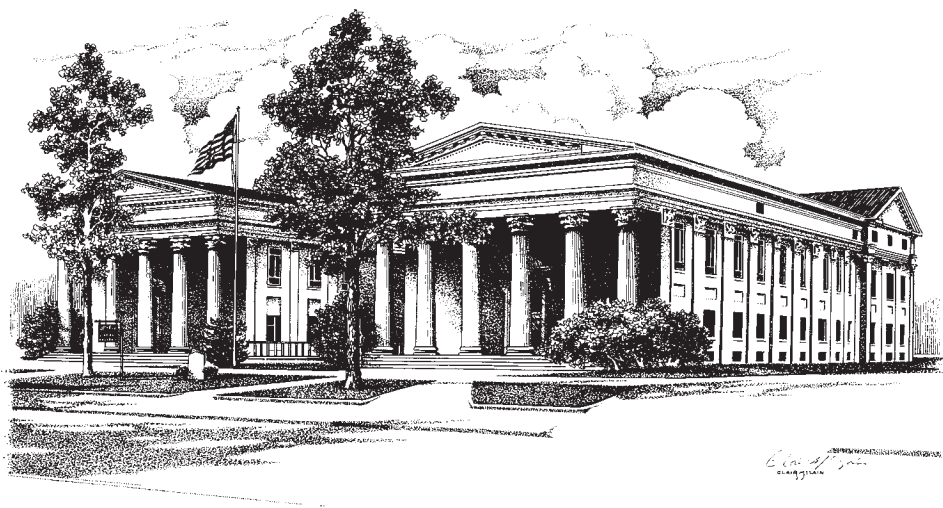


Erie
County
Legal
Journal

August 31, 2018

Vol. 101 No. 35



101 ERIE 133 - 138

Sebald and Glenwood Neighborhood Homeowners Assoc., et al.
v. Zoning Hearing Bd. of the City of Erie and Morse

Erie County Legal Journal

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

Managing Editor: Megan E. Black

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Erie County Bar Association Calendar of Events and Seminars

MONDAY, SEPTEMBER 3, 2018

Labor Day
ECBA Office Closed
Erie County and Federal Courthouses Closed

SUNDAY, SEPTEMBER 16, 2018

Women's Division Event
Boxing & Bloodies
11:45 a.m. - 1:00 p.m.
Level Red Boxing, 2147 W. 12th St.

MONDAY, SEPTEMBER 17, 2018

Worker's Compensation Section Meeting
Noon
ECBA Headquarters

TUESDAY, SEPTEMBER 18, 2018

*What you need to know about the
differences between Social Security (SS)
and Supplemental Security Income (SSI)*
The Will J. & Mary B. Schaaf Education Center
12:15 p.m. - 1:15 p.m.
(11:45 p.m. registration/lunch)
\$47 (ECBA members/their non-attorney staff)
\$60 (non-members)
1 hour substantive CLE/CJE credit

THURSDAY, SEPTEMBER 20, 2018

Estate & Trust Section Leadership Committee Meeting
Noon
ECBA Headquarters

MONDAY, SEPTEMBER 24, 2018

ECBA Board of Directors Meeting
Noon
ECBA Headquarters

THURSDAY, SEPTEMBER 27, 2018

Defense Bar Meeting
4:00 p.m.
ECBA Headquarters

SATURDAY, SEPTEMBER 29, 2018

Young Lawyer Division
Lake Erie Wine Tour 2018
Lunch at ECBA Headquarters beginning at Noon
Tour from 1:00 p.m. - 5:45 p.m.



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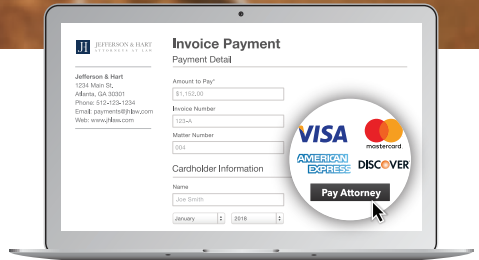
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THOMAS SEBALD and THE GLENWOOD NEIGHBORHOOD HOMEOWNERS ASSOCIATION; by THOMAS SEBALD and RONALD J. KUNCO, JR., TRUSTEES AD LITEM, Appellants

v.

THE ZONING HEARING BOARD OF THE CITY OF ERIE, Appellee and DONALD MORSE AND SUSAN MORSE, Intervenors

ZONING / SCOPE OF REVIEW

If the record below includes findings of fact made by the governing body, board or agency whose decision or action is brought up for review and the court does not take additional evidence, the findings of the governing body, board or agency shall not be disturbed by the court if supported by substantial evidence. See 53 P.S. § 11005-A.

ZONING / SCOPE OF REVIEW

Where a trial court does not take any additional evidence, the trial court is limited to determining whether the zoning board committed a manifest abuse of discretion or an error of law in granting the variance. An abuse of discretion is established where the findings are not supported by substantial evidence. Substantial evidence is such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.

ZONING / ENFORCEMENT PROCEEDINGS

Where an application is contested or denied, the Zoning Hearing Boards' decision must be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. 53 P.S. § 10908.

ZONING

A zoning board's Findings of Fact and Conclusions of Law are sufficient if it provides an adequate explanation of the zoning board's resolution of the factual questions involved, and sets forth its reasoning in such a way as to show its decision was reasoned and not arbitrary.

ZONING

Determinations as to the credibility of witnesses and the weight to be given to evidence are matters left solely to the zoning board in the performance of its fact-finding role.

ZONING

Where the record is not adequate for appellate review, the case should be remanded to the zoning board to develop the record and make proper findings of fact and conclusions of law.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 10128 - 2018

Appearances: Thomas E. Kuhn, Esq., for Appellants Thomas Sebald and the Glenwood Neighborhood Homeowners Association, by Thomas Sebald and Ronald J. Kunco, Jr., Trustees ad litem
Donald L. Wagner, III, Esq., for Appellee Zoning Hearing Board of the City of Erie
Bryan G. Baumann, Esq., for Intervenors Donald Morse and Susan Morse

OPINION

Domitrovich, J.

August 13, 2018

The matter before this Trial Court is the Notice of Land Use Appeal of Appellants Thomas Sebald and the Glenwood Neighborhood Homeowners Association, by Thomas Sebald and Ronald J. Kunco, Jr., Trustees ad litem (collectively “Appellants”) from the December 19, 2017, decision of Appellee Zoning Hearing Board of the City of Erie affirming the City of Erie Zoning Office’s determination that Intervenors Donald and Susan Morse’s residence located in the R-1 low density residential district qualifies as a “single-family dwelling” and is therefore a permitted use under the Erie Zoning Ordinance. The initial issue raised by Appellants is whether the Zoning Hearing Board’s Findings of Fact and Conclusions are in accord with the requirements under the Pennsylvania Municipalities Planning Code (“MPC”). This Trial Court provides the following analysis:

This Trial Court’s standard of review in a zoning hearing board appeal is specified in the MPC:

If the record below includes findings of fact made by the governing body, board or agency whose decision or action is brought up for review and the court does not take additional evidence or appoint a referee to take additional evidence, the findings of the governing body, board or agency shall not be disturbed by the court if **supported by substantial evidence**.

53 P.S. § 11005-A (emphasis added); *see also Marshall v. City of Philadelphia*, 97 A.3d 323, 331 (Pa. 2014). Where a trial court does not take any additional evidence, the trial court is limited to determining whether the zoning board committed a manifest abuse of discretion or an error of law in granting the variance. *Marshall*, 97 A.3d at 331. An abuse of discretion is established where the findings are not supported by substantial evidence. *Collier Stone Co. v. Twp. of Collier Bd. of Comm’rs*, 735 A.2d 768, 772, n.9 (Pa. Cmwlth. 1999). “Substantial evidence” is defined as “such relevant evidence as a reasonable mind might accept as adequate to support a conclusion.” *Valley View Civic Association v. Zoning Board of Adjustment*, 462 A.2d 637, 640 (Pa. 1983). Determinations as to the credibility of witnesses and the weight to be given evidence are matters solely within the authority of the zoning board in the performance of its fact-finding role. *In re: Cutler Group, Inc.*, 880 A.2d 39, 46 (Pa. Commw. 2005). The role of the trial court is to determine whether “there is some basis for the [zoning hearing board’s] action, or in other words, that the action of the zoning board was not arbitrary and capricious.” *In re: Appeal of Lieb*, 116 A.2d 860, 866 (Pa. Super. 1955). A trial court errs when it substitutes its judgment on the merits for that of a zoning board. *Marshall*, 97 A.3d at 331.

As to the issue of whether the Zoning Hearing Board’s Findings of Fact and Conclusions are in accord with the requirements under the MPC, the Zoning Hearing Board must make each decision under Section 908(9) of the MPC, which must:

be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of this act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found.

53 P.S. § 10908; (*See also* Supplemental Reproduced Record 110). The MPC requires a zoning board to issue a written decision so that reviewing courts, and applicants, benefit from understanding the reasons for the zoning board's decision. *Smith v. Hanover Zoning Hearing Bd.*, 78 A.3d 1212, 1223 (Pa.Cmwlth. 2013). "A zoning board's opinion is sufficient if it provides an adequate explanation of its resolution of the factual questions involved, and sets forth its reasoning in such a way as to show its decision was reasoned and not arbitrary." *Taliaferro v. Darby Twp. Zoning Hearing Bd.*, 873 A.2d 807, 816 (Pa.Cmwlth. 2005). Where a zoning board's decision is clear and substantially reflects application of the law governing variances, the decision is sufficient to enable effective review and no requirement exists that a zoning board must cite specific evidence in support of each of the zoning board's findings. *Id.* (citing *In re Avanzato*, 403 A.2d 198 (Pa.Cmwlth. 1979)).

Moreover, determinations as to the credibility of witnesses and the weight to be given to evidence are matters left solely to the zoning board in the performance of its fact-finding role. *Borough of Youngsville v. Zoning Hearing Bd. of Borough of Youngsville*, 450 A.2d 1086, 1089 (Pa.Cmwlth. 1982). Where the record is not adequate for appellate review, the case should be remanded to the board to develop the record and make proper findings of fact and conclusions of law. *See Riverfront Dev. Grp., LLC v. City of Harrisburg Zoning Hearing Bd.*, 109 A.3d 358, 370 (Pa.Cmwlth. 2015); *see e.g. Mill-Bridge Realty, Inc. v. Manchester Twp. Zoning Bd. of Adjustment*, 286 A.2d 483, 486 (Pa.Cmwlth. 1972) (remanding to the zoning board and directing the board to formulate findings of fact and conclusions together with the reasons therefor in support of its decision).

In the instant case, the Zoning Hearing Board's fifteen alleged findings of fact and seven alleged conclusions of law merely recited and identified witnesses who testified by only summarizing details concerning each witnesses' testimony. (Amended Reproduced Record 28-30). The Zoning Hearing Board failed to provide specific factual findings upon which the Zoning Hearing Board based its decision. During the process by which facts are analyzed, deduced, and stated as findings of fact, the finder of fact can make informational findings, which give only information necessary to understanding the case. *See* Judicial Opinion Handwriting Book at 227 (2007 5th ed.). On the other hand, other facts are controlling, and provide the factual fundament necessary to determine the instant case. *Id.* From these controlling findings of fact, a zoning hearing board will find ultimate facts and draw upon controlling facts by making factual conclusions to affect the outcome of the instant case. *Id.*

Although this Zoning Hearing Board's alleged findings of fact reflect hearing all of the evidence presented, the Zoning Hearing Board in these alleged findings failed to make any credibility determinations and just merely summarized the witnesses' testimony. Counsel for the Zoning Hearing Board in his Brief in Opposition to the instant Land Use Appeal admitted as much in asserting "[t]he written decision of the Board is a summary of their hearing" and "the Board's decision summarized the key testimony heard by the Board . . ." (*See* Appellant's Brief at pg. 7). Indeed, the Zoning Hearing Board's alleged findings merely provided a narrative of the testimony offered during the hearing before the Zoning Hearing Board. Moreover, said alleged findings did not include any explanation as to the Zoning Hearing Board's rationale for resolving evidentiary conflicts and credibility issues. *See Taliaferro*, 873 A.2d at 816. Absent such an explanation, this Trial Court cannot assume the responsibility in judicial review of drawing independent inferences from the testimony presented either to support a reversal

or to affirm the decision of the Zoning Hearing Board. *See Pantry Quik, Inc. v. Zoning Bd. of Adjustment of City of Hazleton*, 274 A.2d 571, 573 (Pa.Cmwlt. 1971) (“The purpose in delineating the findings of fact is to facilitate appellate review.”); *see also Zoning Hearing Bd. of Upper Darby Twp. v. Konyk*, 290 A.2d 715, 717 (Pa.Cmwlt. 1972) (noting courts “may not usurp the Board’s . . . unfulfilled duty to pass upon the factual validity of the evidence presented”). In short, the Zoning Hearing Board failed to render appropriately controlling findings and make ultimate factual conclusions providing the factual fundaments necessary to support properly the Zoning Hearing Board’s decision.

Moreover, the Zoning Hearing Board’s alleged Conclusions did not make reference to any provisions of the MPC or of any ordinance, rule or regulation relied upon or the “reasons why the conclusion is deemed appropriate in the light of the facts found.” *See* 53 P.S. § 10908. Particularly relevant to the Zoning Hearing Board’s decision is Section 204.10 of the Erie Zoning Ordinance, which sets forth the “Permitted Uses” and “Special Exceptions” permitted in the R-1 low density residentially zoned district. (Supplemental Reproduced Record 9, 11). Also relevant is Article 6, which sets forth the definitions of “Dwelling,” “Dwelling\ One-Family,” “Family,” and “Transient.” (Amended Reproduced Record 121-122, 135). However, the Zoning Hearing Board made no references to these relevant provisions as required under the MPC. Moreover, contrary to the Morses’ assertion, the Zoning Hearing Board’s Findings of Fact and Conclusions did not “confirm[] that the Board considered caselaw from the Commonwealth regarding the application of zoning laws to short-term vacation rentals.” (*See* Interveners’ Brief at pg. 22). Rather, the Zoning Hearing Board merely made a so-called “finding” Ms. Morse “provided the board with a copy of an article provided to her by her attorney that described two recent PA Commonwealth Court cases which also involved short-term rentals of residential properties.” (Amended Reproduced Record 30). However, as noted above, merely reciting an event which occurred during the hearing is not sufficient to establish a proper finding. Moreover, the Zoning Hearing Board’s separate section entitled “Decision” stated “Member Jeffrey Johnson also indicated that the recent court decisions influenced his vote.” (Amended Reproduced Record 32). Again, merely reciting a statement by a Zoning Hearing Board member regarding unspecified “court decisions” is not a reference to the MPC nor an ordinance, rule or regulation. Reference to unspecified “court decisions” is also an insufficient basis for the “reasons why the [Zoning Hearing Board’s] conclusion is deemed appropriate in the light of the facts found.” *See* 53 P.S. § 10908.

A conclusion of law is a statement as to law applicable on the basis of facts found by a fact finder. *See* Black’s Law Dictionary at 290 (1990 6th ed.). A conclusion of law is a finding by an adjudicatory body “as determined through application of rules of law” and embodies the “final judgment or decree required on basis of facts found.” *Id.* Moreover, conclusions of law are “propositions of law which [an adjudicator] arrives at after, and as a result of, finding certain facts in [a] case . . . and as to these he must state . . . separately in writing. *Id.* In the instant case, like the Zoning Hearing Board’s alleged findings, the Zoning Hearing Board’s alleged Conclusions again merely recited the testimony presented at the hearing regarding the Erie Zoning Office’s investigations in response to the Glenwood Association’s complaints. As an example, the Zoning Hearing Board “concluded” a “Zoning Office representative said that upon receiving the complaint, zoning officials conducted an investigation of City records, and made an on-site, visual inspection of the property in question.” (Amended

Reproduced Record 31). The Zoning Hearing Board also “concluded” the “Erie Zoning Office determined there was no violation of the property.” (Amended Reproduced Record 31). These alleged “Conclusions” are scarcely different than the alleged “Findings of Fact” set forth by the Zoning Hearing Board, which merely summarized and provided a narrative of the testimony of Jake Welsh, the Chief Zoning Officer. The recitation of testimony heard by the Zoning Hearing Board cannot amount to Conclusions which accord with the requirements under MPC.

In a separate section entitled “Decision,” the Zoning Hearing Board again recited the events which occurred on November 13th, 2018 when the Zoning Hearing Board voted to “reject[] the claim by appellants that the home owners, who are renting their properties through the AirBnB website, are in violation of the Erie City Ordinance.” (Amended Reproduced Record 32). This “Decision” presumably sets forth the final disposition of this matter before the Zoning Hearing Board. However, the reason in support of the Zoning Hearing Board’s decision was based on a statement made by one of five Zoning Hearing Board members. Specifically, this “Decision” recounted a statement by one Zoning Hearing Board member, Edward Dawson, who stated at the Zoning Hearing Board meeting: “the residence meets all of the qualifications for a single family dwelling under the City Code.” (Amended Reproduced Record 32). Reciting a general conclusionary statement by a Zoning Hearing Board member during a meeting is not a proper finding of fact or a proper conclusion of law, and reliance thereon does not properly demonstrate “why th[is] conclusion is deemed appropriate in the light of the facts found,” if any. *See* 53 P.S. § 10908.

This Zoning Hearing Board’s alleged Findings of Fact and Conclusions did not satisfy the requirements of the MPC, thereby depriving this Trial Court of meaningful judicial review. Indeed, this Trial Court cannot engage in effective appellate review to determine whether substantial evidence exists to support the Zoning Hearing Board’s decision since the Zoning Hearing Board issued improper Findings of Fact and Conclusions of Law without establishing the reasons therefor in accordance of the applicable provisions of the MPC and the standards set forth in the Erie Zoning Ordinance. Without legally sufficient Findings of Fact and Conclusions of Law, this Trial Court’s role of determining whether “there is some basis for the [zoning hearing board’s] action, or in other words, that the action of the zoning board was not arbitrary and capricious” is rendered impracticable. *See In re: Appeal of Lieb*, 116 A.2d at 866.

Since insufficient information exists regarding whether or not the Zoning Hearing Board’s Findings of Fact were reasoned and not arbitrary, this Trial Court must, therefore, conclude the Zoning Hearing Board did not make the essential and proper Findings of Fact and Conclusions of Law based thereon, together with reasons therefor, in accordance with Section 908(9) of the MPC and Section 507(11) of the Erie Zoning Ordinance. This Trial Court must remand this case to this Zoning Hearing Board of the City of Erie to issue proper and sufficient Findings of Fact and Conclusions in accordance with the applicable provisions of the MPC, the standards set forth in the Erie Zoning Ordinance, and Pennsylvania statutory law and case law so that this Trial Court can properly review such work product.

Accordingly, consistent with the foregoing, this Trial Court enters the following Order of Court:

ORDER

AND NOW, to-wit, this 13th day of August, 2018, after the scheduled Argument on the Land Use Appeal filed by Thomas Sebald and the Glenwood Neighborhood Homeowners Association, by Thomas Sebald and Ronald J. Kunco, Jr., Trustees ad litem (“Appellants”), by and through their counsel, Thomas E. Kuhn, Esq.; at which Thomas E. Kuhn, Esq., appeared on behalf of Appellants; Donald L. Wagner, III, Esq., appeared on behalf of Appellee Zoning Hearing Board of the City of Erie; and Bryan G. Baumann, Esq., appeared on behalf of Intervenors Donald Morse and Susan Morse; after review of the Amended Reproduced Record filed by counsel for the Zoning Hearing Board, Brief of Appellants in Support of Appellants’ Appeal, Appellee’s Brief in Opposition to Appellants’ Land Use Appeal, Intervenors’ Brief in Opposition, oral argument from counsel on July 23, 2018, the Findings of Fact and Conclusions of Law issued by the Zoning Hearing Board, the relevant statutory law and case law, and upon consideration of all law applicable to the instant case, it is hereby **ORDERED, ADJUDGED AND DECREED** that the instant matter is hereby **VACATED** and **REMANDED** for the Zoning Hearing Board of the City of Erie to re-issue its decision, and the Zoning Hearing Board is hereby directed to formulate its decision based on legally sufficient Findings of Fact and Conclusions of Law, together with the reasons therefor, in accordance with the applicable provisions of the MPC, the standards set forth in the City of Erie Zoning Ordinance, and Pennsylvania statutory law and case law, which substantiate the City of Erie Zoning Hearing Board’s decision.

BY THE COURT

/s/ Stephanie Domitrovich, Judge

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CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 12076-18 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Harper James Lindstrom to Harper Rasim Beganovic.

The Court has fixed the 9th day of October, 2018 at 2:30 p.m. in Court Room H, Room 229, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Aug. 31

LEGAL NOTICE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 4354 Creekside Drive, North East, PA 16428 more particularly described in Erie County Deed Book 611, Page 1217. **SAID SALE** to be held in the Erie County Courthouse, Room 209, 140 West Sixth Street, Erie, PA 16501 at 10:00 a.m. prevailing, standard time, on September 28, 2018. All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel No. 37023091001432 recorded in Erie County, Pennsylvania. Seized and taken in execution as the property of Susan M. Wilson f/k/a Susan M. Julius, at the suit of the United States of America, acting through the Farmers Home Administration, on behalf of United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 1:18-CV-00056. **TERMS OF SALE:** Successful bidder will pay ten percent (10%) by certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at

the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Michael Baughman, Acting United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

Aug. 31 and Sept. 7, 14, 21

LEGAL NOTICE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 112 East 2nd Street, Waterford, PA 16441 more particularly described in Erie County Deed Book 1534, Page 0213. **SAID SALE** to be held in the Erie County Courthouse, Room 209, 140 West Sixth Street, Erie, PA 16501 at 10:00 a.m. prevailing, standard time, on September 12, 2018. All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel No. (46)009-044.0-015.00 recorded in Erie County, Pennsylvania. Seized and taken in execution as the property of Beverly L. Graves, at the suit of the United States of America, acting through the Rural Housing Service, on behalf of United States Department of Agriculture, to be sold on Writ of Execution as Civil Action

No. 1:18-CV-00071.

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Aug. 17, 24, 31 and Sept. 7



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**SEPTEMBER 21, 2018
AT 10 A.M.**

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

Aug. 31 and Sept. 7, 14

SALE NO. 1

**Ex. #10802 of 2018
MARQUETTE SAVINGS
BANK, Plaintiff
v.**

**BETTY J. BARTON, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed at No. 2018-10802 Marquette Savings Bank vs. Betty J. Barton, owner of property situate in the Township of Millcreek, Erie County, Pennsylvania being: 4463 South Park Lane, Erie, Pennsylvania. Being Unit 4463 with a proportionate undivided percentage and interest in the Common Element as 3.02%
Assessment Map Number: (33) 56-242-99.63

Assessed Value Figure: \$60,900.00
Improvement Thereon: Residence
Eugene C. Sundberg, Jr., Esq.
Marsh Spaeder Baur Spaeder
& Schaaf, LLP
300 State Street, Suite 300
Erie, Pennsylvania 16507
(814) 456-5301
Aug. 31 and Sept. 7, 14

SALE NO. 2

**Ex. #31006 of 2018
PAUL J. CONSIDINE, Plaintiff
v.
ERIE MAENNERCHOR,
Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2018-31006, Paul J. Considine vs. Erie Maennerchor, owner of property situated in City of Erie, Erie County, Pennsylvania being 1607 State Street, Erie, Pennsylvania 16501
2.0455 acres
Assessment Map Number: (15) 2005-205
Assessed Value Figure: \$498,700.00
Improvement Thereon: Social Hall
Nicholas R. Pagliari
Pa. Supreme Court ID No. 87877
MacDONALD, ILLIG, JONES & BRITTON LLP
100 State Street, Suite 700
Erie, Pennsylvania 16507-1459
(814) 870-7754
Attorneys for Plaintiff
Paul J. Considine
Aug. 31 and Sept. 7, 14

SALE NO. 3

**Ex. #10272 of 2018
KeyBank, N.A., s/b/m to First
Niagara Bank, N.A., Plaintiff
v.
Jeffrey M. Collins, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2018-10272, KeyBank, N.A., s/b/m to First Niagara Bank, N.A. vs. Jeffrey M. Collins, owner(s) of property situated in North East Township, Erie County, Pennsylvania being 3025 South Brickyard Road, North East, PA 2,818 square feet/.01552 acres
Assessment Map number: 37020069000200
Assessed Value figure: 169,390.00

Improvement thereon: single family dwelling and related improvements
Kelly L. Eberle, Esquire
P.O. Box 215
Perkasie, PA 18944
215-257-6811
Aug. 31 and Sept. 7, 14

SALE NO. 4

**Ex. #11141 of 2018
BAYVIEW LOAN SERVICING,
LLC, A DELAWARE LIMITED
LIABILITY COMPANY,
Plaintiff
v.
LORETHA JOHNSON,
Defendant(s)
DESCRIPTION**

All that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being Lot No. 52 of the Homeowner's Subdivision. A plot of said subdivision being recorded in Erie County Map Book 8, at page 3, and re-recorded in Map Book 8, at page 20. Having erected thereon premises commonly known as 2425 Woodlawn Avenue, Erie, Pennsylvania, Index No. 5168-214. Under and subject, nevertheless, to certain restrictions and conditions as appear of record in Erie County Deed Book 1048, at page 45. And further under and subject to all easements as shown upon the map of said subdivision as recorded in the Office of the Recorder of Deeds for Erie County. Further, subject to all restrictions, rights-of-way, building lines, leases and oil and gas leases of record and to all easements and rights-of-way visible and discoverable upon inspection of the premises.
PARCEL NUMBER: 18-051-0680-21400
PROPERTY ADDRESS: 2425 Woodlawn Avenue, Erie, PA 16510
KML Law Group, P.C.
Attorney for Plaintiff
Suite 5000 - BNY Independence Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322
Aug. 31 and Sept. 7, 14

SALE NO. 5
Ex. #10097 of 2018
NATIONSTAR MORTGAGE
LLC D/B/A MR COOPER,
Plaintiff
v.
CHRISTINA A. OLA AKA
CHRISTINA OLA, Defendant(s)
DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being part of Lot No. 799, being bounded and described as follows, to-wit:-

BEGINNING at a point in the East line of Walnut Street, 40 feet South line of Ninth Street; THENCE Eastwardly parallel with Ninth Street, 82.5 feet; THENCE Southwardly parallel with Walnut Street, 33 feet; THENCE Westwardly parallel with Ninth Street, 82.5 feet to the East line of Walnut Street; THENCE Northwardly by and along the East line of Walnut Street, 33 feet to the place of beginning.

HAVING erected thereon a 2-story frame dwelling with detached storage building, being commonly known as 905 Walnut Street, Erie, PA 16502.

BEING IDENTIFIED AS INDEX NO. (16) 3025-123.

PROPERTY ADDRESS: 905 Walnut 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

Aug. 31 and Sept. 7, 14

SALE NO. 6
Ex. #10378 of 2018
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff
v.
LEANN STRAIGHT, Defendant
DESCRIPTION

By virtue of a Writ of Execution No. 2018-10378, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. LEANN STRAIGHT, Defendant

Real Estate: 93 CLINTON

STREET, NORTH EAST, PA 16428
 Municipality: Borough of North East
 Erie County, Pennsylvania
 Dimensions: 33 x 165
 See Instrument: 2012-018193
 Tax I.D. (35) 7-53-5
 Assessment: \$26,600 (Land)
 \$46,900 (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

Aug. 31 and Sept. 7, 14

SALE NO. 7
Ex. #10375 of 2018
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff
v.
AMY M. TAYLOR, Defendant
DESCRIPTION

By virtue of a Writ of Execution No. 2018-10375, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. AMY M. TAYLOR, Defendant

Real Estate: 3503 STATION ROAD, ERIE, PA 16510

Municipality: Harborcreek Township

Erie County, Pennsylvania

Dimensions: 1.32 acre

See Instrument 2015-025126

Tax I.D. (27) 53-213-5

Assessment: \$41,500 (Land)

\$37,510 (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

Aug. 31 and Sept. 7, 14

SALE NO. 8
Ex. #11040 of 2018
The Huntington National Bank,
Plaintiff
v.
David M. Desimone, AKA David
M. DeSimone, Defendant
DESCRIPTION

By virtue of a Writ of Execution file to No. 2018-11040, The

Huntington National Bank vs. David M. Desimone, AKA David M. DeSimone, owner(s) of property situated in The Township of Millcreek, County of Erie, Commonwealth of Pennsylvania being 3613 Amherst Road, Erie, PA 16506
 1104 SQFT
 Assessment Map Number: 33077336000100
 Assessed Value figure: \$91,000.00
 Improvement thereon: Single Family Dwelling
 Kimberly J. Hong, Esquire
 Manley Deas Kochalski LLC
 P.O. Box 165028
 Columbus, OH 43216-5028
 614-220-5611

Aug. 31 and Sept. 7, 14

SALE NO. 9
Ex. #10655 of 2018
Wells Fargo Bank, N.A., Plaintiff
v.
Donald J. Heath, Jr., AKA,
Donald J. Heath, as Co-Executor
of the Estate of Donald J. Heath,
Sr., AKA Donald J. Heath;
Irene Rubay, as Co-Executor of
the Estate of Donald J. Heath,
Sr., AKA Donald J. Heath,
Defendants
DESCRIPTION

By virtue of a Writ of Execution file to No. 2018-10655, Wells Fargo Bank, N.A. vs. Donald J. Heath, Jr., AKA Donald J. Heath, as Co-Executor of the Estate of Donald J. Heath, Sr., AKA Donald J. Heath; Irene Rubay, as Co-Executor of the Estate of Donald J. Heath, Sr., AKA Donald J. Heath, owner(s) of property situated in The City of Erie, County of Erie, Commonwealth of Pennsylvania being 822 West 5th Street, Erie, PA 16507
 0.1553

Assessment Map Number: 17040026021800

Assessed Value figure: \$69,370.00
 Improvement thereon: Single Family Dwelling

Kimberly J. Hong, Esquire

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

614-220-5611

Aug. 31 and Sept. 7, 14

SALE NO. 10

Ex. #11301 of 2017

EMC Mortgage LLC formerly known as EMC Mortgage Corporation, Plaintiff
v.

Roderick M. Jones, Defendant
DESCRIPTION

By virtue of a Writ of Execution filed to No. 2017-11301, EMC Mortgage LLC formerly known as EMC Mortgage Corporation vs. Roderick M. Jones, owner(s) of property situated in The City of Erie, County of Erie, Commonwealth of Pennsylvania being 826 Brown Avenue, Erie, PA 16502 1762 Square Feet
Assessment Map Number: 19060021031000
Assessed Value figure: \$79,990.00
Improvement thereon: Single Family Dwelling
Kimberly J. Hong, Esquire
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

Aug. 31 and Sept. 7, 14

SALE NO. 11

Ex. #13110 of 2017

U.S. Bank National Association, as Trustee for Citigroup Mortgage Loan Trust 2007-WFHE2, Asset-Backed Pass-Through Certificates, Series 2007-WFHE2, Plaintiff
v.

Melissa McClaren; Laurel Bundy-McClaren, AKA Laurel Bundy McClaren, AKA Laurel Alyson Bundy-McClaren, Defendants
DESCRIPTION

By virtue of a Writ of Execution file to No. 2017-13110, U.S. Bank National Association, as Trustee for Citigroup Mortgage Loan Trust 2007-WFHE2, Asset-Backed Pass-Through Certificates, Series 2007-WFHE2 vs. Melissa McClaren; Laurel Bundy-McClaren, AKA Laurel Bundy McClaren, AKA Laurel Alyson Bundy-McClaren, owner(s) of property situated in The Township of Millcreek, County of Erie, Commonwealth of Pennsylvania being 806 West

Arlington Road, Erie, PA 16509 1523

Assessment Map Number: 33101455000300
Assessed Value figure: \$114,640.00
Improvement thereon: Single Family Dwelling
Kimberly J. Hong, Esquire
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

Aug. 31 and Sept. 7, 14

SALE NO. 12

Ex. #11106 of 2018

DEUTSCHE BANK NATIONAL TRUST COMPANY, as Trustee for MORGAN STANLEY ABS CAPITAL I INC. TRUST 2005-HE7, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-HE7, Plaintiff
v.

JASON A. COLLINS, Defendant(s)
DESCRIPTION

ALL THAT CERTAIN LOT OF LAND SITUATE IN TOWNSHIP OF MILLCREEK, ERIE COUNTY, PENNSYLVANIA: BEING KNOWN AS 3039 West 25th Street, Erie (Millcreek Township), PA 16506-2327
PARCEL NUMBER: 33070216001000
IMPROVEMENTS: Residential Property
Elizabeth L. Wassall, Esq.
PA ID 77788
Attorney for Plaintiff
Udren Law Offices, P.C.
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Aug. 31 and Sept. 7, 14

SALE NO. 13

Ex. #11757 of 2017

Federal National Mortgage Association ("Fannie Mae"), Plaintiff
v.

Charles M. Shumac, Defendant
DESCRIPTION

By virtue of a Writ of Execution filed to No. 11757-17, Federal National Mortgage Association

("Fannie Mae") v. Charles M. Shumac, Owner(s) of property situated in City of Erie, Erie County, Pennsylvania, being 2014 Wagner Avenue, Erie, PA 16510

All that certain piece or parcel of land situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania, being Lot NO. Six and one-half (6-1/2) in the H. E. WAGNER SUBDIVISION as recorded in Map Book 2, page 7, in the Office of the Recorder of Deeds of Erie County, Pennsylvania, having erected thereon a dwelling house known as 2014 Wagner Avenue, Erie, Pennsylvania. Being part of the same premises conveyed to the party of the first part by deed dated and recorded July 19, 1974 in Erie County Deed Book 1124 page 461.

First parties have no actual knowledge of any hazardous waste, as defined in Act No. 1980-97, of the Commonwealth of Pennsylvania, having been or which is presently being disposed on or about the property described in this deed.

Assessment Map number: 18-051-039.0-206.00
Assessed Value figure: \$55,640.00
Improvement thereon: Residential Dwelling
MARTHAE.VONROSENSTIEL,P.C.
Martha E. Von Rosenstiel, Esq / No 52634
Heather Riloff, Esq / No 309906
Tyler J. Wilk, Esq / No 322247
649 South Ave, Ste 7
Secane, PA 19018
(610) 328-2887

Aug. 31 and Sept. 7, 14

SALE NO. 14

Ex. #10099 of 2015

Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust as Owner Trustee of the Residential Credit Opportunities Trust V, Plaintiff
v.

Lorie L. Hansen, Defendant
DESCRIPTION

By virtue of a Writ of Execution filed to No. 10099-15, Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust as Owner Trustee of the Residential Credit Opportunities

Trust V vs. Lorie L. Hansen, owners of property situated in Erie City, Erie County, Pennsylvania being 3121 Hazel Street, Erie, PA 16508 1,320 Square Feet/0.0727 Acres Assessment Map number: 19060044025000 Assessed Value figure: 66,460.00 Improvement thereon: Residential Dwelling Roger Fay, Esquire 1 E. Stow Road Marlton, NJ 08053 (856) 482-1400

Aug. 31 and Sept. 7, 14

SALE NO. 15

Ex. #12814 of 2017
Nationstar Mortgage LLC d/b/a
Champion Mortgage Company,
Plaintiff

v.

Kevin M. Carter, in His Capacity
as Heir of Rose A. Carter,
Deceased, Lindsay Coccarelli, in
Her Capacity as Heir of Rose A.
Carter, Deceased, Lynn Marie
Scheffner, in Her Capacity as
Heir of Rose A. Carter, Deceased,
Unknown Heirs, Successors,
Assigns, and All Persons, Firms,
or Associations Claiming Right,
Title or Interest From or Under
Rose A. Carter, a/k/a Rose
Orlando Carter, Deceased,
Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 12814-17, Nationstar Mortgage LLC d/b/a Champion Mortgage Company vs. Kevin M. Carter, in His Capacity as Heir of Rose A. Carter, Deceased, Lindsay Coccarelli, in Her Capacity as Heir of Rose A. Carter, Deceased, Lynn Marie Scheffner, in Her Capacity as Heir of Rose A. Carter, Deceased, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Rose A. Carter a/k/a Rose Orlando Carter, Deceased Amount Due: \$97,715.94 Kevin M. Carter, in His Capacity as Heir of Rose A. Carter, Deceased, Lindsay Coccarelli, in Her Capacity as Heir of Rose A. Carter, Deceased, Lynn Marie

Scheffner, in Her Capacity as Heir of Rose A. Carter, Deceased, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Rose A. Carter a/k/a Rose Orlando Carter, Deceased, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 3412 Greengarden Boulevard, Erie, PA 16508-2241

Dimensions: 65 X 150
 Acreage: .2238
 Assessment Map number: 19061044020700
 Assessed Value: \$77,700.00
 Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Aug. 31 and Sept. 7, 14

SALE NO. 16

Ex. #11049 of 2018
U.S. Bank National Association
s/b/m to U.S. Bank National
Association nd, Plaintiff

v.

Lakeya T. Duck, Craig Duck,
Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 11049-18, U.S. Bank National Association s/b/m to U.S. Bank National Association nd vs. Lakeya T. Duck, Craig Duck Amount Due: \$36,099.80 Lakeya T. Duck, Craig Duck, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 2510 Perry Street, Erie, PA 16503-2267 Dimensions: 30 X 60 Assessment Map number: 185035105 Assessed Value: \$32,300.00 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

Aug. 31 and Sept. 7, 14

SALE NO. 18

Ex. #14273 of 2008
U.S. Bank National Association
as Successor Corporate Trustee
to Wachovia Bank, N.A. as
Aforesaid and Not Individually,
Plaintiff

v.

Kimberly S. Raup, Vaughn L.
Raup, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2008-14273, U.S. Bank National Association as Successor Corporate Trustee to Wachovia Bank, N.A. as Aforesaid and Not Individually vs. Kimberly S. Raup, Vaughn L. Raup Amount Due: \$187,908.06 Kimberly S. Raup, Vaughn L. Raup, owner(s) of property situated in WASHINGTON TOWNSHIP, Erie County, Pennsylvania being 5448-5450 Linden Avenue, Edinboro, PA 16412-1437 Dimensions: 111.41 X 107.48 IRR Assessment Map number: 45016029000300 Assessed Value: \$195,900.00 Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Aug. 31 and Sept. 7, 14

SALE NO. 19

Ex. #10987 of 2018
The Bank of New York
Mellon fka The Bank of
New York as Trustee for The
Certificateholders of Cwabs, Inc.,
Asset Backed Certificates, Series
2004-Bc4, Plaintiff

v.

Trish A. Straughn, Jason D.
Smith, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2018-10987, The Bank of New York Mellon fka The Bank of New York as Trustee for The Certificateholders of Cwabs, Inc., Asset Backed Certificates, Series 2004-Bc4 vs. Trish A. Straughn, Jason D. Smith Amount Due: \$163,589.00

Trish A. Straughn, Jason D. Smith, owner(s) of property situated in MILLCREEK TOWNSHIP, Erie County, Pennsylvania being 3403 Pacific Avenue, Erie, PA 16506-3526

Dimensions: 50 X 172.50
Acreage: 0.1980
Assessment Map number: 33-074-318.0-001.00

Assessed Value: \$93,700.00
Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000

Aug. 31 and Sept. 7, 14

SALE NO. 20

Ex. #10940 of 2018

Citibank, N.A., Not in Its Individual Capacity, But Solely as Trustee of Nrz Pass-Through Trust VI, Plaintiff

v.

Melvin M. Thomas, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10940-18, Citibank, N.A., Not in Its Individual Capacity, But Solely as Trustee of Nrz Pass-Through Trust VI vs. Melvin M. Thomas

Amount Due: \$45,365.02
Melvin M. Thomas, owner(s) of property situated in CORRY CITY, Erie County, Pennsylvania being 303 Wayne Street, Corry, PA 16407-1309

Dimensions: 49.1 X 143.97
Acreage: 0.1575
Assessment Map number: 06-021-027.0-005.00

Assessed Value: \$58,280.00
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

Aug. 31 and Sept. 7, 14

SALE NO. 21

Ex. #10241 of 2018

PENNYMAC LOAN SERVICES, LLC, Plaintiff

v.

CHRISTOPHER T. HILBRICH, Defendant

DESCRIPTION

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

BEING KNOWN AS: 4212 ROXANNA DRIVE, ERIE, PA 16510

PARCEL # 18052060051800
Improvements: Residential Dwelling.

POWERS KIRN & ASSOCIATES, LLC
Matthew J. McDonnell, Esquire
Id. No. 313549

Attorneys for Plaintiff
Eight Neshaminy Interplex
Suite 215

Treose, PA 19053
(215) 942-2090

Aug. 31 and Sept. 7, 14

SALE NO. 22

Ex. #10830 of 2018

PENNYMAC LOAN SERVICES, LLC, Plaintiff

v.

WILLIAM B. SZYPLIK, Defendant

DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE FIRST WARD OF THE CITY OF CORRY, ERIE COUNTY, PENNSYLVANIA.

BEING KNOWN AS: 324 S. CENTER STREET, CORRY, PA 16407

PARCEL # 05-032-166.0-018.00
Improvements: Residential Dwelling.

POWERS KIRN & ASSOCIATES, LLC
Matthew J. McDonnell, Esquire
Id. No. 313549

Attorneys for Plaintiff
Eight Neshaminy Interplex
Suite 215

Treose, PA 19053
(215) 942-2090

Aug. 31 and Sept. 7, 14

SALE NO. 23

Ex. #11062 of 2018

Carrington Mortgage Services, LLC, Plaintiff

v.

Amy J. Harris & Kenneth D. Harris, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2018-11062, Carrington Mortgage Services, LLC, Plaintiff vs. Amy J. Harris & Kenneth D. Harris, owner(s) of property situated in Erie County, Pennsylvania being 1631 West 40th Street, Erie, PA 16509.

Assessment Map Number: 19061072010600

Assessed Value Figure: \$104,800
Improvement thereon: Single Family Home -1349 sq. ft.

Richard M. Squire & Associates, LLC
Bradley J. Osborne, Esq.
(PA I.D. #312169)

115 West Avenue, Suite 104
Jenkintown, PA 19046
215-886-8790

Aug. 31 and Sept. 7, 14

SALE NO. 24

Ex. #11172 of 2018

Bayview Loan Servicing, LLC, a Delaware Limited Liability Company, Plaintiff

v.

Ronald J. Haggerty, Jr., Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2018-11172, Bayview Loan Servicing, LLC, a Delaware Limited Liability Company vs. Ronald J. Haggerty, Jr., owner(s) of property situated in Township of Millcreek, Erie County, Pennsylvania being 2342 W 32nd Street, Erie, PA 16506

0.1357

Assessment Map number: 33-073-302.0-014.00
Assessed Value figure: \$61,900.00

Improvement thereon: a residential dwelling

Daniel T. Lutz, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant

3600 Horizon Drive, Suite 150
King of Prussia, PA 19046
(610) 278-6800

Aug. 31 and Sept. 7, 14

SALE NO. 25

Ex. #11186 of 2018

**Nationstar Mortgage LLC d/b/a
Mr. Cooper, Plaintiff**

v.

**Alexandra M. Laughlin and
Patrick T. Laughlin, Defendants**

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2018-11186, Nationstar Mortgage LLC d/b/a Mr. Cooper vs. Alexandra M. Laughlin and Patrick T. Laughlin, owner(s) of property situated in Township of Millcreek, Erie County, Pennsylvania being 4063 Holly Rue, Erie, PA 16506 0.3711

Assessment Map number: 33-63-356-1

Assessed Value figure: \$121,540.00
Improvement thereon: a residential dwelling

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

Aug. 31 and Sept. 7, 14

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**AMOND, CATHERINE E.,
deceased**

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

Executor: Charles R. Amond, c/o Jeffrey D. Scibetta, Esq., 120 West Tenth Street, Erie, PA 16501

Attorney: Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**BLISS, ANNETTE R.,
deceased**

Late of the Township of McKean, County of Erie, Commonwealth of PA

Executor: Robert H. Bliss, Jr., c/o 504 State Street, Suite 200, Erie, PA 16501

Attorney: Richard E. Filippi, Esquire, 504 State Street, Suite 200, Erie, PA 16501

**CHAPMAN, EDGAR B., a/k/a
EDGAR BENJAMIN CHAPMAN,
deceased**

Late of Harborcreek Township, Erie County, Commonwealth of Pennsylvania

Executor: Dennis E. Chapman, c/o Frances A. McCormick, Esq., 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

**EBERLIN, FLORENCE F.,
deceased**

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

Executor: Richard D. Eberlin, c/o Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508

Attorney: Darlene M. Vlahos, Esq., Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508

**LUNDGREN, MARIAN H.,
deceased**

Late of City of Erie

Executor: Melvin E. Lundgren, c/o 246 West 10th Street, Erie, PA 16501

Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**OLSON, EMELYN D.,
deceased**

Late of Erie County, North East, PA

Co-Executors: John A. Olson and Portia L. Harris, c/o 33 East Main Street, North East, Pennsylvania 16428

Attorney: Robert J. Jeffery, Esq., Knox, McLaughlin, Gornall & Sennett, P.C., 33 East Main Street, North East, Pennsylvania 16428

**PRUZENSKI, GLEN J.,
deceased**

Late of City of Erie

Administrator: Karen A. Wagner, 11818 Silverthorn Road, Edinboro, PA 16412

Attorney: David J. Mack, Esquire, 510 Parade Street, Erie, PA 16507

**WAY, DANIEL L.,
deceased**

Late of the City of Corry, Erie County, Pennsylvania

Administratrix: Cody Mora, 3 Market Street, Corry, PA 16407

Attorney: William E. Barney, Esquire, 200 N. Center St., Corry, PA 16407

**WILLIAMS, SHIRLEY LOUISE,
a/k/a SHIRLEY L. WILLIAMS,
deceased**

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

Executrix: Cathy Ann Durst, 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

**ZALEWSKI, ALICE M.,
deceased**

Late of Summit Township, Erie County, Commonwealth of Pennsylvania

Executor: James R. Zalewski, c/o Thomas C. Hoffman, II, Esq., 120 West Tenth Street, Erie, PA 16501

Attorney: Thomas C. Hoffman, II, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

TRUST NOTICES

Notice is hereby given of the administration of the Trust set forth below. All persons having claims or demands against the decedent are requested to make known the same and all persons indebted to said decedent are required to make payment without delay to the trustees or attorneys named below:

**GRIFFIN, COLLEEN E., a/k/a
KATHALEEN ELLEN GRIFFIN,
deceased**

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

Successor Trustee: Dean P. Zeller, 624 West Arlington Road, Erie, PA 16509-2208

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

SECOND PUBLICATION

**DIETZ, DOLORES M.,
deceased**

Late of Erie County, Harborcreek, PA
Co-Executors: Eileen Pfeiffer and Sheryl Ramsdell, c/o 33 East Main Street, North East, Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq., Knox, McLaughlin, Gornall & Sennett, P.C., 33 East Main Street, North East, Pennsylvania 16428

**HAMMOND, H. JAMES, a/k/a
HOWARD JAMES HAMMOND,
II, a/k/a H. J HAMMOND,
deceased**

Late of Concord Township, Erie County, Pennsylvania
Executrix: Anita L. Baker, a/k/a Anita H. Baker, 17290 Route 89, Cory, PA 16407
Attorney: Gary J. Heim, Esquire, Mette, Evans & Woodside, 3401 North Front Street, Harrisburg, PA 17110-0950

**HOLLARN, JEAN E.,
deceased**

Late of City of Erie, County of Erie
Co-Executors: Michael J. Hollarn, 5516 Frederick Drive, Erie, PA 16510 and Thomas P. Hollarn, 85 Eaton Drive, North East, PA 16428
Attorney: Kari A. Froess, Esquire, CARNEY & GOOD, 254 West Sixth Street, Erie, Pennsylvania 16507

**KECK, FREDERICK W.,
deceased**

Late of the City of Erie, Erie County, PA
Executor: Cathy M. Lojewski, c/o 3209 East Avenue, Erie, PA 16504
Attorney: Cathy M. Lojewski, Esq., 3209 East Avenue, Erie, PA 16504

**MARKS, KIM LOUISE, a/k/a
KIM L. MARKS,
deceased**

Late of the City of Erie, Erie County, PA
Executor: Erin A. Blashock, c/o 3209 East Avenue, Erie, PA 16504
Attorney: Cathy M. Lojewski, Esq., 3209 East Avenue, Erie, PA 16504

**McGARRY, ROSE M.,
deceased**

Late of City of Erie
Executor: Todd P. McGarry, 921 Grant Avenue, Erie, PA 16505
Attorney: Michael A. Fetzner, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**METZLER, JEANETTE MARIE,
a/k/a JEANETTE MURPHY, a/k/a
JEANETTE M. METZLER,
deceased**

Late of City of Erie
Executor: Damian Murphy, 2661 Hazel Street, Erie, PA 16508
Attorney: None

**OSBORN, GORDON A.,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Stephen D. Osborn
Attorney: Thomas J. Minarcik, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

**RAHAL, WAJEEH KHALIL,
a/k/a WAJEEH K. RAHAL,
deceased**

Late of North East Township, Erie County, Pennsylvania
Executrix: Celeena J. Mooney, 8200 Bort Rd., P.O. Box 162, North East, PA 16428
Attorney: None

**SKRZYPCZAK, GENEVIEVE
E., a/k/a GENEVIEVE
SKRZYPCZAK,
deceased**

Late of Township of Millcreek, Erie County, Commonwealth of Pennsylvania
Executrix: Judith Bekeny, c/o 120 W. 10th Street, Erie, PA 16501
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

THIRD PUBLICATION

**BLACK, JEAN L., a/k/a JEAN
BLACK, a/k/a JEAN LUCILLE
BLACK,
deceased**

Late of the Township of North East, County of Erie, Commonwealth of Pennsylvania
Executrix: Martha J. Merritt, c/o John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507
Attorney: John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

**CLAPSADL, ALDINA D.,
deceased**

Late of the Township of Harborcreek, County of Erie, and Commonwealth of Pennsylvania
Executrix: Mary A. Minick, 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

**EDWARDS, DONALD J.,
deceased**

Late of the Borough of North East, County of Erie, State of Pennsylvania
Executor: Charles Rosequist, c/o 78 East Main Street, North East, PA 16428
Attorney: BRYDON LAW OFFICE, Attorney John C. Brydon, 78 East Main Street, North East, PA 16428

GREEN, JOHN NELSON, a/k/a JOHN N. GREEN, deceased

Late of McKean, Erie County, Pennsylvania
Administratrix: Cindy Maine, c/o Mary Alfieri Richmond, Esquire, 150 East 8th Street, Floor 1, Erie, PA 16501
Attorney: Mary Alfieri Richmond, Esquire, 150 East 8th Street, Floor 1, Erie, PA 16501

MAHONEY, TIMOTHY C., deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Erin E. Mahoney, c/o VLAHOS LAW FIRM, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508
Attorney: Darlene M. Vlahos, Esq., Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508

McCLURE, HARVEY D., a/k/a HARVEY D. McCLURE, ESQ., deceased

Late of City of Erie, Erie County, Commonwealth of Pennsylvania
Executrix: Christine H. McClure, c/o 120 W. 10th Street, Erie, PA 16501
Attorneys: Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

ROOT, DAVID B., SR., deceased

Late of the Borough of Erie
Executor: David B. Root, Jr., 78 Hoodridge Drive, Pittsburgh, PA 15228
Attorney: Shannon L. Crew, Esquire, Houston Harbaugh, PC, Three Gateway Center, 401 Liberty Avenue, 22nd Floor, Pittsburgh, PA 15222-1005

ROOT, MARJORIE D., deceased

Late of the Borough of Erie
Executor: David B. Root, Jr., 78 Hoodridge Drive, Pittsburgh, PA 15228
Attorney: Shannon L. Crew, Esquire, Houston Harbaugh, PC, Three Gateway Center, 401 Liberty Avenue, 22nd Floor, Pittsburgh, PA 15222-1005

SCARNATI, JUDITH ANN, a/k/a JUDITH A. SCARNATI, deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: John S. Scarnati, c/o Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508
Attorney: Darlene M. Vlahos, Esq., Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508

SCHULTZ, HENRY L., JR., deceased

Late of Township of Millcreek, Erie County, Pennsylvania
Executor: Bonnie Maynard, c/o Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507
Attorney: Joseph P. Martone, Esquire, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

SICILIANO, ANTHONY C., deceased

Late of North East Borough, County of Erie, Commonwealth of Pennsylvania
Executor: Robert M. Loesch, c/o Leigh Ann Orton, Esq., Sebald Hackwelder Orton, 68 E. Main Street, North East, PA 16428
Attorney: Leigh Ann Orton, Esq., Sebald Hackwelder Orton, 68 E. Main Street, North East, PA 16428

THEISEN, PHYLLIS C., a/k/a PHYLLIS THEISEN, deceased

Late of the Township of Millcreek, Commonwealth of Pennsylvania
Executrix: Anne E. Ferrando, c/o Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509
Attorney: James J. Bruno, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

RAYMOND A. PAGLIARI814-450-3865
217 Anderson Drive
Erie, PA 16509 attypags@msn.com

MATTHEW W. FUCHS814-870-2619
100 Erie Insurance Place(f) 814-870-2010
Erie, PA 16530matthew.fuchs@erieinsurance.com

COREY A. BAUER412-243-1600
Dodaro Matta & Cambest PC(f) 412-243-1643
1900 Main St. Ste 207
Canonsburg, PA 15317 cbauer@law-dmc.com

NEW ADDRESS - EFFECTIVE SEPTEMBER 1, 2018

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230 West 6th Street, Suite 202
Erie, PA 16507

ATTENTION ALL ATTORNEYS

Are you or an attorney you know dealing with personal issues related to drug or alcohol dependency, depression, anxiety, gambling, eating disorders, sexual addiction, other process addictions or other emotional and mental health issues?

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