*Attorney:* John C. Brydon, Esq., Brydon Law Office, 78 East Main Street, North East, PA 16428

**HEID, LEONARD S.,  
deceased**

Late of Erie, County of Erie and Commonwealth of Pennsylvania

*Executor:* David G. Heid, c/o Norman A. Stark, Esq., Suite 300, 300 State Street, Erie, PA 16507

*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507



**HEINRICH, CHRISTOPHER PAUL,**  
**deceased**

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

*Executor:* Steven Gerard Conroe, 2222 West Grandview Blvd., Erie, PA 16506

*Attorney:* Thomas E. Kuhn, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**HEMME, BRUCE E.,**  
**deceased**

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

*Executrix:* Mary Ellen Hemme, c/o Michael J. Visnosky, Esq., 120 West Tenth Street, Erie, PA 16501

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

**JOINT, JOHN M.,**  
**deceased**

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

*Executrix:* Kathleen Joint, c/o James E. Marsh, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507

*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

**LINKIE, RICHARD P., a/k/a RICHARD P. LINKIE, SR., a/k/a RICHARD LINKIE,**  
**deceased**

Late of the City of Erie, County of Erie, State of Pennsylvania  
*Executrix:* Christine A. Linkie, 4134 Venice Drive, Erie, PA 16506

*Attorney:* James R. Steadman, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**MICHEL, MARY MADELENE, a/k/a MARY MADGALENE MICHEL, a/k/a MARY M. MICHEL,**  
**deceased**

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

*Executor:* Thomas Michel, c/o Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507

*Attorney:* Gary H. Nash, Esq., Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507

**NICKOLAUS, QUENTIN W.,**  
**deceased**

Late of the City of Erie

*Executrix:* Dawn C. Harnishfeger

*Attorney:* Joseph M. Walsh, III, Esq., Shapira, Hutzelman, Smith and Walsh, 305 West 6th Street, Erie, PA 16507

**OLVERSON, DONNA,**  
**deceased**

Late of Fairview Township

*Executor:* David Olverson, c/o Attorney Terrence P. Cavanaugh, 3336 Buffalo Road, Erie, PA 16510

*Attorney:* Terrence P. Cavanaugh, Esq., 3336 Buffalo Road, Erie, PA 16510

**RYNISH, BARRIE A., a/k/a BARRIE ANNA RYNISH,**  
**deceased**

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

*Administratrix:* Barbara A. Mueller, c/o Peter W. Bailey, Esquire, 3210 West 32nd Street, Erie, Pennsylvania 16506-2702

*Attorney:* Peter W. Bailey, Esquire, 3210 West 32nd Street, Erie, Pennsylvania 16506-2702

**SOKOL, GERTRUDE C., a/k/a GERTRUDE SOKOL,**  
**deceased**

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

*Executrix:* Janice M. Kosin, c/o W. Atchley Holmes, Esquire, 3820 Liberty Street, Erie, PA 16509

*Attorney:* W. Atchley Holmes, Esquire, 3820 Liberty Street, Erie, PA 16509

**ZEELSDORF, CAROL, a/k/a CAROL ANN ZEELSDORF, a/k/a CAROLA. ZEELSDORF,**  
**deceased**

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

*Co-Administrators:* Sandra R. Kreger and Robert Whitney, c/o Yochim, Skiba and Nash, 345 West Sixth Street, Erie, PA 16507

*Attorney:* Gary H. Nash, Esq., Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507

**THIRD PUBLICATION**

**BACON, MATTHEW L., a/k/a MATTHEW LANCE BACON,**  
**deceased**

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

*Executrix:* Jean M. Bacon, 6464 Fair Oaks Circle, Fairview, PA 16415-1718

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

**BRINKLEY, CHRISTINE A.,  
deceased**

Late of the Township of Waterford, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Rebecca J. Crocker, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Scott L. Wallen, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**CORVINO, LUCY P.,  
deceased**

Late of Erie County, Pennsylvania  
*Executor:* Romeo V. Corvino, c/o Peter J. Sala, Esquire, 731 French Street, Erie, PA 16501  
*Attorney:* Peter J. Sala, Esquire, 731 French Street, Erie, PA 16501

**EGGLESTON, JAMES E.,  
deceased**

Late of Girard Township, Erie County, Commonwealth of Pennsylvania  
*Administrator:* Thomas D. Curry, 441 Shorehaven Dr., Erie, PA 16506  
*Attorney:* None

**ELY, HELEN K., a/k/a  
HELEN LOUISE ELY, a/k/a  
HELEN L. KIRKPATRICK ELY,  
a/k/a HELEN ELY,  
deceased**

Late of the City of Erie, County of Erie, State of Pennsylvania  
*Executrix:* Evonne Ely Duma, 2515 Parker Avenue, Erie, PA 16510  
*Attorney:* James R. Steadman, Esq., 24 Main St., E. PO Box 87, Girard, PA 16417

**HAMILTON, WILLIAM  
ARTHUR,  
deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Administrator:* Jonathan Hamilton, 1257 E. 42nd St., Erie, PA 16504  
*Attorney:* None

**LOREI, JOHN LEWIS, a/k/a  
JOHN LOUIS LOREI,  
deceased**

Late of the Township of Millcreek, County of Erie and State of Pennsylvania  
*Co-Executrices:* Ann Marie Halupczynski, 3255 Kingston Court, Erie, PA 16506 and Eileen M. Talbot, 2912 Legion Road, Erie, PA 16506  
*Attorney:* Edwin W. Smith, Esq., Shapira, Hutzelman, Smith & Walsh, 305 West Sixth Street, Erie, PA 16507

**RANDOLPH, JAMES A., a/k/a  
JAMES RANDOLPH,  
deceased**

Late of the Borough of Wesleyville, County of Erie, State of Pennsylvania  
*Executrix:* Pamela J. Garrett, 3118 1/2 Skellie Avenue, Erie, PA 16510  
*Attorney:* James R. Steadman, Esq., 24 Main St., E. PO Box 87, Girard, PA 16417

**TRUEBLOOD, KENNETH  
HOBERT, SR., a/k/a  
KENNETH H. TRUEBLOOD,  
deceased**

Late of the City of Erie, County of Erie, Pennsylvania  
*Administratrix:* Kenndrea L. Trueblood, 39 Hegeman Avenue, #215, Brooklyn, NY 11212  
*Attorney:* Frances A. McCormick, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

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