

# *Erie County Legal Journal*

Vol. 99 No. 45

November 4, 2016



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**99 ERIE 199-205**  
**Kopin v. Nielsen**

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# Erie County Legal Journal

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

Managing Editor: Michael Yonko  
Administrator of Publications: Paula J. Gregory

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ERIE COUNTY LEGAL JOURNAL (ISSN 0730-6393) is published every Friday for \$57 per year (\$1.50 single issues/\$5.00 special issues, i.e. Seated Tax Sales). Owned and published by the Erie County Bar Association (Copyright 2016©) 302 West 9th St., Erie, PA 16502 (814/459-3111). POSTMASTER: Send Address changes to THE ERIE COUNTY LEGAL JOURNAL, 302 West 9th St., Erie, PA 16502-1427.

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# Erie County Bar Association

## Calendar of Events and Seminars

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### WEDNESDAY, NOVEMBER 9, 2016

ECBA Live Lunch-n-Learn Seminar  
*Ethical, Practical and Technical Considerations  
Important to the Practice of Law*

Courtyard Marriott Hotel

12:15 p.m. - 1:45 p.m. (registration/lunch - 11:45)

\$67 (ECBA member/non-attorney staff)

\$87 (nonmember)

\$47 (member judge not needing CLE)

1.5 hours ethics

### THURSDAY, NOVEMBER 10, 2016

ECBA Solo/Small Firms Division Meeting

Noon - ECBA Headquarters

### THURSDAY, NOVEMBER 10, 2016

Young Lawyers Division Happy Hour with New

Admittees and the ECBA Board of Directors

4:30 - 408 Bar and Grill

### FRIDAY, NOVEMBER 11, 2016

Budget Committee Meeting

8:30 a.m. - ECBA Headquarters

### MONDAY, NOVEMBER 14, 2016

Workers' Compensation Section Meeting

Noon - ECBA Headquarters

### MONDAY, NOVEMBER 14, 2016

Bankruptcy Section Meeting

Noon - Calamari's

To view PBI seminars visit the events calendar  
on the ECBA website

<http://www.eriebar.com/public-calendar>



Erie County Bar  
Association



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## *In Memoriam*



### **John W. Beatty**

*November 8, 1935 - October 30, 2016*

*John Walter Beatty, age 80, died on October 30, 2016. He was born on November 8, 1935 in Charleroi, PA, son of the late Carlyle and Helen Munch Beatty.*

*John graduated from Charleroi High School in 1953, where he excelled in basketball and was known as "Big John Beatty," earning him a scholarship to Bucknell University. He graduated from Bucknell a Second Lieutenant in the United States Army, completing a two-year tour of duty in Munich and Berlin, Germany. He was a member of the Military Liaison Unit, coordinating land movements with the Russian Army prior to the building of the Berlin Wall. He was honorably discharged as a First Lieutenant in 1959.*

*He obtained his law degree from the University of Pennsylvania in 1962 and began the practice of law with the firm of Knox, Weber, Pearson and McLaughlin (known currently as Knox McLaughlin Gornall & Sennett). He remained a partner until his retirement in 1999. He specialized in civil litigation work with an emphasis on defending health care professionals in medical malpractice actions. He also served as solicitor for the Erie School District and in that capacity, was involved in landmark litigation questioning whether non-profits such as hospitals were entitled to exemption from real estate taxes. His success in this litigation resulted in a change in the real estate exemption laws in Pennsylvania. He also served as solicitor for the Millcreek Township School District and as Special Assistant Attorney General for the Commonwealth of Pennsylvania Liquor Control Board. He was a member of the Erie County, Pennsylvania and American Bar Associations.*

*John continued his enthusiasm for sports throughout his life, enjoying many years of basketball at the YMCA and other venues, where he was known as "The Big Z." Skiing, boating, squash and tennis were other avenues for his athletic pursuits. Golf, however, continued to elude him throughout his life and for which he displayed a love/hate relationship.*

*He was a member of the Erie Yacht Club, the Erie Club, the Erie Maennerchor Club and was a former member of the Kahkwa Club. He cherished the fifty-year camaraderie of his good buddies at their twice yearly weekends at the Cherokee Lodge.*

*In remembering John, Knox Firm President Thomas Tupitza said "He was an excellent lawyer and one of the firm's 'most unforgettable characters', with a sense of humor that all who knew him appreciated."*

*John is survived by his loving wife of 56 years, Barbara Nagle Beatty; a son, Michael Beatty (Melissa) of St. Ignace, MI; a daughter, Lauren Beatty Roberts (Tobias) of Florence, MT; five grandchildren, Joshua Sulecki (Brianna) of Greenville, PA, Madison and Abigail Beatty of St. Ignace, MI and Jasper and Rayanna Roberts of Florence, MT; one great-granddaughter, Zoey Sulecki; a brother-in-law, "Skip" Nagle (Diane) of Erie; two nieces, Lisa Rockwell of Lakewood, NY and Leslie Rich (Jim) of Erie; and a step-sister-in-law, Jeanette Shaw (Jim) of Erie.*

*Memorials may be made to Great Lakes Hospice, 1700 Peach Street, Suite 224, Erie, PA 16501 or to the Boys and Girls Club of Erie, Inc., 1515 East Lake Road, Erie, PA 16511.*



**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  
NOVEMBER 2016 NOTICE**

The following is a list of *November 2016, December 2016, and January 2017* 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)* and Judge Agresti's *Procedure B(1)-(3)* summarized below and on Judge Agresti's webpage 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, *only*, 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:**

Select the following times, EXCEPT for the specific matters to be scheduled at 11:30 a.m.:

Tuesday, November 8, 2016	9:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, December 7, 2016	10:00 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, December 21, 2016	10:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, January 11, 2017	11:00 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
	11:30 a.m.:	Ch. 13 Sale, Financing and Extended/Impose Stay and all Ch. 12 matters at this time, only

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

Select the following times, EXCEPT for Ch. 7 Motions to Extend/Impose Stay scheduled only at 11:00 am and all sale motions which are only to be scheduled at 11:30 a.m.:

Thursday, November 3, 2016	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, November 17, 2016*	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, December 1, 2016	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
Thursday, December 15, 2016	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters,
Thursday, January 5, 2017		including all Ch. 7 Motions to Extend/Impose Stay
Thursday, January 19, 2017*	11:30 a.m.:	Ch. 11 and 7 Sale Motions at this time, only

\* **NOTE:** for November 17 and January 19, **ONLY**, select the following times:

9:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
1:30 p.m.:	Open for all Erie & Pittsburgh Ch. 7 matters, including all Ch. 7 Motions to Extend/Impose Stay
2:00 p.m.:	Ch. 11 and 7 Sale Motions at this time, 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

Nov. 4

### ATTENTION ALL ATTORNEYS

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**ROBERT M. KOPIN, Plaintiff**

**v.**

**LAURA ANNE NIELSEN, a/k/a LAURA NIELSEN, Defendant**

*CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / GENERAL*

Preliminary objections, the end result of which would be dismissal of a cause of action, should be sustained only in cases that are clear and free from doubt. The test on preliminary objections is whether it is clear and free from doubt from all the facts pleaded that the pleader will be unable to prove facts legally sufficient to establish his right to relief.

*CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / DEMURRER*

When ruling on preliminary objections in the nature of a demurrer, a court must overrule the objections if the complaint pleads sufficient facts which, if believed, would entitle the petitioner to relief under any theory of law. All material facts set forth in the complaint as well as all inferences reasonably deducible therefrom are admitted as true for the purpose of this review. The question presented by the demurrer is whether, on the facts averred, the law says with certainty that no recovery is possible. Where a doubt exists as to whether a demurrer should be sustained, this doubt should be resolved in favor of overruling it.

*CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / CAPTION*

Every pleading shall contain a caption setting forth the name of the court, the number of the action and the name of the pleading. The caption of a complaint shall set forth the form of the action and the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side in the complaint with an appropriate indication of other parties.

*CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / NOTICE TO DEFEND*

Every complaint filed by a plaintiff and every complaint filed by a defendant against an additional defendant shall begin with a Notice to Defend in substantially the form set forth in Pa. R. Civ. P. 1018.1(b). The Pennsylvania Superior Court has held that every complaint must include a Notice to Defend, and a defendant has no duty to respond to a complaint that does not contain a Notice to Defend, pursuant to Pa. R. Civ. P. 1026.

*CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / PARAGRAPHING*

Every pleading shall be divided into paragraphs numbered consecutively. Each paragraph shall contain as far as practicable only one material allegation. The test of compliance with Pa. R. Civ. P. 1022 is the difficulty or impossibility one has in answering the complaint, and mere length, complexity, and verbosity do not in themselves violate Rule 1022 if the subsidiary facts averred fit together into a single allegation.

*CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / VERIFICATION*

Every pleading containing an averment of fact not appearing of record in the action or containing a denial of fact shall state that the averment or denial is true upon the signer's personal knowledge or information and belief and shall be verified. The signer need not aver the source of the information or expectation of ability to prove the averment or denial at the trial. A pleading may be verified upon personal knowledge as to a part and upon information and belief as to the remainder. The verification requirement is not waivable, since courts, under the scheme of the procedural rules, are not permitted to act upon unverified assertions.



***CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / FACTUAL SPECIFICITY***

The material facts on which a cause of action or defense is based shall be stated in a concise and summary form. The primary purpose of a pleading is to form a clear and distinct issue for the trial between the parties. Pleadings serve the purpose of giving notice to an opponent of the propositions to be confronted at trial so as to avoid any unfair surprise. The rules of procedure simply do not permit the plaintiff to delegate their duty of pleading a specific claim to opposing parties or the court.

***CIVIL PROCEDURE / PRELIMINARY OBJECTIONS /  
AVERMENTS OF TIME AND PLACE***

Averments of time, place and items of special damage shall be specifically stated.

***CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / LEGAL SPECIFICITY***

Preliminary objections in the nature of a demurrer test the legal sufficiency of the complaint. When considering preliminary objections, all material facts set forth in the challenged pleadings are admitted as true, as well as all inferences reasonably deducible therefrom. Preliminary objections which seek the dismissal of a cause of action should be sustained only in cases in which it is clear and free from doubt that the pleader will be unable to prove facts legally sufficient to establish the right to relief.

***CIVIL PROCEDURE / PRELIMINARY OBJECTIONS / JOINDER OF NECESSARY /  
INDISPENSABLE PARTY***

Preliminary objections may be filed against a pleading regarding non-joinder of a necessary or indispensable party. An indispensable party is one whose rights or interests are so pervasively connected with the claims of the litigants that no relief can be granted without infringing on those rights or interests. The absence of an indispensable party renders any decree or order in the matter void for lack of jurisdiction.

***CIVIL PROCEDURE / PRELIMINARY OBJECTION / JOINDER OF NECESSARY/  
INDISPENSABLE PARTY***

In determining whether a party is indispensable, the court should consider “at least” the following: (1) does the absent party have a right or interest related to the claim?, (2) if so, what is the nature of that right or interest?, (3) is that right or interest essential to the merits of the issue?, and (4) can justice be afforded without violating the due process rights of the absent party?

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA  
CIVIL DIVISION NO. 11307 of 2016

Appearances: Robert M. Kopin, *pro se*  
Gary K. Schonthal, Esq., for the Defendant

**OPINION AND ORDER**

Domitrovich, J.

September 13, 2016

AND NOW, to-wit, this 13<sup>th</sup> day of September, 2016, upon consideration of the oral arguments on September 7, 2016 regarding Defendants’ Preliminary Objections and Brief in Support of Preliminary Objections, and after a thorough review of relevant statutory and case law, Defendant’s Preliminary Objections are hereby sustained for the following reasons:

## I. Procedural History

On May 12<sup>th</sup>, 2016, Robert M. Kopin (hereafter referred to as “Plaintiff”) filed a Notice of Appeal from a judgment rendered by Magistrate District Judge Paul A. Bizzarro on April 14, 2016 against Plaintiff and in favor of Laura Anne Nielsen a/k/a Laura Nielsen (hereafter referred to as “Defendant”). *See docket no. MJ-06104-CV-0000044-2016*. Defendant was served with Plaintiff’s Notice of Appeal on May 23, 2016.

Plaintiff filed a document entitled “Bob Kopin Complaint” on May 31, 2016. Defendant, by and through her counsel, Gary K. Schonthaler, Esq., filed a Ten Day Notice on June 8th, 2016, requiring Plaintiff to file a Civil Complaint within ten (10) days from the date of said Notice.<sup>1</sup> Defendant filed Preliminary Objections on July 5, 2016 and filed a Brief in Support of Preliminary Objections on August 4, 2016. A hearing on Defendant’s Preliminary Objections was held on September 7, 2016, at which this Trial Court heard argument from Plaintiff Robert M. Kopin and Defendant’s counsel, Gary K. Schonthaler, Esq.

## II. Legal Discussion

### a. Standard for Preliminary Objections

Preliminary objections, the end result of which would be dismissal of a cause of action, should be sustained only in cases that are clear and free from doubt. *Bourke v. Kazaras*, 746 A.2d 642, 643 (Pa. Super. 2000). The test on preliminary objections is whether it is clear and free from doubt from all the facts pleaded that the pleader will be unable to prove facts legally sufficient to establish his right to relief. *Id.* When ruling on preliminary objections in the nature of a demurrer, a court must overrule the objections if the complaint pleads sufficient facts which, if believed, would entitle the petitioner to relief under any theory of law. *Gabel v. Cambruzzi*, 616 A.2d 1364, 1367 (Pa. 1992). All material facts set forth in the complaint as well as all inferences reasonably deducible therefrom are admitted as true for the purpose of this review. *Clevenstein v. Rizzuto*, 266 A.2d 623, 624 (Pa. 1970). The question presented by the demurrer is whether, on the facts averred, the law says with certainty that no recovery is possible. *Hoffman v. Misericordia Hospital of Philadelphia*, 267 A.2d 867, 868 (Pa. 1970). Where a doubt exists as to whether a demurrer should be sustained, this doubt should be resolved in favor of overruling it. *Gabel*, 616 A.2d at 1367 (Pa. 1992).

### b. Plaintiff's Complaint fails to adhere to the pleading requirements pursuant to the Pennsylvania Rules of Civil Procedure.

Plaintiff’s Complaint fails to adhere to several requirements of the Pennsylvania Rules of Civil Procedure and, therefore, is a deficient pleading. First, Plaintiff’s Complaint does not contain a proper caption. Rule 1018 of the Pennsylvania Rules of Civil Procedure provides:

Every pleading shall contain a caption setting forth the name of the court, the number of the action and the name of the pleading. The caption of a complaint shall set forth the form of the action and the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side in the complaint with an appropriate indication of other parties.

<sup>1</sup> At the September 7, 2016 Preliminary Objection hearing, Attorney Schonthaler admitted he filed the Ten-Day Notice in error, as Plaintiff had already filed a Complaint prior to the Ten-Day Notice being filed.

*See Pa. R. Civ. P. 1018.* Plaintiff's Complaint is entitled "Bob Kopin Complaint" and does not set forth the name of the court, i.e. the Court of Common Pleas of Erie County – Civil Action, or the number of the action, i.e. No. 11307 – 2016. As Plaintiff's Complaint does not contain a proper caption, it is deficient as a civil pleading.

Furthermore, Plaintiff's Complaint does not contain a Notice to Defend. Rule 1018.1 of the Pennsylvania Rules of Civil Procedure provides "every complaint filed by a plaintiff and every complaint filed by a defendant against an additional defendant shall begin with a Notice to Defend in substantially the form set forth in subdivision (b)." *See Pa. R. Civ. P. 1018.1(a).* The Pennsylvania Superior Court has held that every complaint must include a Notice to Defend, and a defendant has no duty to respond to a complaint that does not contain a Notice to Defend, pursuant to Rule 1026. *See Mother's Restaurant, Inc. v. Krystkiewicz*, 861 A.2d 327, 338 (Pa. Super. 2004). Plaintiff has failed to attach a Notice to Defend to his Complaint; therefore, the Complaint is deficient as a civil pleading.

In addition, Plaintiff's Complaint does not adhere to the paragraphing requirements of the Pennsylvania Rules of Civil Procedure. Rule 1022 provides "every pleading shall be divided into paragraphs numbered consecutively. Each paragraph shall contain as far as practicable only one material allegation." *Pa. R. Civ. P. 1022.* The test of compliance with Rule 1022 is the difficulty or impossibility one has in answering the complaint, and mere length, complexity, and verbosity do not in themselves violate Rule 1022 if the subsidiary facts averred fit together into a single allegation. *See General State Authority v. Sutter Corp.*, 356 A.2d 377, 394 (Pa. Commw. Ct. 1976). Plaintiff's Complaint is more akin to a narrative letter than a civil pleading, as it does not contain separate allegations in individually-numbered paragraphs; rather, the Complaint seems to contain several allegations, which are difficult to discern from what is provided. As Plaintiff's Complaint does not contain individual paragraphs with separate allegations, it is deficient as a civil pleading.

Finally, Plaintiff's Complaint does not contain any verification as to the truthfulness and accuracy of the pleading. Rule 1024 of the Pennsylvania Rules of Civil Procedure provides:

Every pleading containing an averment of fact not appearing of record in the action or containing a denial of fact shall state that the averment or denial is true upon the signer's personal knowledge or information and belief and shall be verified. The signer need not aver the source of the information or expectation of ability to prove the averment or denial at the trial. A pleading may be verified upon personal knowledge as to a part and upon information and belief as to the remainder.

*Pa. R. Civ. P. 1024.* The verification requirement is not waivable, since courts, under the scheme of the procedural rules, are not permitted to act upon unverified assertions. *Siegel v. Stahlfield*, 64 Pa. D. & C. 2d 132, 139 (Pa. C.P. 1973). Plaintiff's Complaint does not contain a separate "Verification" document, nor does his Complaint contain any averments that the Complaint has been verified by the Plaintiff or another party with personal knowledge. Without verification, Plaintiff's Complaint amounts to mere narration, and this Trial Court cannot act upon it.

Therefore, for all of the reasons stated above, Defendant's Preliminary Objections under Rule 1028(a)(2) regarding failure to adhere the pleading requirements are sustained.

**c. Plaintiff's Complaint does not plead with sufficient factual specificity.**

Pursuant to Rule 1019(a), the material facts on which a cause of action or defense is based

shall be stated in a concise and summary form. *Pa. R. Civ. P. 1019(a)*. The primary purpose of a pleading is to form a clear and distinct issue for the trial between the parties. *Rex v. Wellspan Health*, 8 Pa. D. & C. 5th 573, 575 (Pa. C.P. 2009). Pleadings serve the purpose of giving notice to an opponent of the propositions to be confronted at trial so as to avoid any unfair surprise. *Id.* The rules of procedure simply do not permit the plaintiff to delegate their duty of pleading a specific claim to opposing parties or the court. *Krajsa v. Key Punch, Inc.*, 622 A.2d 355, 357 (Pa. Super. 1993). As stated above, Plaintiff's Complaint is clearly narrative in nature and does not set forth Plaintiff's claims in a concise and summarized form. Absent a concise and summarized form of Plaintiff's claims, Defendant does not have proper notice of the issues to be confronted at trial and cannot properly form a defense to those issues.

Furthermore, Plaintiff's Complaint fails to make specific averments of time and place. Pursuant to Rule 1019(f), averments of time, place and items of special damage shall be specifically stated. *See Pa. R. Civ. P. 1091(f)*. Plaintiff's Complaint does indicate the date when Defendant purchased the various collectible toys and cars from him, i.e. April 1, 2014. However, Plaintiff's Complaint lacks any further specific averments of time and place, including where the collectible toys and cars were purchased, when payment was made on the collectible toys and cars, when the checks were returned unpaid and designated as "Stop Payment," when he filed suit with Magistrate District Judge Paul A. Bizzarro, when the MDJ civil judgment was rendered, when Plaintiff appealed the MDJ civil judgment, etc. Absent specific averments of time and place, Defendant cannot prepare a proper defense to the claims raised by Plaintiff in his Complaint.

Therefore, for all of the reasons stated above, Defendant's Preliminary Objections under Rule 1028(a)(3) regarding factual insufficiency are sustained.

**d. Plaintiff's Complaint does not plead with sufficient legal specificity.**

Preliminary objections in the nature of a demurrer test the legal sufficiency of the complaint. *Feingold v. Hendrzak*, 15 A.3d 937, 941 (Pa. Super. 2011). When considering preliminary objections, all material facts set forth in the challenged pleadings are admitted as true, as well as all inferences reasonably deducible therefrom. *Id.* Preliminary objections which seek the dismissal of a cause of action should be sustained only in cases in which it is clear and free from doubt that the pleader will be unable to prove facts legally sufficient to establish the right to relief. *Id.*

Plaintiff's Complaint, in an improper narrative form, maintains Defendant purchased several collectible toys and cars from Plaintiff and these items were paid with several checks, which were all returned unpaid and designated "Stop Payment." Plaintiff's Complaint does not specifically indicate the causes of action Plaintiff is pursuing against Defendants; rather, Plaintiff's Complaint, within its summarized narrative, seemingly raises several causes of action, including, but not limited to, breach of contract and fraudulent inducement. Furthermore, Plaintiff's Complaint does not specifically designate the facts to be able to prove the various claims Plaintiff raises. Without proper designation of the specific causes of action and a specific factual basis to prove a cause of action, Defendants are not properly notified of the issues and cannot prepare a proper defense.

Therefore, for all of the reasons stated above, Defendant's Preliminary Objections under Rule 1028(a)(4) in the nature of a demurrer regarding legal insufficiency are sustained.

**e. Plaintiff's Complaint fails to join a necessary or indispensable party, i.e. the Estate of James R. Nielsen, to the cause of action.**

Finally, Plaintiff's Complaint is deficient as it fails to join a necessary or indispensable party to the instant civil action, i.e. the Estate of James R. Nielsen. Pursuant to Rule 1028, preliminary objections may be filed against a pleading regarding non-joinder of a necessary or indispensable party. *See Pa. R. Civ. P. 1028(a)(5)*. An indispensable party is one whose rights or interests are so pervasively connected with the claims of the litigants that no relief can be granted without infringing on those rights or interests. *Hubert v. Greenwald*, 734 A.2d 977, 979 (Pa. Super. 1999). The absence of an indispensable party renders any decree or order in the matter void for lack of jurisdiction. *Id* at 980. In determining whether a party is indispensable, the court should consider "at least" the following:

- 1) Does the absent party have a right or interest related to the claim?
- 2) If so, what is the nature of that right or interest?
- 3) Is that right or interest essential to the merits of the issue?
- 4) Can justice be afforded without violating the due process rights of the absent party?

*Id* at 980; *see also Cry, Inc. v. Mill Service, Inc.*, 640 A.2d 372, 375 (Pa. 1994).

Upon consideration of the questions above, this Trial Court concludes the Estate of James R. Nielsen is an indispensable party to the instant civil action. In his Complaint, Plaintiff alleges "James R. Nielsen and Laura Anne Nielsen purchased items from me," and these items consisted of "collectible toys and cars." Furthermore, the copies of the checks attached to Plaintiff's Complaint are all signed by "James R. Nielsen." James R. Nielsen passed away on January 28, 2015. However, the caption for the instant civil action only has "Laura Anne Nielsen a/k/a Laura Nielsen" as a defendant, and the Proof of Service of Notice of Appeal and Rule to File Complaint, filed by Plaintiff on May 23, 2016, lists only "Laura Nielsen" as appellee. The Estate of James R. Nielsen is an indispensable party to the instant civil action as any judgment entered against Laura Nielsen would greatly affect the essential financial rights and interests of the Estate of James R. Nielsen and justice cannot be afforded without violating the due process rights of this indispensable party. *See Hubert*, 734 A.2d at 980; *see also Cry, Inc.*, 640 A.2d at 375.

Therefore, for all of the reasons stated above, Defendant's Preliminary Objections under Rule 1028(a)(5) in the nature of a demurrer regarding failure to join a necessary or indispensable party are sustained.

**III. Conclusion**

Therefore, for all of the reasons set forth above and others stated on the record, this Trial Court sustains Defendant's Preliminary Objections in the Nature of a Demurrer to Plaintiff's Civil Complaint and enters the following Order:

**ORDER**

AND NOW, to-wit, this 13th day of September, 2016, upon consideration of the oral arguments on September 7, 2016 regarding Defendants' Preliminary Objections and Brief in Support of Preliminary Objections, and after review of relevant statutory and case law, it is hereby **ORDERED, ADJUDGED AND DECREED** as follows:

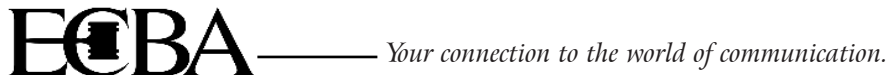
1. Defendants' Preliminary Objection regarding Plaintiff's Complaint failing to adhere to the pleading requirements of the Pennsylvania Rules of Civil Procedure, pursuant to Rule 1028(a)(2), is hereby **SUSTAINED**;
2. Defendants' Preliminary Objection regarding the insufficient factual specificity of Plaintiff's Complaint, pursuant to Rule 1028(a)(3), is hereby **SUSTAINED**;
3. Defendants' Preliminary Objection regarding the insufficient legal specificity of Plaintiff's Complaint, pursuant to Rule 1028(a)(4), is hereby **SUSTAINED**;
4. Defendants' Preliminary Objection regarding failure to join a necessary or indispensable party, pursuant to Rule 1028(a)(5), is hereby **SUSTAINED**; and
5. Plaintiff's Civil Complaint is hereby **DISMISSED with prejudice**.

**BY THE COURT:**

**/s/ Stephanie Domitrovich, Judge**

# Erie County Bar Association

## Videoconferencing Services



### WHAT IS VIDEOCONFERENCING?

Videoconferencing, sometimes called teleconferencing, brings together people at different locations around the country and around the world. Our videoconferencing site can connect with one location or with multiple locations, providing an instantaneous connection to facilitate meetings, interviews, depositions and much more.

### WHY USE VIDEOCONFERENCING?

Business can be conducted without the expense and inconvenience of travel, overnight accommodations and time out of the office.

### WHAT ARE SOME OF THE COMMON USES OF VIDEOCONFERENCING?

Depositions, employment interviews, seminars, training sessions - the list of possibilities is endless.

### I'M NOT FAMILIAR WITH VIDEOCONFERENCING.

#### CAN I SEE HOW IT WORKS?

Certainly. Call us for a free demonstration.

### HOW DO I SCHEDULE THE USE OF THE ECBA'S VIDEOCONFERENCING SERVICES?

It's very easy. Just call the ECBA at 814-459-3111 or email [sbsmith@eriebar.com](mailto:sbsmith@eriebar.com). We will check availability of our space and handle all of the details for you, including locating convenient sites in the other location(s) you wish to connect with - all included in our hourly rate.

### WHAT DOES IT COST?

#### RATES:

##### Non-ECBA Members:

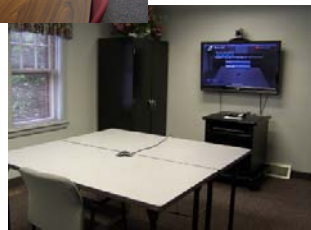
\$185/hour - M-F, 8:30 a.m. - 5:00 p.m.

\$235/hour - M-F, All other times; weekends

##### ECBA Members:

\$150/hour - M-F, 8:30 a.m. - 5:00 p.m.

\$200/hour - M-F, all other times, weekends





**DISSOLUTION NOTICE**

TO ALL CREDITORS OF THE NORTHWESTERN PENNSYLVANIA LIGHT FOUNDATION:

This is to notify you that THE NORTHWESTERN PENNSYLVANIA LIGHT FOUNDATION, a Pennsylvania non-profit corporation with its registered office located at 11686 Phillipsville Road, Wattsburg, PA 16442, is dissolving and winding up its business under the provisions of the Nonprofit Corporation Law, as amended.

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

Nov. 4

**INCORPORATION NOTICE**

Notice is hereby given that ERIE VETERANS BEHAVIORAL HEALTH COUNCIL was incorporated under the provisions of the Nonprofit Corporation Law of 1988 on October 26, 2015, for the purpose of furthering charitable and educational goals associated with veterans behavioral health issues.

Nov. 4

**LEGAL NOTICE**

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PA  
CIVIL ACTION – LAW  
NO. 12351-16

MORTGAGE FORECLOSURE  
FIRST NIAGARA BANK, N.A.

v.

ALL UNKNOWN HEIRS,  
DEVEISEES, PERSONAL  
REPRESENTATIVES,  
BENEFICIARIES, AND  
SUCCESSORS OF RICHARD E.  
ATKIN, DECEASED, ET AL

**NOTICE**

To: All Unknown Heirs, Devises, Personal Representatives, Beneficiaries and Successors of Richard E. Atkin, deceased  
1436 E. 7th Street  
Erie, PA 16503

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you

must take action within twenty (20) days after this Complaint and Notice are served by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief request by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral  
& Information Service  
P.O. Box 1792  
Erie, Pennsylvania 16507  
Telephone: (814) 459-4411  
Kelly L. Eberle, Esquire  
Attorney for Plaintiff  
104 S. Sixth Street, P.O. Box 215  
Perkasie, PA 18944  
215-257-6811

Nov. 4

**LEGAL NOTICE**

NOTICE OF TERMINATION OF PARENTAL RIGHTS  
IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA  
ORPHANS' COURT DIVISION  
No. 2015-1472  
IN RE: E'MANI KING JONES

**NOTICE**

TO: JAMAL S. JONES  
NOTICE IS HEREBY GIVEN that Holly S. Filius, Esquire has presented to the Orphans' Court Division,

Court of Common Pleas of Lancaster County, PA, a Petition for termination of any rights you have or might have concerning the child known as E'MANI KING JONES, born on August 21, 2014. The Court has set a hearing to consider ending your rights to your child. That hearing will be held in Courtroom No. 6, Lancaster County Courthouse, 50 North Duke Street, Lancaster, PA, on December 1, 2016 at 10:20 a.m. prevailing time. You are warned that even if you fail to appear at the scheduled hearing, this 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.

Lancaster Bar Association  
Lawyer Referral Services  
28 east Orange Street  
Lancaster, PA 17602  
(717)393-0737

NOTICE REQUIRED BY ACT 101 OF 2010-23 Pa.C.S. §§2731-2742  
You are hereby informed 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 with your child following an adoption. For information contact:  
Holly S. Filius, Esquire  
Russell, Krafft & Gruber, LLP  
930 Red Rose Court, Suite 300  
Lancaster, PA 17601  
(717)293-9293

Nov. 4, 11

**LEGAL NOTICE**

Notice is hereby given that any individuals, who have had weapons confiscated from January 1, 2012, through December 31, 2012, by Court Order from Protection from Abuse Order have thirty (30) days from the date of this publication to respond in person to take possession



of their weapons.

The Sheriff will dispose of all unclaimed weapons after thirty (30) days of the date of said notice.

Sheriff John T Loomis

Oct. 28 and Nov. 4, 11

**LEGAL NOTICE**

IN RE: ASSIGNMENT FOR THE BENEFIT OF CREDITORS OF:

CHIC WIGS, LLC., a Delaware corporation, Assignor,

To: TURNAROUND STRATEGIES, INC. PHILIP J. VON KAHLE, Assignee.

CASE NO. 12783

**NOTICE OF ASSIGNMENT  
FOR THE BENEFIT OF  
CREDITORS**

**TO ALL CREDITORS AND  
OTHER INTERESTED  
PARTIES:**

**PLEASE TAKE NOTICE THAT:**

1. On September 29, 2016, a Petition was filed with the Delaware Chancery Court commencing an Assignment for the Benefit of Creditors Proceeding pursuant to 10 Del. C. § 7381, Delaware Statutes, made by **CHIC WIGS, LLC**, Assignor, with offices at 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808 and 2180 Matheson Blvd., East, Unit 1, Mississauga, Ontario, Canada L4W 5E1, to Turnaround Strategies, Inc., a Florida corporation, with offices located c/o Michael Moecker & Associates, Assignee, whose address is 1883 Marina Mile Blvd., Suite 106, Fort Lauderdale, Florida 33315.

2. **YOU ARE HEREBY FURTHER NOTIFIED** that in order to receive a dividend in this proceeding, if one is available; you must file a **Proof of Claim** with the Assignee, Turnaround Strategies, Inc., whose address is 1883 Marina Mile Blvd., Suite 106, Fort Lauderdale, Florida 33315 on or before **January 27, 2017**.

Oct. 21, 28, and Nov. 4, 11

**LEGAL NOTICE**

IN THE MATTER OF PROCEEDINGS BY THE REDEVELOPMENT AUTHORITY OF THE CITY OF ERIE FOR THE CONDEMNATION OF PROPERTY OF:

RICHARD GEORGE PURDUE, ESTATE OF MICHAEL A. PURDUE; ESTATE OF TUKIE MARIE CRISCIONE, JUDITH E. BOLAND, JO ANN MAZZIO; SCOTT KUNTZ; EMMANUEL LATORRE; DeMARCO LANDINGHAM; VICTORIA E. McINTOSH, OWNER(S) OR REPUTED OWNER(S)

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA

DOCKET NOS.: 12340-2016; 12337-2016; 12343-2016; 12345-2016; 12344-2016; 12339-2016

**EMINENT DOMAIN**

**NOTICE OF CONDEMNATION**

In accordance with Section 305 of the Eminent Domain Code of 1964, Pa.C.S. § 305, the Redevelopment Authority of the City of Erie (the "Authority") hereby notifies the owner(s) or reputed owner(s) (hereinafter "Condemnee(s)"), and any mortgage holder and/or lienholder of record that:

1. The property referenced below has been condemned by the Authority for the purposes of elimination of blight and promotion of urban renewal and rehabilitation pursuant to its authority under the Urban Redevelopment Law at 35 P.S. §§ 1701, 1712, and 1712.1.
2. A Declaration of Taking was filed on the date referenced below in the Court of Common Pleas of Erie County, Pennsylvania at the term and number referenced below.
3. The filing of the Declaration of Taking and this Notice of Condemnation were authorized by Resolution of the Authority, adopted at a meeting on the date referenced below, and the Resolution may be examined at the office of the Authority set forth in Paragraph 5 below.
4. The Condemnee(s) and the Properties being condemned, including the docket numbers at which the Declarations of Taking were filed, are as follows:

Condemnee(s)	Mortgagee(s) or Lienholder(s) unable to be served	Address of Condemned Property	Tax Index Number of Condemned Property	Court Docket Number	Date of Public Meeting	Declaration of Taking Filing Date
Estate of Michael A. Purdue		425 W. 2nd St.	17-040-015.0-209.00	12340-2016	8/8/16	8/31/16
Judith E. Boland		1017 W. 11th St.	16-030-051.0-112.00	12337-2016	8/8/16	8/31/16
Scott Kuntz		1709 Cascade St.	16-030-043.0-121.00	12343-2016	8/8/16	8/31/16
Emmanuel Latorre		435 E. 2nd St.	14-010-015.0-214.00	12345-2016	8/8/16	8/31/16
	Erie Co. Property Preservation Trust	431 E. 6th St.	14-010-013.0-414.00	12344-2016	8/8/16	8/31/16
Victoria E. McIntosh		315 W. 2nd St.	17-040-012.0-207.00	12339-2016	8/8/16	8/31/16

5. The Condemnor is the Redevelopment Authority of the City of Erie, whose offices are located at 626 State Street, Room 107, Erie, PA 16501.

6. The nature of the title acquired in and to the condemned property is fee simple title.

7. The Authority Condemnor has secured the payment of just compensation for the Condemnee(s) by the filing with the Declaration of Taking a bond, without surety, payable to the Commonwealth of Pennsylvania, for the use of the owner of the property interests condemned, the condition of which shall be that the Condemnor shall pay the damages determined by law as authorized by 26 Pa.C.S. § 303(a).

8. A detailed written offer of just compensation based on the fair market value of the condemned property, which amount compensates the Condemnee(s) for any loss sustained as a result of the condemnation of the property, has been prepared. Please contact Attorney Richard A. Blakely at Blakely & Blakely, LLC, 2701 Evanston Avenue, Suite 100, Erie, PA 16506, (814) 520-6754 during normal business hours to receive your written offer of just compensation and/or to review full copies of the Declaration of Taking and Notice of Condemnation.

IF THE CONDEMNEE(S) WISH TO CHALLENGE THE POWER OR THE RIGHT OF THE REDEVELOPMENT AUTHORITY OF THE CITY OF ERIE AS CONDEMNOR TO APPROPRIATE THE CONDEMNED PROPERTY, THE SUFFICIENCY OF THE SECURITY, THE PROCEDURE FOLLOWED BY THE CONDEMNOR, OR THE DECLARATION OF TAKING, THE CONDEMNEE(S) ARE REQUIRED TO FILE PRELIMINARY OBJECTIONS WITHIN THIRTY (30) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE.

REDEVELOPMENT AUTHORITY OF THE CITY OF ERIE

Richard A. Blakely, Esquire, Blakely & Blakely, LLC, 2701 Evanston Avenue, Suite 100, Erie, PA 16506 (814) 520-6754

Nov. 4

## Ethical, Practical and Technical Considerations Important to the Practice of Law

Wednesday, November 9, 2016

New Courtyard Marriott Hotel  
Registration/Lunch - 11:45 a.m.  
Seminar - 12:15 p.m. - 1:45 p.m.

Cost: \$67 (ECBA member/non-attorney staff)  
\$87 (nonmember)  
\$47 (member judge not needing CLE)

CLE: 1.5 hours ethics credits



The Pennsylvania Rules of Professional Conduct indicate that in order to maintain professional competence "a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology." Attend this seminar and learn about these related issues:

### Streamlining Your Legal Practice with Virtual Office Technology

Representatives from Velocity Network will discuss the latest advances in technology that will help improve productivity in your Legal Practice. As workloads increase and client expectations for faster responses are more prevalent, Velocity will share what new technologies are available to expand your Virtual Office capabilities.

Learn how to:

- ✓ Work from anywhere
- ✓ Leverage the latest advances in Voice and Video Technologies to streamline communications
- ✓ Modernize your workflow for improved efficiency

### Protecting Your Digital Assets – How to secure your client data before disaster strikes

With the use of digital documents on the rise, attorneys can be more productive and achieve faster results, but many firms and offices have not implemented the proper business continuity and security measures. Experts from Velocity Network will describe the current security threat landscape and discuss methods to prevent YOUR data from being lost or stolen.

Learn more about:

- ✓ The current security threat landscape
- ✓ How to properly implement a business continuity plan
- ✓ Ways to protect your data that will not break the bank
- ✓ Developing security 'best practices' to share with your clients

# VNET

**Velocity Network**  
An ECBA Business Partner

*Velocity Network has been invited by the ECBA to provide this timely technology-related program. VNet will be provided 3 minutes before the seminar begins to tell you about their services and how they may be able to assist you with your technology needs. The seminar itself will be educational.*

#### PRESENTERS



**BRIAN MARSHALL**  
Director of Client Services



**RYAN SALISBURY**  
Chief Virtual  
Information Officer

**MATT WIERTTEL**  
Director of Sales and Marketing



An Amazon Echo will be raffled off to an ECBA member in attendance, compliments of Velocity Network!

**Reservations due to the ECBA office no later than November 2, 2016**

#### **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.

**Online!**  
**REGISTRATION**  
Available at  
**www.eriebar.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

**NOVEMBER 18, 2016**

**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

Oct. 28 and Nov. 4, 11

**SALE NO. 1**

**Ex. #10862 of 2015**

**NORTH WEST SAVINGS**

**BANK, Plaintiff,**

**v.**

**ANTHONY J. STANCZAK and  
GUY LEROY, Defendants**

**LEGAL DESCRIPTION**

ALL that CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, and being Lot No. 21 of Block "M" of the Scenery Hills Subdivision No. 4, Part of Reserve Tract No. 72, Sixth Ward of the City of Erie, Pennsylvania, as more fully bounded and described in Erie County Map Book 5, Pages 289-90-91-92 in the Recorder of Deeds Office of Erie County, Pennsylvania,

to which reference is made.

This conveyance is made subject to the following restrictions:

1. That this property shall be used for residential purposes only, that no more than one-family residence shall be erected on said property and that no building shall be erected or used for business or industrial purposes; nor shall commercial signs of any description be erected—except that a physician or dentist may maintain an office in the his residence and indicate the same by the customary shingles and lettering.

2. That any garage or other outbuilding erected on this property shall conform in design and structure to the main structure erected on this property.

3. That any garage or other outbuilding constructed on this property shall be set back not less than fifty (50) feet from the front property line and on corner lots shall be not closer to the side street line than the dwelling now erected on the lot. Each corner lot is deemed to front on the street upon which it has the smallest dimension. This restriction shall not apply to garages and breezeways attached to the main structure.

4. That no fences or hedges exceeding three feet in height shall be erected and no material other than woven metal, white pickets or hedge shall be used as a fence.

5. That no nuisance shall be erected, placed or suffered to remain upon this property.

6. That no trailers shall be permitted to remain upon this property.

7. That no live poultry or livestock of any description shall be kept on this property.

BEING the same premises conveyed to Anthony J. Stanczak by Deed dated January 24, 2008 and recorded in the Office of the Recorder of Deeds in and for Erie County, Pennsylvania on January 24, 2008 at Record Book 1472, Page 1965 and being known as 4322 Allegheny Road, Erie, PA 16509 and bearing Parcel ID No. 19-061-076.0-302.00.

Title to said premises was conveyed to Guy Leroy by Tax Claim Deed dated September 25, 2015 by the Erie County Tax Claim Bureau pursuant

to upset tax sale in September of 2014. Said Deed was recorded September 25, 2015 in the Office of the Recorder of Deeds of Erie County Pennsylvania at Instrument No. 2015-021257.

**KNOX McLAUGHLIN GORNALL & SENNETT, P.C.**

Mark G. Claypool, Esquire

PA ID #63199

120 West Tenth Street

Erie, Pennsylvania 16501

(814) 459-2800

Oct. 28 and Nov. 4, 11

**SALE NO. 2**

**Ex. #11342 of 2016**

**JOHN W. WATERHOUSE and  
MARY A. WATERHOUSE,**

**Plaintiffs,**

**v.**

**MARK A. LINDSEY, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 2016-11342, John W. Waterhouse and Mary A. Waterhouse v. Mark A. Lindsey, owner of property situate in the Township of Harborscreek, Erie County, Pennsylvania being: 947 Walbridge Road, Erie, Pennsylvania.

.4591 acres

Assessment Map Number: (27) 9-73-9

Assessed Value Figure: \$52,120.00

Improvement Thereon: Residence

Kurt L. Sundberg, Esq.

Marsh Spaeder Baur Spaeder

& Schaaf, LLP

300 State Street, Suite 300

Erie, Pennsylvania 16507

(814) 456-5301

Oct. 28 and Nov. 4, 11

**SALE NO. 3**

**Ex. #10426 of 2013**

**NORTHWEST SAVINGS**

**BANK, Plaintiff,**

**v.**

**BRENDA L. MALMGREN,  
Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 2013-10426, Northwest Savings Bank vs. Brenda L. Malmgren, owner of property situate in the Township of Harborscreek, Erie County, Pennsylvania being: 3417 Greenlawn Avenue, Erie, Pennsylvania.

Approx. .5103 acres  
Assessment Map Number: (27) 56-190-1.01  
Assessed Value Figure: \$90,600.00  
Improvement Thereon: Residence  
Kurt L. Sundberg, Esq.  
Marsh Spaeder Baur Spaeder  
& Schaaf, LLP  
Suite 300, 300 State Street  
Erie, Pennsylvania 16507  
(814) 456-5301

Oct. 28 and Nov. 4, 11

**SALE NO. 4**

**Ex. #10850 of 2016**

**The Bank of New York Melon  
F/K/A The Bank of New York  
as successor in interest to JP  
Morgan Chase Bank, N.A. as  
Trustee for Nationstar Home  
Equity Loan Trust 2006-B,  
Plaintiff**

**v.**

**Bonnie Lynn Carter and Edward  
Carter, Defendants  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10850-2016, The Bank of New York Melon F/K/A The Bank of New York as successor in interest to JP Morgan Chase Bank, N.A. as Trustee for Nationstar Home Equity Loan Trust 2006-B vs. Bonnie Lynn Carter and Edward Carter, owners of property situated in Erie City, Erie County, Pennsylvania being 1118 Wallace Street, Erie, PA 16503. Assessment Map number: 152022102 Assessed Value figure: \$24,360.00 Improvement thereon: Residential Dwelling  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400

Oct. 28 and Nov. 4, 11

**SALE NO. 5**

**Ex. #12538 of 2012**

**TD Bank, N.A., sbm Banknorth,  
N.A. a/k/a People's Bank,  
Plaintiff**

**v.**

**James D. Bowers and Laverne A.  
Bowers, Defendants  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12538-12, TD Bank, N.A., sbm Banknorth, N.A. a/k/a People's Bank, Plaintiff, vs. James D. Bowers

and Laverne A. Bowers, owner(s) of property situated in Waterford, Erie County, Pennsylvania being 15180 Holmes Road, Waterford.  
11.178 acres  
Assessment Map number: 30020086000905  
Assessed Value figure: \$99,300.00  
Improvement thereon: Double wide Mobile Home  
Duane Morris; Brett Messinger & Ryan Gower  
30 South 17th Street  
Phila, PA 19102  
215.979.7000

Oct. 28 and Nov. 4, 11

**SALE NO. 6**

**Ex. #10270 of 2016**

**PNC BANK, NATIONAL  
ASSOCIATION, SUCCESSOR  
IN INTEREST TO NATIONAL  
CITY REAL ESTATE  
SERVICES, LLC SUCCESSOR  
BY MERGER TO NATIONAL  
CITY MORTGAGE, INC.,  
FORMERLY KNOWN AS  
NATIONAL CITY MORTGAGE  
CO., Plaintiff**

**v.**

**SALLY A. BELL  
RANDY K. BELL, Defendants  
DESCRIPTION**

Parcel 1

All that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: Being part of Lot No. 7 in the Forest Park Subdivision of part of Reserve Tract Nos. 2, 9 and 12, as shown upon a map of said Subdivision made by B. E. Briggs, Engineer and recorded in the Office of the Recorder of Deeds for Erie County aforesaid, in Map Book No. 2, pages 405 and 406, and bounded and described as follows: COMMENCING at a point in the west line of Clifton Drive, one hundred thirty-five (135) feet north of the southeast corner of said Lot No. 7 and at the northeast corner of lot heretofore conveyed to Jesse D. Hilliker, et ux; thence westwardly parallel with the south line of said Lot No. 7 and along the north line of said Hilliker Lot, one hundred forty (140) feet to a point; thence northwardly parallel with the west

line of Clifton Drive, sixty (60) feet to a point; thence eastwardly parallel with the south line of Lot No. 7, one hundred forty (140) feet to the west line of Clifton Drive; thence southwardly along the west line of Clifton Drive, sixty (60) feet to the place of beginning.

Parcel 2

All that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: COMMENCING at a point in the west line of Clifton Drive, one hundred ninety-five (195) feet northwardly from the southeast corner of Lot No. 7 of Forest Park Subdivision of parts of Reserve Tract Nos. 9 and 10 of Millcreek Township, Erie County, Pennsylvania as recorded in Erie County Map Book No. 2 at pages 205 and 206; thence westwardly on a line parallel with the south line of Lot No. 7, one hundred forty (140) feet to a point; thence northwardly on a line parallel with the west line of Clifton Drive, ten (10) feet; thence eastwardly on a line parallel with the south line of Lot No. 7, one hundred forty (140) feet to the west line of Clifton Drive; and thence southwardly on the west line of Clifton Drive, ten (10) feet to the place of beginning. Having erected thereon a one-story frame house and garage more commonly known as 706 Clifton Drive, Erie, Pennsylvania. Bearing Erie County Tax Index Number (33) 17-79-14. Parcel # 33017079001400  
PROPERTY ADDRESS: 706 Clifton Drive Erie, PA 16505  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 7**

**Ex. #11747 of 2016**

**U.S. BANK, N.A., SUCCESSOR  
TRUSTEE TO LASALLE BANK  
NATIONAL ASSOCIATION, ON  
BEHALF OF THE HOLDERS  
OF BEAR STEARNS ASSET  
BACKED SECURITIES I**

**TRUST 2005-HE7, ASSET  
BACKED CERTIFICATES  
SERIES 2005-HE7, Plaintiff**

**v.**

**MICHAEL P. CAMPBELL  
TRACIE L. FINK, Defendants**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN WAYNE TOWNSHIP, ERIE COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A SET IRON PIPE ON THE WEST LINE OF THE ROAD COMMONLY CALLED THE KING ROAD AT THE NORTHEAST CORNER OF LAND NOW OF BERNARD WILSON SAID POINT OF BEGINNING BEING LOCATED TWENTY-FIVE (25) FEET WEST OF A POINT IN THE CENTER LINE OF THE SAID KING ROAD, WHICH POINT IS LOCATED NORTHERLY 2,640 FEET FROM U.S. ROUTE #6; THENCE FROM SAID BEGINNING POINT SOUTH SEVENTY-NINE DEGREES TWO MINUTES WEST (S 79 DEGREES 02 MINUTES WEST) SIX HUNDRED FEET (600) FEET TO A SET IRON PIPE; THENCE NORTH TWENTY-NINE DEGREES TWENTY-SEVEN MINUTES WEST (N 29 DEGREES 27 MINUTES WEST) FOUR HUNDRED FIFTY (450) FEET TO A SET IRON PIPE; THENCE NORTH SEVENTY-NINE DEGREES TWO MINUTES EAST (N 79 DEGREES 02 MINUTES EAST) SIX HUNDRED (600) FEET TO A SET IRON PIPE IN THE WEST LINE OF THE KING ROAD; THENCE ALONG THE WEST LINE OF THE KING ROAD SOUTH TWENTY-NINE DEGREES TWENTY-SEVEN MINUTES EAST (S 29 DEGREES 27 MINUTES EAST) FOUR HUNDRED FIFTY (450) FEET TO THE PLACE OF BEGINNING. CONTAINING IN ALL SIX AND ONE-TENTHS (6.1) ACRES OF LAND, BE THE SAME MORE OR LESS. BEING PARCELS #1 AND #3 OF THE EARLS SUBDIVISION #1 OF LAND IN WAYNE TOWNSHIP AS

RECORDED IN ERIE COUNTY MAP BOOK 9, PAGE 166 ON NOV. 8, 1974, ACCORDING TO A SURVEY PREPARED BY TERRY DARNOFALL, REGISTERED SURVEYOR, ON OCT. 7, 1974. SUBJECT TO RESERVATION OF RIGHT OF WAY ON A LOGGING ROAD AS IT NOW IS LOCATED WHICH ENTERS THE ABOVE DESCRIBED LAND FROM LAND RETAINED BY THE GRANTOR, WEST OF THE CREEK AND THEN DOUBLES AND CROSSES BACK INTO LAND RETAINED BY THE GRANTOR AT ABOUT THE INTERSECTION OF THE CREEK WITH THE BOUNDARY LINE OF LAND CONVEYED HEREIN AND LAND RETAINED BY THE GRANTOR.

NO HAZARDOUS WASTE, AS THE TERM "HAZARDOUS WASTE" IS DEFINED BY THE SOLID WASTE MANAGEMENT ACT, ACT 97 OF 1980, IS PRESENTLY BEING DISPOSED OF BY THE GRANTORS, NOR HAS SUCH HAZARDOUS WASTE EVER BEEN DISPOSED OF BY THE GRANTORS, OR TO THE GRANTORS ACTUAL KNOWLEDGE ON THE PREMISES HEREIN DESCRIBED. PARCEL ID NOS. (49) 20-44-18.07 AND (49) 20-44-18.08  
PROPERTY ADDRESS: 18290 King Road, Corry, PA 16407  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 8**

**Ex. #10227 of 2016**

**LAKEVIEW LOAN  
SERVICING, LLC, Plaintiff**

**v.**

**ASHLEY P. CLAYPOOLE,  
Defendant**

**DESCRIPTION**

ALL that certain piece or parcel of land situate in the Borough of Girard, County of Erie and Commonwealth of Pennsylvania, being Lot A of the survey for the Estate of Helen V. Wegmiller as prepared by Robert

L. Rabell Surveying & Engineering dated March 13, 2003 and recorded in the Office of the Recorder of Deeds for Erie County, Pennsylvania as Map No. 2003-87 on April 22, 2003.

BEING more commonly known as 104 Randall Avenue, Girard, PA 16417, and being further designated as Erie County Tax ID# (23) 3-15-10. PROPERTY ADDRESS: 104 Randall Avenue, Girard, PA 16417  
KML Law Group, P.C.

Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 9**

**Ex. #13233 of 2015**

**DITECH FINANCIAL  
LLC F/K/A GREEN TREE  
SERVICING LLC, Plaintiff**

**v.**

**EILEEN A. COREY  
HAROLD E. COREY, II a/k/a  
HAROLD E. COREY, Defendant**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Tract 196, Harborcreek Township, Erie County, Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point on the centerline of Davison Road (as a 50' right-of-way), said point being the southwest corner of land conveyed to James P. Sheridan, et ux by deed recorded in Erie County Deed Book 1626 at page 310 and as shown by a plan of the same as recorded in Erie County Map Book 29 at page 133; thence along the south line of the same N. 45 degrees 00 minutes 25 seconds E., passing over an iron survey point at 25.21 feet, a total distance of 398.48 feet to an iron survey point; Thence S. 33 degrees 31 minutes 15 seconds E., 303.58 feet to an iron survey point; Thence S. 45 degrees 00 minutes 25 seconds W., passing over an iron survey point at 274.29 feet, a total distance of 299.50 feet to point on the centerline of Davison Road; Thence along said centerline N. 52 degrees 23 minutes 10 seconds W., 300 feet to the place of beginning, containing 2.384 acres of land.



The above described property is Lot No. 2 of Survey for Harold Corey, prepared by James N. Helffrich, Registered Surveyor, recorded in Erie County Map Book 30, at Page 188. PROPERTY ADDRESS: 1865 Davison Road, Harbor Creek, PA 16421  
PARCEL NUMBER(s): (27) 32-125-10.04  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 10**

**Ex. #11262 of 2016**

**QUICKEN LOANS INC.,  
Plaintiff**

**v.**

**MATTHEW DAUBENSPECK,  
Solely in His Capacity as Heir of  
LOUISE M. DAUBENSPECK  
Deceased, Defendant**

**LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, being the westerly sixteen and one-half (16.5) feet of Lot No. 39 and the easterly thirty-two and one-half (32.5) feet of Lot No. 40 in Block "Q" of the Bayview Subdivision, part of Tract 34 and 62 as per plot recorded in Erie County, Pennsylvania, Map Book #1 on pages 272 and 273. Having erected thereon a single family dwelling being commonly known as 1319 East 36 Street, Erie, Pennsylvania.

Being Parcel # 18052023021600  
PROPERTY ADDRESS: 1319 East 36th Street, Erie, PA 16504  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 11**

**Ex. #11591 of 2016**

**LAKEVIEW LOAN  
SERVICING, LLC, Plaintiff**

**v.**

**DIANE FARRELL**

**BYRON MOFFETT, Defendants  
LEGAL DESCRIPTION**

All that certain parcel of land situated in the City of Erie, County of Erie, Commonwealth of Pennsylvania, being known as Lot 43-44, Block P, Andrews Land Company, more fully described in Book 1 page 374, more fully described in Deed Book 1126 page 1062, dated 04/19/2004, recorded 04/20/2004, Erie County Records  
Tax ID: (18) 5054-127  
PROPERTY ADDRESS: 3115 Perry Street, Erie, PA 16504  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 12**

**Ex. #10788 of 2016**

**U.S. BANK, N.A. AS TRUSTEE  
FOR MANUFACTURED  
HOUSING CONTRACT  
SENIOR/SUBORDINATE PASS-  
THROUGH CERTIFICATE  
TRUST 1998-6 BY DITECH  
FINANCIAL LLC, Plaintiff**

**v.**

**ROSEMARY E. KEYES  
JAMES R. KEYES, Defendants  
LEGAL DESCRIPTION**

ALL that certain parcel or piece of ground situate in the Township of Washington, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows: BEING known as Lot #1 in the Swift Sub division as surveyed by Gary R. Wagner, recorded March 17, 1994, revised May 11, 1994 in Map Book Volume 1994, page 142. CONTAINING 4.18A acres more or less.

BEING known as Parcel I.D. # 45-019-0410-00710  
PROPERTY ADDRESS: 6700 Route 6N Lot 1, Edinboro, PA 16412  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 13**

**Ex. #11346 of 2016**

**WILMINGTON SAVINGS  
FUND SOCIETY, FSB, D/B/A  
CHRISTIANA TRUST, NOT IN  
ITS INDIVIDUAL CAPACITY,  
BUT SOLELY AS TRUSTEE  
FOR RMAC TRUST, SERIES  
2015-5T, Plaintiff**

**v.**

**DEBORAH LENT a/k/a  
DEBORAH A. LENT, Defendant  
LEGAL DESCRIPTION**

ALL THAT PARCEL OF LAND IN TOWNSHIP OF MILLCREEK, ERIE COUNTY, STATE OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN DEED BOOK 451, PAGE 2007, ID# 33-73-298-25, BEING KNOWN AND DESIGNATED AS LOT 58, RIDGEFIELD SUBDIVISION, FILED IN PLAT BOOK 217, PAGE 598.

DEED FROM JOHN G. LENT AND DEBORAH A. VOLK, NOW BY REMARRIAGE, DEBORAH A. LENT, HIS WIFE AS SET FORTH IN DEED BOOK 451, PAGE 2007 DATED 07/11/1996 AND RECORDED 07/22/1996, ERIE COUNTY RECORDS, COMMONWEALTH OF PENNSYLVANIA.

Parcel Number 33073298002500  
PROPERTY ADDRESS: 3115 Highland Road, Erie, PA 16506  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 14**

**Ex. #11379 of 2016**

**PNC BANK, NATIONAL  
ASSOCIATION, Plaintiff**

**v.**

**BRIAN M. ROBSON, Defendant  
LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the Township of Greenfield, County of Erie and Commonwealth of Pennsylvania, and being part of Tract 15, being more particularly bounded and described as follows, to-wit: Beginning at the southeast corner of the piece in the center line

of Storey Road, distance thereon North 00 Degrees, 26 Minutes West eight hundred forty and no hundredths (840.00) feet from its intersection with the center line of Station Road; thence North 00 Degrees, 26 Minutes West along the center line of Storey Road, a distance of two hundred and no hundredths (200.00) feet to a point; thence South 89 Degrees, 28 Minutes West passing over an iron survey point at a distance of twenty-five and no hundredths (25.00) feet, a total distance of eight hundred two and fifty hundredths (802.50) feet to a point; thence South 00 Degrees, 26 Minutes East, a distance of two hundred and no hundredths (200.00) feet to a point; thence North 89 Degrees, 28 Minutes East passing over an iron survey point at a distance of seven hundred seventy-seven and fifty hundredths (777.50) feet, a total distance of eight hundred two and fifty hundredths (802.50) feet to the centerline of Storey Road and the place of beginning, containing 3.684 acres of land therein.

Having erected thereon a dwelling more commonly known as 9104 Storey Road, North East, PA 16428; and bearing Erie County Tax Index No. (26) 8-23-16.04.

Parcel # 26008023001604

Being the same premises conveyed to Mortgage by Deed intended to be recorded simultaneously herewith. PROPERTY ADDRESS: 9104 Storey Road, North East, PA 16428 KML Law Group, P.C.

Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106 (215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 15**

**Ex. #10463 of 2016**  
**JPMORGAN CHASE BANK,**  
**NATIONAL ASSOCIATION,**  
**Plaintiff**

**v.**

**JENNIFER SABETTI,**  
**Defendant**

**LEGAL DESCRIPTION**

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

Pennsylvania, bounded and described as follows, to-wit: Commencing at a point in the north line of Twenty Ninth (29th) Street two (2) feet east of the west line of Lot Number Thirty-Six of Block D of Andrews Land Company Subdivision of Reserve Tract No. 33; thence northerly parallel with the west line of said lot one hundred thirty-five (135) feet to a point; thence westerly parallel with 29th Street, thirty-three (33) feet to a point; thence southerly parallel with the west line of said Lot Number 36, one hundred thirty-five (135) feet to 29th Street; thence easterly along the north line of 29th Street, thirty-three (33) feet to the place of beginning, being the westerly two (2) feet of Lot Number 36 and the easterly thirty-one (31) feet of Lot Number 37 of Andrews Land Company Subdivision of Reserve Tract No. 33 as shown on Map recorded in Erie County Map Book 1, pages 374 and 375. Having erected thereon a one-family frame dwelling and garage, and being known as 950 East 29th Street, Erie, Pennsylvania. Bearing Erie County Tax Index No. (18)5053-243.

Parcel Number 18050053024300  
PROPERTY ADDRESS: 950 East 29th Street, Erie, PA 16504  
KML Law Group, P.C.

Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106 (215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 16**

**Ex. #10397 of 2016**  
**JPMORGAN CHASE BANK,**  
**NATIONAL ASSOCIATION,**  
**Plaintiff**

**v.**

**LEE J. SMITH**  
**ELIZABETH V. SMITH,**  
**Defendants**

**LEGAL DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Springfield, County of Erie and Commonwealth of Pennsylvania, being Lot 2 of the Subdivision of Richard T. Krome as the same was recorded in the Office of the Erie County Recorder of Deeds

on September 6, 2000 as Erie County Map No. 2000-257 to which reference is made for a more complete legal descriptions.

Containing 1.09 net acres, more or less.

SAID premises are (further identified by Erie County Assessment Index No. (39) 8-29-3.05 and are commonly known as 12903 West Lake Road, East Springfield, Pennsylvania.

PROPERTY ADDRESS: 12903 West Lake Road, East Springfield, PA 16411

KML Law Group, P.C.

Attorney for Plaintiff

Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106

(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 17**

**Ex. #12913 of 2015**  
**DITECH FINANCIAL LLC f/k/a**  
**GREEN TREE SERVICING**  
**LLC, Plaintiff**

**v.**

**Jeanna M. Taylor, Solely in Her**  
**Capacity as Heir of Shirley J.**  
**Taylor AKA Shirley Jean Taylor,**  
**Deceased**

**Kenneth E. Taylor, Solely in His**  
**Capacity as Heir of Shirley J.**  
**Taylor AKA Shirley Jean Taylor,**  
**Deceased**

**Unknown Heirs, Solely in His**  
**Capacity as Heir of Shirley J.**  
**Taylor AKA Shirley Jean Taylor,**  
**Deceased, Defendants**

**LEGAL DESCRIPTION**

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

BEGINNING at the southwesterly corner of the piece at an iron survey point in the northerly line of Smith Street, distant thereon; North 64 degrees 13 minutes 50 seconds East, 175 feet from an iron survey point at its intersection with the produced centerline of Walnut Street, said point also being the southeasterly corner



of land now or formerly of Daniel Knorr, Deed Book 170 at page 349; thence along said land North 25 degrees 49 minutes 10 seconds West, one hundred forty-nine and ninety-five hundredths (149.95) feet to an iron survey point in the southerly line of land now or formerly of Pater and Emogene Yonschak; thence along said land North 64 degrees 17 minutes 10 seconds East, fifty (50) feet to an iron survey point at the northwesterly corner of land now or formerly of J.A. Davis, Deed Book 446 at page 92; thence along said land South 25 degrees 49 minutes 10 seconds West, passing over an iron survey point in the South side of a 24 feet Butternut Tree at a distance of 50.22 feet, one hundred forty-nine and ninety hundredths (149.90) feet to a lead survey point in a concrete monument in the northerly line of Smith Street; thence South 64 degrees 13 minutes 50 seconds West, along the northerly line of Smith Street, fifty (50) feet to the place of BEGINNING.

PARCEL ID# 28-10-4-38  
PROPERTY ADDRESS: 10036 Smith Street, Lake City, PA 16423  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 18**

**Ex. #10577 of 2016**  
**QUICKEN LOANS INC.,**  
**Plaintiff**

**v.**

**JEFFREY WILLIAMS,**  
**Defendant**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE in the Sixth Ward of the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: BEGINNING in the South line of Twenty-fourth Street at a point four hundred twenty five (425) feet West of the intersection of the West line of Plum Street with the South line of Twenty-fourth Street; thence southwardly parallel with the West

line of Plum Street, one hundred thirty-five (135) feet to a point; thence westwardly thirty (30) feet to a point; thence northwardly parallel with the West line of Plum Street, one hundred thirty-five (135) feet to the South line of Twenty-fourth Street; and thence Eastwardly along the South line of Twenty-fourth Street, thirty (30) feet to the place of beginning. Having erected thereon a two story frame dwelling and known as 943 West 24th Street, Erie Pennsylvania 16502 and bearing Erie County Tax Index No. (19) 6028-219.

PROPERTY ADDRESS: 943 West 24th Street a/k/a 943 West Twenty-Fourth Street Erie, PA 16502  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
(215) 627-1322

Oct. 28 and Nov. 4, 11

**SALE NO. 19**

**Ex. #10791 of 2016**  
**U.S. BANK NATIONAL**  
**ASSOCIATION, AS TRUSTEE**  
**FOR THE PENNSYLVANIA**  
**HOUSING FINANCE AGENCY,**  
**Plaintiff**

**v.**

**JAIME L. NAIL, Defendant**  
**LEGAL DESCRIPTION**

By virtue of a Writ of Execution No. 10791-16, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY vs. JAIME L. NAIL  
Real Estate: 1224 EAST 30TH STREET, ERIE, PA 16504  
Municipality: City of Erie  
Erie County, Pennsylvania  
Dimensions: 30 x 140  
See Deed Book 1598, Page 2174  
Tax I.D. (18) 5045-118  
Assessment: \$ 17,000. (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

Oct. 28 and Nov. 4, 11

**SALE NO. 20**

**Ex. #11911 of 2016**  
**U.S. BANK NATIONAL**  
**ASSOCIATION, AS TRUSTEE**  
**FOR THE PENNSYLVANIA**  
**HOUSING FINANCE AGENCY,**  
**Plaintiff**

**v.**

**MOZELLA TICKNER**  
**AND JOHN M. TICKNER,**  
**Defendants**

**LEGAL DESCRIPTION**

By virtue of a Writ of Execution No. 2016-11911, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY vs. MOZELLA TICKNER AND JOHN M. TICKNER  
Real Estate: 1157 WEST 31ST STREET, ERIE, PA  
Municipality: Sixth Ward, City of Erie, Erie County, Pennsylvania  
Dimensions: 35 X 135  
See Deed Book 13647, page 855  
Tax I.D. (19) 6219-117  
Assessment: \$16,900 (Land)  
\$68,830 (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

Oct. 28 and Nov. 4, 11

**SALE NO. 21**

**Ex. #11653 of 2015**  
**U. S. Bank National Association,**  
**as Trustee, successor in interest**  
**to Wachovia Bank, National**  
**Association, as Trustee for**  
**GSMPs Mortgage Loan Trust**  
**2004-3, Plaintiff**

**v.**

**John H. Voltz; Alphonse E.**  
**Wedzik, Defendant**  
**SHERIFF'S SALE**

By virtue of a Writ of Execution file to No. 11653-15, U.S. Bank National Association, as Trustee, successor in interest to Wachovia Bank, National Association, as Trustee for GSMPs Mortgage Loan Trust 2004-3 vs. John H. Voltz; Alphonse E. Wedzik, owner(s) of property situated in The City of Erie, County of Erie,

Commonwealth of Pennsylvania  
being 1821 East 33rd Street, Erie,  
PA 16510  
0.1801  
Assessment Map Number: 51  
Assessed Value figure: \$76,880.00  
Improvement thereon: Single Family  
Dwelling  
Kimberly J. Hong, Esquire  
Manley Deas Kochalski LLC  
P. O. Box 165028  
Columbus, OH 43216-5028  
614-220-5611

Oct. 28 and Nov. 4, 11

**SALE NO. 22**

**Ex. #11604 of 2016**

**The Bank of New York  
Mellon f/k/a The Bank of New  
York successor in interest  
to JPMorgan Chase Bank,  
National Association, as Trustee  
for GSAMP Trust 2004-SEA2,  
Mortgage Pass-Through  
Certificates, Series 2004-SEA2,  
Plaintiff**

**v.**

**KEITH E. PETERSON  
SHARON K. PETERSON,  
Defendants**

**DESCRIPTION**

ALL THAT CERTAIN LOT OF  
LAND SITUATE IN BOROUGH  
OF UNION CITY, ERIE COUNTY,  
PENNSYLVANIA:  
BEING KNOWN AS 83 Waterford  
St., Union City, PA 16438  
PARCEL NUMBER: 42-1-1-9  
IMPROVEMENTS: Residential  
Property  
\$77,550.00  
J. Eric Kishbaugh, Esquire  
PA ID 33078  
UDREN LAW OFFICES, P.C.  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003-3620

Oct. 28 and Nov. 4, 11

**SALE NO. 25**

**Ex. #13038 of 2015**

**Wilmington Savings Fund  
Society, FSB, D/B/A Christiana  
Trust, Not Individually but as  
Trustee, for Pretium Mortgage  
Acquisition Trust, Plaintiff**

**v.**

**Scott A. Krebs, Defendant  
SHERIFF'S SALE**

By virtue of a Writ of Execution

filed to No. 13038-15, Wilmington  
Savings Fund Society, FSB, D/B/A  
Christiana Trust, Not Individually  
but as Trustee for Pretium Mortgage  
Acquisition Trust vs. Scott A.  
Krebs, owners of property situated  
in Millcreek Township, Erie County,  
Pennsylvania being 2906 Hampshire  
Road, Erie, PA 16506  
90X140; .2491 Acres  
Assessment Map number: (33)70-  
283-22  
Assessed Value figure: \$ 128,600.00  
Improvement thereon: Residential  
Dwelling  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400

Oct. 28 and Nov. 4, 11

**SALE NO. 26**

**Ex. #11352 of 2014**

**U.S. Bank National Association,  
as trustee for the holders of the  
First Franklin Mortgage Loan  
Trust 2006-FF10 Mortgage  
Pass-Through Certificates, Series  
2006-FF10, Plaintiff**

**v.**

**Debra L. Murphy, Defendant  
SHERIFF'S SALE**

By virtue of a Writ of Execution  
filed to No. 2014-11352, U.S. Bank  
National Association, as trustee for  
the holders of the First Franklin  
Mortgage Loan Trust 2006-FF10  
Mortgage Pass-Through Certificates,  
Series 2006-FF10 vs. Debra L.  
Murphy, owners of property situated  
in Millcreek Township, Erie County,  
Pennsylvania being 1620 Clifford  
Dr., Erie, PA 16506  
110 X 210, 4821 Acres  
Assessment Map number: 33-23-  
127-16  
Assessed Value figure: \$95,800.00  
Improvement thereon: Residential  
Dwelling  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400

Oct. 28 and Nov. 4, 11

**SALE NO. 27**

**Ex. #11452 of 2016**

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

**Trust 2005-FF2, Mortgage  
Pass-Through Certificates, Series  
2005-FF2 c/o Specialized Loan  
Servicing, LLC, Plaintiff**

**v.**

**Denae M. Seelinger, Defendant  
DESCRIPTION**

TO THE SHERIFF OF ERIE  
COUNTY:  
PROPERTY OF: Denae M. Seelinger  
EXECUTION NO: 11452-16  
JUDGMENT AMT: \$61,672.54  
ALL the right, title, interest and claim  
of: Michael A. Mannarino  
Of in and to:  
ADDRESS: 2625 Van Buren Avenue,  
Erie, PA 16504  
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: 18050056012200  
Commonly known as 2625 Van  
Buren Avenue, Erie, PA 16504  
PARKER McCAY P.A.  
Richard J. Nalbandian, III, Esquire  
Attorney ID 312653  
9000 Midlantic Drive, Suite 300  
P.O. Box 5054  
Mount Laurel, NJ 08054-1539  
(856) 810-5815  
Attorney for Plaintiff

Oct. 28 and Nov. 4, 11

**SALE NO. 28**

**Ex. #10474 of 2016**

**U.S. Bank National Association,  
Plaintiff**

**v.**

**Theresa B. Fisher, Defendant  
SHERIFF'S SALE**

By virtue of a Writ of Execution  
filed to No. 10474-2016 U.S. Bank  
National Association vs. Theresa  
B. Fisher  
Amount Due: \$51,317.56  
Theresa B. Fisher, owner(s) of  
property situated in ERIE CITY,  
Erie County, Pennsylvania being  
2620 Sassafras Street, Erie, PA  
16508-1827  
Dimensions: 27.41 x Irr.  
Acreage: 0.0499  
Assessment Map number:  
19060053040300  
Assessed Value: \$65,510.00  
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

Oct. 28 and Nov. 4, 11

**SALE NO. 29**

**Ex. #10736 of 2012**

**Government Loan Securitization Trust 2011-Fv1 (The Issuer) by Wells Fargo Bank N.A. (The Servicer), Solely in Its Capacity as Servicer, With Delegated Authority Under The Transaction Documents, Plaintiff**

**v.**

**Sharon A. Jeska a/k/a Sharon Hoke, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10736-2012, Government Loan Securitization Trust 2011-Fv1 (The Issuer) by Wells Fargo Bank N.A. (The Servicer), Solely in Its Capacity as Servicer, With Delegated Authority Under The Transaction Documents vs. Sharon A. Jeska a/k/a Sharon Hoke

Amount Due: \$88,051.07

Sharon A. Jeska a/k/a Sharon Hoke, owner(s) of property situated in TOWNSHIP OF CITY OF ERIE, Erie County, Pennsylvania being 4226 Longview Avenue, Erie, PA 16510-3538

Dimensions: 40 x 125

Acreage: 0.1119

Assessment Map number: 18052035060500

Assessed Value: 73,670

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

Oct. 28 and Nov. 4, 11

**SALE NO. 30**

**Ex. #10714 of 2013**

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

**v.**

**Jason R. Lloyd, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10714-13, Bank of America, N.A., as Successor by Merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP vs. Jason R. Lloyd  
Amount Due: \$ 136,514.03

Jason R. Lloyd, owner(s) of property situated in WATERFORD BOROUGH, Erie County, Pennsylvania being 509 Cherry Street, Waterford, PA 16441-7815  
Dimensions: 77.5 X 82.5

Acreage: 0.1486

Assessment Map number: 46006016001500

Assessed Value: 97,440.00

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

Oct. 28 and Nov. 4, 11

**SALE NO. 31**

**Ex. #13321 of 2014**

**PHH Mortgage Corporation f/k/a Cendant Mortgage Corporation, Plaintiff**

**v.**

**Sherman G. Moore, Defendant**

By virtue of a Writ of Execution filed to No. 2014-13321, PHH Mortgage Corporation f/k/a Cendant Mortgage Corporation vs. Sherman G. Moore  
Amount Due: \$21,641.97

Sherman G. Moore, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 1247 East 21st Street, Erie, PA 16503-2503  
Dimensions: 40x105

Acreage: 0.0964

Assessment Map number: 18051001011100

Assessed Value: \$34,270.00

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

Oct. 28 and Nov. 4, 11

**SALE NO. 32**

**Ex. #11540 of 2016**

**Ditech Financial LLC f/k/a Green Tree Servicing LLC, Plaintiff**

**v.**

**Adarberto G. Rodriguez**

**Tina L. Rodriguez, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11540-16, Ditech Financial LLC f/k/a Green Tree Servicing LLC vs. Adarberto G. Rodriguez, Tina L. Rodriguez

Amount Due: \$55,048.01

Adarberto G. Rodriguez, Tina L. Rodriguez, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 611 East 6th Street, Erie, PA 16507-1729

Dimensions: 40 x 165

Acreage: 0.1515

Assessment Map number: 14010019021400

Assessed Value: 30,930

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

Oct. 28 and Nov. 4, 11

**SALE NO. 33**

**Ex. #10746 of 2016**

**U.S. Bank National Association, as Trustee for Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-NC3, Plaintiff**

**v.**

**Michael R. Shreve**

**Lisa Jo Shreve a/k/a Lisa J. Shreve, Defendants**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10746-16, U.S. Bank National Association, as Trustee for Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates, Series 2006-NC3 vs. Michael R. Shreve, Lisa Jo Shreve a/k/a Lisa J. Shreve

Amount Due: \$83,798.09

Michael R. Shreve, Lisa Jo Shreve a/k/a Lisa J. Shreve, owner(s) of property situated in WATERFORD

BOROUGH, Erie County, Pennsylvania being 421 Cherry Street, Waterford, PA 16441  
 Dimensions: 77.5 x 155  
 Acreage: 0.2775  
 Assessment Map number: 46006027000200  
 Assessed Value: 126,450  
 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

Oct. 28 and Nov. 4, 11

**SALE NO. 34**

**Ex. #11292 of 2016**

**JAMES B. NUTTER &  
 COMPANY, Plaintiff  
 v.**

**GAIL NELSON, Defendant  
 DESCRIPTION**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF MILLCREEK, COUNTY OF ERIE, AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 4578 PINEVIEW COURT, ERIE, PA 16506

PARCEL #33062235005937

Improvements: Residential Dwelling  
 Matthew J. McDonnell, Esquire  
 ID No. 313549  
 Powers Kirm & Associates, LLC  
 Eight Neshaminy Interplex  
 Suite 215  
 Trevoze, PA 19053  
 (215) 942-2090

Oct. 28 and Nov. 4, 11

**SALE NO. 35**

**Ex. #11091 of 2015**

**LSF8 Master Participation Trust,  
 Plaintiff**

**v.**

**Doreen R. McClure a/k/a  
 Doreen R. Troutman, Defendant  
 DESCRIPTION**

COMMONLY KNOWN AS: 4720 Perkins Street, Erie, Pennsylvania.  
 BEING Erie County Tax Index No. 33-98-421-4

ALL THAT CERTAIN piece or parcel of land situate in the Township of Millcreek, County of Erie, and

State of Pennsylvania, and known as Lots Nos. 41 and 42, Block 19 NICHOLSON SUBDIVISION, now NICHOLSON HEIGHTS ADDITION, to the City of Erie, being part of Reserve Tract No. 346 and part of the South Gore Tract, as shown upon a Map of said Subdivision, recorded in Map Book No. 1, pages 416 and 417.

HAVING erected thereon a dwelling known as 4720 Perkins Street, Erie, Pennsylvania.

Subject to all easements, restrictions, and rights of way of record and/or visible upon physical inspection.

Being the same premises in which Ricky A. McClure and Doreen R. McClure, by deed dated January 27, 1994 and recorded in the Office of Recorder of Deeds in and for the County of Erie, on March 7, 1994 at Book 0322 Page 0909, conveyed unto Doreen R. McClure.

Date: August 10, 2016

Richard M. Squire & Associates, LLC  
 Richard M. Squire, Esq.

(PA I.D.# 04267)

115 West Avenue, Suite 104

Jenkintown, PA 19046

215-886-8790

Attorneys for Plaintiff

Oct. 28 and Nov. 4, 11

**SALE NO. 36**

**Ex. #12826 of 2014**

**Nationstar Mortgage, LLC,  
 Plaintiff**

**v.**

**Theodore D. Hemstreet and  
 Nicole Hemstreet, Defendant  
 SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12826-14

Nationstar Mortgage LLC vs. Theodore D. Hemstreet and Nicole Hemstreet, owner(s) of property situated in Millcreek Township, Erie County, Pennsylvania being 2919 Hemlock Drive, Erie, PA 16506 0.4166

Assessment Map number: (33) 58-233-1.06

Assessed Value figure: \$103,330.00  
 Improvement thereon: a residential dwelling

Sarah K. McCaffery, Esquire  
 Shapira & DeNardo, LLC

Attorney for Movant/Applicant

3600 Horizon Drive, Suite 150  
 King of Prussia, PA 19406  
 (610) 278-6800

Oct. 28 and Nov. 4, 11

**SALE NO. 37**

**Ex. #11638 of 2016**

**Wells Fargo Bank, National  
 Association, successor by merger  
 to Wells Fargo Bank Minnesota,  
 National Association, as Trustee  
 f/k/a Norwest Bank Minnesota,  
 National Association, as Trustee  
 for Delta Funding Home Equity  
 Loan Trust 1999-3 c/o Ocwen  
 Loan Servicing, LLC, Plaintiff  
 v.**

**Willie C. Carr, Sr. and Verdia L.  
 Carr, Defendants**

**LEGAL DESCRIPTION**

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

BEING Lot No. 28 in Burton and Spalding's extension of Liberty Street and Subdivision of Purpart No. 6, as recorded in Erie County Map Book 1, at Page 61; and having a frontage of forty (40) feet on Liberty Street, and a uniform depth of one hundred fifteen (115) feet. Having erected thereon a two-story single family residential dwelling being commonly known and municipally numbered as 2917 Liberty Street, Erie Pennsylvania.

Further bearing Erie County BEING the same premises which John D. Crowley and Elizabeth A. Shea, now by marriage Elizabeth A. Crowley, his wife, by Deed dated May 21, 1997 and recorded on May 22, 1997 in the office of the recorder of deeds in and for Erie County at Book 499 Page 1366 granted and conveyed unto Willie C. Carr, Sr. and Verdia L. Carr, his wife.

PROPERTY ADDRESS: 2917 Liberty Street, Erie, PA 16508  
 PARCEL 19060042013200  
 JESSICA N. MANIS, ESQUIRE  
 STERN & EISENBERG, PC  
 Attorney for Plaintiff  
 1581 Main St, Suite 200  
 The Shops at Valley Square  
 Warrington, PA 18976  
 (215) 572-8111

Oct. 28 and Nov. 4, 11

**SALE NO. 38**

**Ex. #11682 of 2016**

**Deutsche Bank National  
Trust Company, as trustee for  
Ameriquest Mortgage Securities,  
Inc, Asset-Backed Pass Through  
Certificates, Series 2004-FR1 c/o  
Ocwen Loan Servicing, LLC,  
Plaintiff**

**v.**

**Clara Marie Strong a/k/a Clara  
Strong and Daniel D. Strong,  
Defendants**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of McKean, County of Erie and Commonwealth of Pennsylvania, being part of tract no. 269 and being more particularly bounded and described as follows, to-wit:

BEGINNING at a railroad spike found in the center of Peffer Road South 26° w 30' 00" West a distance of 421.38 feet from a spike found at the intersection of the center line of Peffer Road, Neuburger Road and West Road, as presently laid out and located; thence south 63° 30' 00" east a distance of one hundred seventy and sixty-two hundredths (170.62) feet passing over an iron survey pin in the margin of Peffer Road to an iron survey pin at the southernmost corner of land now or formerly of William O. Wolfram; thence south 39° 00' 00" east a distance of two hundred seventy-eight and sixty-two hundredths (278.62) feet to an iron survey pin at the southernmost corner of land now or formerly of Lawrence J. Heynoski; thence north 51° 00' 00" east a distance of three hundred twelve and sixty-eight hundredths (312.68) feet to a set pk at the center of Neuburger Road; thence south 39° 00' 00" east along the center line of Neuburger Road a distance of six hundred sixty-four (664) feet to a spike; thence south 89° 45' 00" west a distance of thirteen hundred three and fifty-two hundredths (1303.52) feet passing over an iron survey pin in the margin of Neuburger Road and an iron pin in the margin of Peffer Road to a spike in the centerline of Peffer Road as presently laid out and located; thence north 28° 00' 00" east along the centerline of Peffer

Road a distance of two hundred twenty-nine (229) feet to a point in the centerline of Peffer Road; thence continuing along said centerline north 26° 30' 30" a distance of four hundred sixty-four and seventeen hundredths (464.17) feet to a railroad spike being the point and place of beginning, containing 10.010 acres of land exclusive of right of way and now being known as parcel no. (31) 11-50-10.01.

**LESS AND EXCEPT**

ALL THAT CERTAIN piece or parcel of land situate in the Township of McKean, County of Erie and State of Pennsylvania part of tract no. 269 and being more particularly bounded and described as follows, to-wit: BEGINNING at a railroad spike found in the center of Peffer Road, south 26° 30' 00" west a distance of 421.38 feet from a spike found at the intersection of the center line of Peffer Road, Neuburger Road and West Road, as presently laid out and located, thence south 63° (not legible) 30' 00" east a distance of one hundred seventy and sixty-two hundredths (170.62) feet passing over an iron survey pin in the margin at Peffer Road to an iron survey pin at the southernmost corner of land now or formerly of William O. Wolfram; thence south 39° 00' 00" east a distance of two hundred seventy-eight and sixty-two hundredths (278.62) feet to an iron survey pin at the southernmost corner of land owned now or formerly by Lawrence J. Heynoski; thence south 25° 02' 19" west a distance of three hundred fifty-six and twenty-seven hundredths (356.27) feet to an iron survey pin located on the northernmost boundary of land owned now or formerly by Paul G. Bacik, Jr., and Audrey Bacik, thence south 89° 45' 00" west, four hundred ninety-one and eighty-seven hundredths (491.87) feet passing over an iron survey pin in the margin of Peffer Road to a spike in the center line of Peffer Road as presently laid out and located; thence north 28° 00' 00" east along the centerline of Peffer Road a distance of two hundred twenty-nine (229) feet to an angle point in the center line of Peffer

Road; thence continuing along said center line north 26° 30' 00" east a distance of four hundred sixty-four and seventeen hundredths (464.17) feet to a railroad spike being the point and place of beginning.

CONTAINING 5.00 acres of land exclusive of right of way and currently being the west part of parcel number (31) 11-50-10.01, and now being known as tax index no. (31) 11-50-10.02 in McKean Township. A survey plot of said parcel of land identified as Lot "A" was recorded in the Office of the Recorder of Deeds on December 6, 2002 as Subdivision Map No. 2002-313.

BEING the same premises which Daniel D. Strong, Single, by Deed dated July 14, 2009 and recorded on October 30, 2009 in the office of the recorder of deeds in and for Erie County at Book 1600 Page 1289 granted and conveyed unto Daniel D. Strong and Clara Marie Strong, husband and wife.

PROPERTY ADDRESS: 8470 Neuburger Road, Fairview, PA 16415  
PARCEL 31011050001001  
JESSICA N. MANIS, ESQUIRE  
STERN & EISENBERG, PC  
Attorney for Plaintiff  
1581 Main St, Suite 200  
The Shops at Valley Square  
Warrington, PA 18976  
(215) 572-8111

Oct. 28 and Nov. 4, 11

**SALE NO. 39**

**Ex. #13178 of 2014**

**LSF8 Master Participation Trust,  
Plaintiff**

**v.**

**Belinda M. Dambacher, Known  
Surviving heir of Robert L.  
Dambacher, Deceased Mortgagor  
and Real Owner, Ted R.**

**Dambacher, Known Surviving  
Heir of Robert L. Dambacher,  
Deceased Mortgagor and Real  
Owner and Unknown Surviving  
Heirs of Robert L. Dambacher,  
Deceased Mortgagor and Real  
Owner, Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 13178-2014, LSF8 Master Participation Trust v. Belinda M. Dambacher, Known Surviving Heir



of Robert L. Dambacher, Deceased Mortgagor and Real Owner, Ted R. Dambacher, Known Surviving Heir of Robert L. Dambacher, Deceased Mortgagor and Real Owner, and Unknown Surviving Heirs of Robert L. Dambacher, Deceased Mortgagor and Real Owner, owners of property situated in the Township of Harborcreek, Erie County, Pennsylvania being 543 Baker Avenue, Erie, Pennsylvania 16511. Tax I.D. No. 27-005-086.0-006.01 and 27-005-086.0-0005.01

Assessment: \$117,614.41  
Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 1400 Philadelphia, PA 19109  
215-790-1010

Oct. 28 and Nov. 4, 11

#### **SALE NO. 40**

**Ex. #10826 of 2016**  
**LSF8 Master Participation Trust,**  
**Plaintiff**

v.

**Mary Lynn E. Ganska and**  
**Richard P. Ganska, Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10826-16, LSF8 Master Participation Trust v. Mary Lynn E. Ganska and Richard P. Ganska Richard P. Ganska, owners of property situated in the Township of Harborcreek, Erie County, Pennsylvania being 94 Carters Beach, Erie, Pennsylvania 16511. Tax ID. No. 27-020-008.0-067.00 Assessment: \$ 200,028.88 Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 1400 Philadelphia, PA 19109  
215-790-1010

Oct. 28 and Nov. 4, 11

#### **SALE NO. 41**

**Ex. #11322 of 2016**  
**The Huntington National Bank,**  
**Plaintiff**

v.

**Diana J. Gonzalez and Tony R. Gonzalez, Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11235-16, The Huntington Bank v. Diana J. Gonzalez and

Tony R. Gonzalez, owners of property situated in the City of Erie, Erie County, Pennsylvania being 108 Hess Avenue, Erie, Pennsylvania 16507.

Tax I.D. NO. 14010045021100  
Assessment: \$45,619.57  
Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 1400 Philadelphia, PA 19109  
215-790-1010

Oct. 28 and Nov. 4, 11

#### **SALE NO. 42**

**Ex. #11235 of 2016**  
**Federal National Mortgage Association ("Fannie Mae"),**  
**a Corporation organized and**  
**existing under the laws of the**  
**United States of America,**  
**Plaintiff**

v.

**Thomas R. Kelley, Known**  
**Surviving Heir of Richard A.**  
**Kelley and Unknown Surviving**  
**Heirs of Richard A. Kelley,**  
**Defendant**  
**DESCRIPTION**

Federal National Mortgage Association ("Fannie Mae"), a Corporation organized and existing under the laws of the United States of America v. Thomas R. Kelley, Known Surviving Heir of Richard A. Kelley and Unknown Surviving Heirs of Richard A. Kelley, owners of property situated in the Township of Borough of Edinboro, Erie County, Pennsylvania being 238 Walnut Street, Edinboro, Pennsylvania 16412.

Tax I.D. No. 11-001-006.0-002.00  
Assessment: \$63,124.80  
Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 1400 Philadelphia, PA 19109  
215-790-1010

Oct. 28 and Nov. 4, 11

#### **SALE NO. 43**

**Ex. #11234 of 2016**  
**Federal National Mortgage Association ("Fannie Mae"),**  
**a Corporation organized and**  
**existing under the laws of the**  
**United States of America,**  
**Plaintiff**

v.

**Jon Parker a/k/a Jon M. Parker**  
**and Crystal Parker a/k/a**  
**Crystal A. Parker, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11234-16, Federal National Mortgage Association ("Fannie Mae"), a Corporation organized and existing under the laws of the United States of America v. Jon Parker a/k/a Jon M. Parker and Crystal Parker a/k/a Crystal A. Parker, owners of property situated in the Township of East Springfield, Erie County, Pennsylvania being 11884 Main Street, East Springfield, Pennsylvania 16411.

Tax I.D. No. 39 041 012.0 014.00  
Assessment: \$55,377.17  
Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 1400 Philadelphia, PA 19109  
215-790-1010

Oct. 28 and Nov. 4, 11

#### **SALE NO. 44**

**Ex. #13329 of 2014**  
**The Huntington National Bank,**  
**Plaintiff**

v.

**Gabriela Sanchez, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 13329-14 The Huntington National Bank v. Gabriela Sanchez, owners of property situated in the Township of Millcreek, Erie County, Pennsylvania being 5902 Mill St, Erie, Pennsylvania 16509.

Tax I.D. No. 33163619011008  
Assessment: \$ 125,582.97  
Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 1400 Philadelphia, PA 19109  
215-790-1010

Oct. 28 and Nov. 4, 11

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**ESTATE NOTICES**

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

**FIRST PUBLICATION**

**CARLSON, JOHN GILBERT,  
a/k/a J. GILBERT CARLSON,  
deceased**

Late of Erie, Erie County, Pennsylvania  
*Executrix:* Linda Widdowson, c/o Jeffrey A. Misko, Esquire, P.O. Box 9542, Erie, Pennsylvania 16505-8542  
*Attorney:* Jeffrey A. Misko, Esquire, P.O. Box 9542, Erie, Pennsylvania 16505-8542

**DeMARCO, GERALDINE M.,  
deceased**

Late of the City of Erie  
*Co-Executors:* Mary Karen DeMarco, 3104 Greengarden Blvd., Erie, PA 16508 and Kerry J. DeMarco, 1525 W. 42nd St., Erie, PA 16509  
*Attorney:* Michael A. Fetzner, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**FARGO, COURTNEY E.,  
deceased**

Late of the City of Corry, County of Erie, and Commonwealth of Pennsylvania  
*Co-Executors:* Kristen L. Andrus, 110 Whitney Run Road, Corry, PA 16407 and Lisa F. Nichols, 155 Doe Drive N., Ruckersville, VA 22968  
*Attorney:* None

**FORTSCH, LEO C.,  
deceased**

Late of the Township of Girard, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Jane F. Fortsch c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Melissa L. Larese, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**GARCIA, JOSE V.,  
deceased**

Late of the Township of Millcreek, County of Erie, and State of Pennsylvania  
*Administrator:* Joseph V. Lawrence; c/o Attorney Patrick Kelley, 2503 West 26th St., Erie, PA 16506  
*Attorney:* Patrick Kelley, Esq., 2503 West 26th St., Erie, PA 16506

**HAILWOOD, KELVIN  
MATTHEW,  
deceased**

Late of the Borough of Waterford, County of Erie and Commonwealth of Pennsylvania  
*Administrator:* Russell Hailwood, c/o, 504 State Street, Suite 300, Erie, PA 16501  
*Attorney:* Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**KENNERKNECHT, EDWARD J.,  
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania  
*Executrix:* Rita A. Kennerknecht, 4215 Sassafra Street, Erie, PA 16508  
*Attorney:* John E. Gomolchak, Esq., 3854 Walker Blvd., Erie, PA 16509

**MACHINSKI, ALFRED,  
deceased**

Late of the Borough of Girard, Erie County, Pennsylvania  
*Executrix:* Sandra L. Kulich, c/o Bruce W. Bernard, Esq., 234 West 6th Street, Erie, PA 16507  
*Attorney:* Bruce W. Bernard, Esq., Bernard Stuczynski & Barnett, 234 West 6th Street, Erie, PA 16507

**MALLETTE, DARWIN P., a/k/a  
DARWIN MALLETTE, a/k/a  
DARWIN PAUL MALLETTE,  
deceased**

Late of the Township of Springfield, County of Erie, State of Pennsylvania  
*Executrix:* Kristie L. Mallette, 11766 Middle Road, PO Box 109, Girard, PA 16417  
*Attorney:* Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**PIER, DARLENE R.,  
deceased**

Late of Venango Township  
*Executor:* Dale L. Pier Sr., 9431 Brown Avenue, Wattsburg, PA 16442  
*Attorney:* None

**ROGERS, AMELIA C., a/k/a  
AMELIA CHUTAS ROGERS,  
a/k/a AMELIA ROGERS,  
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania  
*Executrix:* Carol L. Stark, 5475 Stone Run Drive, Fairview, PA 16415  
*Attorney:* James R. Steadman, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**SANDSTROM, NORMAN R.,  
deceased**

Late of the Township of Girard, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Margaret Burton, 830 West Arlington Road, Erie, PA 16509  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459



**STOLTZ, JOHN H. II,  
deceased**

Late of Millcreek Township,  
County of Erie, Commonwealth  
of Pennsylvania  
*Executors:* Cathleen A. Boyce, c/o  
504 State Street, Suite 200, Erie  
PA 16501  
*Attorney:* Richard E. Filippi,  
Esquire, 504 State Street, Suite  
200, Erie, PA 16501

**ZBOCH, BERNETTE B.,  
deceased**

Late of the City of Erie, County  
of Erie, and Commonwealth of  
Pennsylvania  
*Executrix:* Diane M. Zboch, c/o  
Yochim, Skiba & Nash, 345 West  
6th Street, Erie, PA 16507  
*Attorney:* Gary V. Skiba, Esq.,  
Yochim, Skiba & Nash, 345 West  
6th Street, Erie, PA 16507

**SECOND PUBLICATION**

**BASIL, ANGELINA,  
deceased**

Late of the Township of Lawrence  
Park, County of Erie and  
Commonwealth of Pennsylvania  
*Executor:* Joseph Tripodi, c/o  
504 State Street, 3rd Floor, Erie,  
PA 16501  
*Attorney:* Michael J. Nies, Esquire  
504 State Street, 3rd Floor, Erie,  
PA 16501

**BATKIEWICZ, ADELLA M.,  
a/k/a DELLA BATKIEWICZ,  
deceased**

Late of the City of Lawrence Park,  
County of Erie and Commonwealth  
of Pennsylvania  
*Executrix:* Barbara Vahey, c/o  
504 State Street, 3rd Floor, Erie,  
PA 16501  
*Attorney:* Michael J. Nies, Esquire,  
504 State Street, 3rd Floor, Erie,  
PA 16501

**DZESKEWICZ, MARY,  
deceased**

Late of the City of Erie, County of  
Erie, State of Pennsylvania  
*Executrix:* Sally Romanishin  
*Attorney:* Barbara J. Welton,  
Esquire, 2530 Village Common  
Dr., Suite B, Erie, PA 16505

**FRATALIA, M. VIRGINIA, a/k/a  
VIRGINIA M. FRATALIA, a/k/a  
MARY VIRGINIA FRATALIA,  
a/k/a VIRGINIA FRATALIA,  
deceased**

Late of Conneaut Township, Erie  
County, Pennsylvania  
*Executrix:* Patti Ann Fratalia, c/o  
Jerome C. Wegley, Esq., Knox  
McLaughlin Gornall & Sennett,  
P.C., 120 West Tenth Street, Erie,  
PA 16501  
*Attorney:* Jerome C. Wegley,  
Esq., Knox McLaughlin Gornall  
& Sennett, P.C., 120 West Tenth  
Street, Erie, PA 16501

**KRAUS, CHARLOTTE L.,  
deceased**

Late of City of Erie, Erie County,  
Commonwealth of Pennsylvania  
*Executrix:* Barbara J. Olsen, c/o  
Jeffrey D. Scibetta, Esquire, 120  
West Tenth Street, Erie, PA 16501  
*Attorney:* Jeffrey D. Scibetta,  
Esquire, Knox McLaughlin  
Gornall & Sennett, P.C., 120 West  
Tenth Street, Erie, PA 16501

**LOOMIS, BILLIE B.,  
deceased**

Late of Fairview Township, Erie  
County, Pennsylvania  
*Executrix:* Joanne R. Loomis,  
c/o Frances A. McCormick, Esq.,  
Knox McLaughlin Gornall &  
Sennett, P.C., 120 West Tenth  
Street, Erie, PA 16501  
*Attorney:* Frances A. McCormick,  
Esq., Knox McLaughlin Gornall  
& Sennett, P.C., 120 West Tenth  
Street, Erie, PA 16501

**PETERSON, JUDITH A.,  
deceased**

Late of Fairview Township,  
County of Erie  
*Executor:* Eric R. Peterson, c/o  
Thomas A. Testi, Esq., 3952  
Avonia Road, P.O. Box 413  
Fairview, PA 16415  
*Attorney:* Thomas A. Testi, Esq.,  
3952 Avonia Road, P.O. Box 413  
Fairview, PA 16415

**PICARDO, MICHAEL S.,  
deceased**

Late of the City of Erie  
*Executrix:* Lisa T. Rizzo, c/o 731  
French Street, Erie, PA 16501  
*Attorney:* Angelo P. Arduini,  
Esquire, ARDUINI, JEWELL  
AND KARN, 731 French Street,  
Erie, PA 16501

**VOLLMER, DONALD JOHN,  
a/k/a DONALD J. VOLLMER,  
deceased**

Late of the Township of Millcreek,  
County of Erie and Commonwealth  
of Pennsylvania  
*Executor:* Gilbert L. Vollmer  
*Attorney:* David J. Rhodes,  
Esquire, ELDERKIN LAW FIRM,  
150 East 8th Street, Erie, PA 16501

**THIRD PUBLICATION**

**CALLAHAN, ROBERT L., JR.,  
a/k/a ROBERT L. CALLAHAN  
a/k/a ROBERT LEE CALLAHAN,  
JR.,  
deceased**

Late of the Township of  
Summit, County of Erie, State of  
Pennsylvania  
*Executor:* Jeffrey L. Callahan,  
1881 Townhall Road West, Erie,  
PA 16509  
*Attorney:* Grant M. Yochim, Esq.,  
24 Main St. E., P.O. Box 87,  
Girard, PA 16417

**DeNARDO, MARIAN E., a/k/a  
MARIAN EDITH DeNARDO,  
deceased**

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

*Executrix:* Anita DiVecchio-Bissonnette, c/o Kurt L. Sundberg, Esq., Suite 300, 300 State Street, Erie, PA 16507

*Attorney:* MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

**FIORETTI, SANTO G.,  
deceased**

Late of Greene Township, Erie County, Commonwealth of Pennsylvania

*Executrix:* Assunta E. Stadler, 1212 Mission Drive, Erie, PA 16509

*Attorney:* None

**GRAEB, HELENE,  
deceased**

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

*Executrix:* Andrea R. Quinn, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

*Attorney:* Darlene M. Vlahos, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**LOCKHART, MABELA.,  
deceased**

Late of the Borough of Waterford, County of Erie, Commonwealth of Pennsylvania

*Executrix:* Debby Mead, 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

**RILEY, STEVEN E.,  
deceased**

Late of the City of Erie, Erie, Pennsylvania

*Executor:* Steven E. Riley, Jr., Esq., Conner Riley Friedman & Weichler, 17 West Tenth Street, Erie, PA 16501

*Attorney:* McNICKLE & BONNER, LLP, 209 West Pine Street, Grove City, PA 16127-1595

**SALHOFF, RONALD R.,  
deceased**

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

*Executor:* Brent Salhoff, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

*Attorney:* Darlene M. Vlahos, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**STEAR, MICHAEL G.,  
deceased**

Late of North East Borough, Erie County, North East, Pennsylvania  
*Administrator:* Robert J. Jeffery, 33 East Main Street, North East, Pennsylvania 16428

*Attorney:* ORTON & JEFFREY, P.C., 33 East Main Street, North East, Pennsylvania 16428

**ZIMMER, CLAUDIA J., a/k/a  
CLAUDIA JEANNE ZIMMER,  
deceased**

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

*Co-Administrators:* Robert E. Smith, Jr. and David J. Rhodes

*Attorney:* Thomas J. Minarcik, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

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