

Adams County Legal Journal

Vol. 49

November 2, 2007

No. 24, pp. 159-162

IN THIS ISSUE


COMMONWEALTH VS. GORRELL

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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Subscribers within Adams County should send subscriptions direct to the business office. Subscribers outside of Adams County should send subscriptions to Wm. W. Gaunt & Sons, Inc., 3011 Gulf Drive, Holmes Beach, FL 34217-2199. Postmaster: Send address changes to Adams County Legal Journal, 111 Baltimore Street, Room 305, Gettysburg, PA 17325.

Business Office - 111 Baltimore Street, Room 305, Gettysburg, PA 17325. Telephone: (717) 337-9812

Periodicals postage paid at Gettysburg, PA 17325.

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-808 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground, as improved, situate in the Borough of McSherrystown, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING for a corner on a street known as Second Street at property now or formerly of Richard A. Welty and Darlene H. Welty; thence along said street, South 14-1/2 degrees East, 42 feet 7 inches to a corner at a street known as North Street; thence along said last mentioned street in a Southwesterly direction, 148 feet to a corner at an alley 10 feet wide; thence along said alley, North 18 degrees West, 50 feet 8 inches to aforesaid property formerly of Richard A. Welty and Darlene H. Welty; thence along last mentioned property, North 65-1/2 degrees East 149 feet to a corner, the place of BEGINNING.

The improvements thereon now known as 101 North Second Street, McSherrystown, PA 17344.

BEING - 3489/114 Jerry W. Miller and Kathryn E. Miller unto Eric D. Yingling dated 2/23/04.

TITLE TO SAID PREMISES IS VESTED IN Jeffrey Francis Mann and Jennifer Ann Mann, by Deed from Eric D. Yingling, dated 08/16/2006, recorded 08/31/2006, in Deed Book 4522, page 171.

Premises being: 101 North Second Street, McSherrystown, PA 17344

Tax Parcel No. 28-002-0029-000

SEIZED and taken into execution as the property of **Jeffrey F. Mann a/k/a Jeffrey Francis Mann & Jennifer Ann Mann** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the

Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-917 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of November, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of Tyrone, County of Adams and Commonwealth of Pennsylvania, as follows:

BEGINNING at a stone in or at the Western edge of the E Co. Road (T-564); thence in and along said E Co. Road North 27 degrees 12 minutes 04 seconds West 185.49 feet to a railroad spike in said E Co. Road; thence crossing said E Co. Road, through an iron pin set 25 feet from the beginning of this course and along Lot B in and upon the below-mentioned draft of survey and subdivision plan, North 82 degrees 58 minutes 32 seconds East, 561.03 feet to an iron pin (see Note 5. in the below-mentioned draft of survey and subdivision plan) at corner of Lots B and C in and upon the below-mentioned draft of survey and subdivision plan; thence along Lot C in and upon the below-mentioned draft of survey and subdivision plan South 20 degrees 43 minutes 24 seconds East, 130.00 feet to an iron pin at corner of said Lot C and lands now or formerly of Andrew E. Burgess and Patricia A. Curtis; thence continuing along said lands of Burgess and Curtis South 77

degrees 48 minutes 02 seconds West, 530.00 feet to a stone in or at the Western edge of said E Co. Road (T-564), the point and place of BEGINNING.

Parcel ID # (40) H06-3A

Property is being sold subject to a first mortgage.

Being Known As: 829 Company Farm Road (Tyrone Township), Aspers, PA 17304

TITLE TO SAID PREMISES IS VESTED IN Ronald L. Harris, Jr. and Sandra M. Harris, h/w by Deed from Ronald L. Harris, Jr. and Sandra M. Smith, NKA Sandra M. Harris dated 12/26/02 recorded 1/6/03 in Deed Book 2932 Page 307.

SEIZED and taken into execution as the property of **Ronald L. Harris, Jr. & Sandra M. Harris** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 21, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/19, 26 & 11/2

NOTICE

NOTICE IS HEREBY GIVEN that David R. Erhard, Esquire, intends to apply in open court for admission to the Bar of the Court of Common Pleas of Adams County, Pennsylvania, on the 15th day of November, 2007, and that he intends to continue practicing law as an Associate in the law firm of Steve Rice, P.C., County of Adams, 18 Carlisle Street, Gettysburg, Pennsylvania.

10/19, 26 & 11/2

COMMONWEALTH VS. GORRELL

1. Trial error cannot exist on a claim that the Court erred in failing to admit documents which were never formally moved for admission.

2. A summary case before the Court for a traffic offense is not a "court case" within the meaning of the Pennsylvania Rules of Civil Procedure and thus the rules related to pre-trial discovery are inapplicable.

3. The Court is unaware of any authority or statutory law that requires, or even permits, dismissal of criminal charges based upon a police officer's failure to produce a report which doesn't exist.

4. A deaf mute motorist is not entitled to suppression of evidence derived at a DUI checkpoint which lacks the assistance of a certified sign language translator. Dismissal of charges does not automatically flow from a police department's lack of formal policy in dealing with handicapped defendants.

In the Court of Common Pleas of Adams County, Pennsylvania,
Criminal, No. CP-01-SA-3-2006, COMMONWEALTH OF PENNSYLVANIA VS. HOWARD LEE GORRELL.

Bernard A. Yannetti, Jr., Esq., for Commonwealth
Defendant *Pro Se*

George, J., October 19, 2006

OPINION PURSUANT TO Pa.R.A.P. 1925(b)

On July 19, 2005, Officer Larry Weikert, while patrolling in the Borough of Gettysburg in full uniform and a marked police vehicle, noticed the Defendant, Howard Lee Gorrell ("Gorrell") traveling in the opposite lane of travel with an expired inspection sticker. Upon effectuating a vehicle stop, it became apparent to Officer Weikert that Gorrell had speech and hearing disabilities. Accordingly, the two communicated via written notes. Following a routine license and registration check, the officer discovered that Gorrell was operating his vehicle with a suspended Maryland license.¹ In addition, Officer Weikert noticed in Gorrell's open glove compartment the presence of several hearing notices. The officer asked, and Gorrell obliged to produce one such document which revealed that Gorrell was scheduled to appear before Magisterial District Judge Dubbs for a driving under suspension citation.² As a result of the above, Officer Weikert issued

¹Both Maryland and Pennsylvania are parties to the interstate driver's license compact. See 75 Pa.C.S.A. § 1581 and Md. Code, Transportation, § 16-701, et seq. Accordingly, due to Gorrell's suspension in Maryland, his operating privileges were also suspended in this Commonwealth.

²This Court takes judicial notice that Magisterial District Judge Dubbs presides in District Court #19-1-03 located in Hanover Borough, York County.

a citation for driving with an expired inspection, 75 Pa.C.S.A. 4703, as well as, driving with a suspended license, 75 Pa.C.S.A. 1543(a).

On August 1, 2006, a summary appeal hearing was held and Gorrell was found guilty of driving with a suspended license.³ In his appeal, Gorrell does not challenge the sufficiency of the evidence. Rather, he alleges several grounds of trial court error in conducting the de novo hearing.

Initially, Gorrell claims that this Court committed error in denying the admission of several defense exhibits. During the de novo hearing, Gorrell made reference to and provided the Court copies of a subpoena, several court cases and a number of federal regulations. However, he never formally moved for admission of those documents. Nevertheless, he currently claims that the Court failed to admit the exhibits as evidence. Clearly, trial error cannot exist on a claim that the Court erred in failing to admit documents which were never formally moved for admission. See *Gilmore by Gilmore v. Dondero*, 582 A.2d 1106, 1108 (Pa. Super. 1990) (trial court cannot be found in error when not given the opportunity to rule upon the issue).

Moreover, if Gorrell's actions at trial can somehow be interpreted as a request to introduce exhibits, the exhibits were, nevertheless, inadmissible as irrelevant. As mentioned, the exhibits which Gorrell claimed that the Court failed to admit consisted of copies of court opinions, including a settlement agreement in an unrelated matter, and federal regulations. The items sought to be introduced by Gorrell were not exhibits relevant to the proceedings but, rather, legal authority which Gorrell sought to introduce in support of his argument for dismissal. This Court properly reviewed and considered those items, however, determined they did not present a meritorious defense.⁴ Clearly, this was not error.

The other item which Gorrell complains this Court failed to admit was an exhibit consisting of a subpoena to which he claims the Commonwealth did not respond. Apparently, Gorrell was seeking to obtain copies of the written notes exchanged between he and the

³Gorrell's appeal was limited to the driving under suspension citation.

⁴Undoubtedly, the Court must take judicial notice of public statutes and other matters of law. See *Commonwealth v. Brown*, 631 A.2d 1014, 1017 (Pa. Super. 1993) (court must take judicial notice to the contents of the Pennsylvania Bulletin); *Jackson v. Southeastern Pa. Transportation Authority*, 566 A.2d 638, 641 (Pa. Cmwlth. 1989) (courts will take judicial notice of public statutes).

arresting officer on the date of the incident; the police report completed by the officer at the time of the incident; and the policy of the Gettysburg Borough Police in regard to dealing with disabled individuals which Gorrell alleges is required under the American Disabilities Act and related regulations. The cornerstone underlying his request is his belief that because the Gettysburg Borough Police Department has not adopted such a policy, the charges must be dismissed.

Initially, the summary case before the Court for a traffic offense is not a "court case" within the meaning of the Pennsylvania Rules of Criminal Procedure and thus the rules related to pre-trial discovery are inapplicable. *Commonwealth v. Lutes*, 793 A.2d 949 (Pa. Super. 2002). Thus, any failure on the part of the Commonwealth to provide responses to Gorrell's pre-trial requests for discovery is not a basis for a preclusion of evidence or dismissal of charges as Gorrell's requests were unauthorized. Therefore, as it relates to error in pre-trial discovery, Gorrell's argument is meritless.

Although pre-trial discovery in a summary proceeding is not authorized by the Rules of Criminal Procedure, Gorrell does have the right to the compulsory appearance of witnesses and exhibits. Accordingly, had a subpoena to the Commonwealth to produce relevant documentation at hearing not been honored, appropriate relief might follow. However, instantly, the arresting officer brought to the hearing those documents sought by Gorrell which existed and were relevant to the proceedings. In fact, the notes which Gorrell desired were shared with him during the summary trial. Transcript August 1, 2006 hearing, pg. 15. In regard to the police report, Gorrell was advised that none existed. I am unaware of any authority or statutory law that requires, or even permits, dismissal of criminal charges based upon a police officer's failure to produce a report which doesn't exist.

The final item sought by Gorrell through the subpoena was the policy of Gettysburg Borough governing their police department's interaction with disabled persons. Gorrell alleges that such a policy is required under the American Disabilities Act. Even if Gorrell is correct in his assessment, and presuming that the Gettysburg Borough has not adopted such a policy, there is no basis to grant Gorrell the relief of dismissal which he requests. After thorough review of the American Disabilities Act and related regulations, I have failed to discover any support for Gorrell's argument that

dismissal of criminal charges is appropriate where a violation of the act occurs. Since a violation of the American Disabilities Act is not a basis for the suppression of evidence, the Borough's alleged failure to provide information related to policy developed as a result of this act is not relevant to the criminal proceedings against Gorrell.

Gorrell's reliance on *Commonwealth v. Robinson*, 834 A.2d 1160 (Pa. Super. 2003), is misplaced as it does not discuss the issue raised by Gorrell. Rather, the *Robinson* case stands for the proposition that a deaf mute motorist is not entitled to suppression of evidence derived at a DUI checkpoint which lacks the assistance of a certified sign language translator. If anything, the *Robinson* opinion supports the concept that the dismissal of charges does not automatically flow from a police department's lack of formal policy in dealing with handicapped defendants.

Therefore, the existence or nonexistence of such a policy by Gettysburg Borough is irrelevant. Assuming, in arguendo, that the police officer failed to produce a written policy adopted by Gettysburg Borough pursuant to the subpoena, there is no prejudice to Gorrell in that the policy is irrelevant.

Since the evidence sought to be introduced by Gorrell was either improper or inadmissible, his claim of trial error by this Court in failing to admit the evidence of the subpoena is meritless.

Gorrell's second and third arguments on appeal are adequately addressed by the discussion above.⁵ Accordingly, affirmance of sentence is requested.

⁵In these remaining arguments, Gorrell alleges: the Court committed an error of law in granting "summary judgment" to the Commonwealth though the Court acknowledged that Plaintiff was not in compliance with federal regulations; and the Court committed an error of Court rule in failing to "request for a copy of Plaintiff's police report or similar though Plaintiff had not such report."

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-919 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described lot of ground, situate, lying and being in Oxford Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a corner at a point in Township Road T-476 at lands now or formerly of O. Stambaugh as shown on the hereinafter referred Subdivision Plan; thence from said point of beginning through a post set 26 feet from the beginning of this course North 42 degrees 23 minutes 41 seconds East 412.4 feet to a steel pin; thence continuing along said lands now or formerly of O. Stambaugh North 41 degrees 17 minutes 02 seconds East 214.61 feet to a post set at the corner of a lot designated as Lot 'A' on the hereinafter referred to Subdivision Plan; thence along said Lot 'A' as so designated South 44 degrees 06 minutes 08 seconds East 332.12 feet to an iron pipe at lands now or formerly of John H. Shank and Edna C. Shank; thence along said last mentioned lands the following three (3) courses and distances: (1) South 41 degrees 21 minutes 20 seconds West 184.63 feet to an iron pipe; (2) North 49 degrees 34 minutes 46 seconds West 280.86 feet to an iron pipe; (3) South 42 degrees 23 minutes 41 seconds West 420.32 feet through an iron pipe set near the end of this course to a point in the aforesaid Township Road T-476; thence along said Township Road T-476 North 38 degrees 36 minutes 17 seconds West 50.62 feet in said Township Road T-476, being the point and place of BEGINNING. CONTAINING 2 acres of land.

The above description was taken from a Subdivision Plan captioned 'Final Plan-Subdivision for John H. Shank' dated November 14, 1978, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, Map Book 25, Page 37, and designated on said Subdivision Plan as Lot 'B'.

Parcel Number: (35)-K11-105B.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Wilt and Wanda J. Wilt, husband and wife, as to a two-third interest as tenants by the entireties and Grace M. Wonder, unmarried, as to a one-third interest, and all with full right of survivorship, by Deed from Laura Miller, Executrix of the last will of Elizabeth J. Fitzpatrick, formerly known as Elizabeth J. Revels, dated 04/19/1993, recorded 04/20/1993, in Deed Book 712, page 237.

Premises being: 1175 Red Hill Road, New Oxford, PA 17350

SEIZED and taken into execution as the property of **Robert E. Wilt, Wanda J. Wilt & Grace M. Wonder** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY
COMMONWEALTH OF PENNSYLVANIA

ORPHANS' COURT DIVISION
NO. RT-9-07(A)

NOTICE

TO: DANIEL LUTHER FUNT, SR.

YOU ARE HEREBY NOTIFIED that a Petition for Involuntary Termination of Parental Rights to Child has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for November 15, 2007, at 9:00 a.m., prevailing time, in the conference room on the 4th Floor of the Adams County Courthouse, at Gettysburg, Adams County, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the involuntary termination of your parental rights with respect to your child.

You should contact 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.

Court Administrator
Adams County Courthouse
111-117 Baltimore Street
Gettysburg, PA 17325
Telephone number: (717) 337-9846

Chester G. Schultz, Attorney at Law
145 Baltimore Street
Gettysburg, PA 17325

10/19, 26 & 11/2

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY
COMMONWEALTH OF PENNSYLVANIA

ORPHANS' COURT DIVISION
NO. RT-10-07(A)

NOTICE

TO: DANIEL LUTHER FUNT, SR.

YOU ARE HEREBY NOTIFIED that a Petition for Involuntary Termination of Parental Rights to Child has been filed in the Orphans' Court Division of the Court of Common Pleas of Adams County, Pennsylvania. A hearing has been set for November 15, 2007, at 9:00 a.m., prevailing time, in the conference room on the 4th Floor of the Adams County Courthouse, at Gettysburg, Adams County, Pennsylvania, for the purpose of determining whether or not statutory grounds exist for the involuntary termination of your parental rights with respect to your child.

You should contact 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.

Court Administrator
Adams County Courthouse
111-117 Baltimore Street
Gettysburg, PA 17325
Telephone number: (717) 337-9846

Chester G. Schultz, Attorney at Law
145 Baltimore Street
Gettysburg, PA 17325

10/19, 26 & 11/2

CERTIFICATE OF ORGANIZATION

NOTICE IS HEREBY GIVEN that a Certificate of Organization - Domestic Limited Liability Company was filed with the Commonwealth of Pennsylvania, Department of State, in Harrisburg, Pennsylvania, on October 18, 2007, under the provisions of the Pennsylvania Limited Liability Company Law of 1994 as amended.

The name of the Limited Liability Company is LOCKER MARKETING, LLC.

Locker Marketing, LLC has as its purpose the engaging in all lawful business for which limited liability companies may be organized.

Arthur J. Becker, Jr., Esq.
Attorney for Locker Marketing, LLC

11/2

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-817 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of November, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described real estate, lying and being situate in Franklin Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in Church Road (T-361) at the Northeast corner of the tract herein conveyed; thence in T-361, South 36 degrees 59 minutes 27 seconds West, 41.84 feet to a point; thence continuing in T-361, South 39 degrees 41 minutes 39 seconds West 13.18 feet to a point; thence with Lot No. 1 through a set iron pin on line, North 77 degrees 54 minutes 24 seconds West 98.86 feet to a set iron pin; thence by the same, South 67 degrees 14 minutes 13 seconds West 90.00 feet to a set iron pin; thence by the same, North 75 degrees 11 minutes 52 seconds West 200.78 feet to a set iron pin; thence by the same, North 67 degrees 00 minutes 00 seconds West 328.00 feet to a set iron pin; thence by the same, South 36 degrees 01 minute 18 seconds West 224.35 feet to a set iron pin; thence with lands now or formerly of Diane M. Garman, North 75 degrees 25 minutes 31 seconds West 580.36 feet to an existing iron pin and stones; thence with lands now or formerly of Robert F. Wagner, North 59 degrees 17 minutes 58 seconds East 334.96 feet to an existing steel pin and stone; thence with lands now or formerly of Samuel A. Ehman, through an existing iron pin on line, South 77 degrees 00 minutes 00 seconds East, 1,144.22 feet to a point in T-361, the place of BEGINNING. CONTAINING 4.074 acres and BEING the residue identified as 'Residue' on that survey and subdivision of land as prepared by R. Lee Royer & Associates, surveying, dated April 1, 1992 as approved by the Franklin Township Supervisors and recorded in Adams County Plat Book 61, Page 20.

Stewart Title Guarantee Company
Tax ID # B9-12B

BEING the same premises which John A. Gardiner, III a/k/a John A. Gardiner and Christine C. Gardiner, by Deed dated March 23, 2004 and recorded in Book 3593, Page 185, granted and conveyed unto John A. Gardiner, III and Christine C. Gardiner, his wife, Tenants by the Entirety, in fee.

Premises being: 940 Church Road, Orttanna, PA 17353

SEIZED and taken into execution as the property of **John A. Gardiner, III a/k/a John A. Gardiner, IV & Christine C. Gardiner** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 21, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-746 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of November, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following two (2) tracts of land situate on the West side of Pennsylvania State Highway, Route No. 94, otherwise known as the Carlisle Pike, in Oxford Township, Adams County, Pennsylvania, bounded and limited as follows:

TRACT NO. 1:

BEGINNING at a point on said Highway, which point is thirty-seven (37) feet North of a stone set along said Highway at the line of lands of L. L. Bittinger, deceased, and lands of William Krebs; thence from said point, and along lands of L. L. Bittinger, deceased, South sixty-three and one-half (63-1/2) degrees West two hundred (200) feet to a point; thence along the same, North twenty-six and one-half (26-1/2) degrees West, ninety-three (93) feet to a point at the Northerly side of a twenty-eight (28) feet wide alley; thence along the Northerly side of said alley North sixty-three and one-half (63-1/2) degrees East, two hundred (200) feet to a point at said Highway; and thence along said Highway, South twenty-six and one-half (26-1/2) degrees East, ninety-three (93) feet to a point, the place of BEGINNING.

Subject, however, to a public alley, twenty-eight (28) feet in width, extending from said Highway along the Northerly boundary of the premises herein described, a distance of two hundred

(200) feet to the rear or Western line of said premises, and further subject to the condition that the grantees, by the acceptance of the delivery of this conveyance, release and quitclaim to the grantors, their heirs and assigns any and all claim for any rights to water or use of water on said premises.

TRACT NO. 2:

BEGINNING for a corner at a stake on the line between the lands now or formerly of Edward Laughman and lands now or formerly of Claude J. Laughman and Lydia Laughman, his wife, sixty-five (65) feet from the State Highway formerly known as the Carlisle Pike, thence along other lands now or formerly of Edward Laughman of which this was a part, South forty-five (45) degrees thirty-four (34) minutes West, seventy (70) feet to a stake; thence South fifty-one (51) degrees nine (9) minutes West, seventy and one-tenth (70.1) feet to a stake at lands now or formerly of John H. Bittinger; thence along the same, North twenty-six (26) degrees thirty (30) minutes West, thirty-six and six-tenths (36.6) feet to a stake at other lands now or formerly of Claude J. Laughman and Lydia Laughman, his wife, thence along the same, North sixty-three (63) degrees thirty (30) minutes East, one hundred thirty-five (135) feet to the place of the BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Brian J. Staub, by Deed from Dennis A. Church and James A. Church, correctly known as, James M. Church and Brenda K. Wertz, Executors of the Last Will and Testament of Dennis E. Church, deceased, dated 06/20/2005, recorded 06/23/2005, in Deed Book 4016, page 157.

Premises being: 2168 Carlisle Pike, Hanover, PA 17331

Tax Parcel No. 35-K12-0054-000

SEIZED and taken into execution as the property of **Brian J. Staub** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 21, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-706 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of November, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate in Menallen Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pipe in or along Township Road T-369, known as Fairground Road, at corner of land now or formerly of Francis T. Carberry and wife; thence in or along said Fairground Road and by land now or formerly of South Mountain Community Fair Association, South 55 degrees 41 minutes 16 seconds West 34.20 feet to an iron pipe at a post; thence continuing in said Fairground Road and by land now or formerly of South Mountain Community Fair Association, South 72 degrees 9 minutes 15 seconds West 130.80 feet to a railroad spike at the Northern side of said road; thence by other land now or formerly of Dale G. Showers and wife, designated as Lot No. 3 on the Plan of Lots referred to below, and running in the center of a private road 50 feet in width, North 29 degrees 37 minutes 12 seconds West 285 feet to a point in the center of said private road; thence by other land now or formerly of Dale G. Showers and wife, designated as Lot No. 8 on the Plan of Lots referred to below, and running through an iron pipe located 25 feet from the beginning of this line, North 56 degrees 43 minutes 50 seconds East 162.47 feet to an iron pipe; thence by land now or formerly of Francis T. Carberry and wife and running through an iron pipe located 40 feet from the end of this line, South 29 degrees 37 minutes 12 seconds East 319.23 feet to an iron pipe in or along Fairground Road, the place of BEGINNING. CONTAINING 1.139 acres, more or less.

The foregoing description was obtained from a Plan of Lots prepared by Richard W. Boyer, Registered Surveyor, trading as Boyer Surveys, dated May 2, 1983 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 38 at page 38, the lot hereby conveyed being designated as Lot No. 4 on the said Plan of Lots.

TOGETHER WITH AND SUBJECT TO the right to use in common with Dale G. Showers and Janet S. Showers, husband and wife, their heirs and assigns, the 50 foot private road referred to in the foregoing description as a means of

ingress, egress and regress from Township Road T-369 to the lot of ground hereby conveyed and to Lot No. 3 and Lot No. 8 shown on the aforementioned Plan of Lots.

IT BEING the same which William Eugene Rudisill and Barbara Ann Rudisill, husband and wife, by their deed dated June 12, 2000, and recorded June 20, 2000 in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 2073 at page 1, sold and conveyed unto Barbara Ann Rudisill.

TITLE TO SAID PREMISES IS VESTED IN Ronald D. Barnhart, single person, by Deed from Barbara Ann Rudisill, single person, dated 01/05/2006, recorded 01/10/2006, in Deed Book 4277, page 179.

Premises being: 431 Fairground Road, Biglerville, PA 17307

Tax Parcel No. 29-D8-6C

SEIZED and taken into execution as the property of **Ronald D. Barnhart** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 21, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-499 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in the Borough of Bendersville, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at an existing iron pin located along the Eastern side of North Main Street at corner of land formerly of Robert J. Klunk, Jr., now land of Henry Janny, said iron pin being located 5.2

feet East of the curb along the Eastern side of said North Main Street; thence by land formerly of Robert J. Klunk, Jr., now land of Henry Janny, North 61 degrees East, 131.80 feet to a buggy axle along the Western side of a 20 foot public alley (North Laurel Lane); thence along the Western side of said 20 foot public alley (North Laurel Lane), South 28 degrees 4 minutes 50 seconds East, 70 feet to a railroad spike; thence along the Northern side of another 20 foot public alley, South 62 degrees 44 minutes 10 seconds West, 132.90 feet to a point on the stone curb; thence along North Main Street on a line parallel with and 5.2 feet East of the curb along the Eastern side of North Main Street, North 27 degrees 7 minutes 30 seconds West, 66 feet to an existing iron pin at corner of land formerly of Robert J. Klunk, Jr., now land of Henry Janny, the place of BEGINNING.

CONTAINING 8,998 Square Feet.

BEING more commonly known as 133 North Main Street, Bendersville, PA 17306.

BEING known as Adams County Parcel No. (03) 1-45.

SEIZED and taken into execution as the property of **Joseph G. Rosch** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-959 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Cumberland Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a pipe on the North side of Township Road T-341, said pipe being approximately 0.25 mile West of Pennsylvania Route 34; thence by said Township Road T-341 North 62 degrees 30 minutes West, 100 feet to a pipe; thence North 20 degrees 48 minutes 30 seconds East, 365.05 feet to a post at a post and wire fence; thence by said post and wire fence South 57 degrees 19 minutes 30 seconds East, 7.60 feet to a corner post; thence by same and by land now or formerly of Edward Toddes South 17 degrees 28 minutes 49 seconds East, 148.29 feet to a pipe; thence by land now or formerly of Charles E. Arendi South 20 degrees 48 minutes 30 seconds West, 358.75 feet to a pipe, the place of BEGINNING. CONTAINING 0.72 acre, more or less.

Being Known As: 765 Boyds School Road, Gettysburg, PA 17325

Property ID No.: 09-F11-108

TITLE TO SAID PREMISES IS VESTED IN William J. Higgs and Dawn M. Higgs, husband and wife, as tenants of an estate by the entireties by deed from John D. Bright and Nancy Lee Bright dated 10/30/98 recorded 12/16/98 in Deed Book 1726 Page 130.

SEIZED and taken into execution as the property of **William J. Higgs & Dawn M. Higgs** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1425 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain unit in the property known, named and identified in the declaration referred to below as 'South Branch Estates', located in the Township of Oxford, Adams County, Pennsylvania, which has heretofore been submitted to the provisions of the Pennsylvania Uniform Condominium Act, 68 P.S.A. Section 3101, et seq., by the recording in the Office of the Recorder of Deeds in and for Adams County, PA, of a land development plan dated October 6, 1995, last revised December 14, 1995 and recorded in Book 69 Page 23 (together with all amendments and supplements thereto recorded on or before the date hereof) being all designated in such plan as Unit No. 1 as more fully bounded and described in such plan, together with a proportionate undivided interest in the Common Elements as defined in a Declaration Plan recorded in the Office of the Recorder of Deeds, in and for York County, PA in Record Book 1271 Page 34.

Under and Subject to any and all covenants, conditions, restrictions, rights of way, easements and agreements of record, including (but not limited to) those contained in the instruments recorded in the aforesaid Recorder's Office in Record Book 69, page 23.

Together with the limited common elements appurtenant as more fully shown of Plan 1271 Page 34.

Together with all buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and any reversions, remainders, rents, issues and profits thereof, and of every part and parcel thereof, including any interest specifically set forth, if any. And also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the Grantor of, in and to the same.

To Have And To Hold the same premises, and the appurtenances, hereby granted to Grantees and Grantee's heirs, successors and assigns, to and for the only proper use, benefit and behoof of the said Grantee and Grantee's heirs, successors and assigns forever, under and subject to the conditions set forth, if any.

And The Said Grantor hereby covenants and agrees that Grantor will

warrant specially the property hereby conveyed.

Under And Subject, nevertheless to the same condition, restrictions, exceptions and reservations as exist by virtue of prior recorded instruments, deeds and conveyances.

It Being The Same Premises which J.A. Myers Building and Development, Inc., a Pennsylvania Corporation, by their deed dated May 25, 1996 and recorded in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Record Book 1218, Page 139, granted and conveyed unto Philip R. Garland t/d/b/a Garland Construction, Inc., Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Vincent Nieves, III and Nitza Nieves, husband and wife by Deed from Philip R. Garland, t/d/b/a, Garland Construction, Inc., dated 3-25-99, recorded 4-13-99 in Deed Book 1807, page 276.

Premises being: 2 Fiddler Drive, New Oxford, PA 17350

Tax Parcel No. 35-001-0052-001

SEIZED and taken into execution as the property of **Vincent M. Nieves, III a/k/a Vincent M. Miezies & Nitza Nieves** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

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 administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF ROSEA A. ARMOR, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

PNC Bank, N.A., PO Box 308, Camp Hill, PA 17001-0308

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore St., Gettysburg, PA 17325

ESTATE OF IDELLA P. BRUST, DEC'D

Late of Mount Pleasant Township, Adams County, Pennsylvania

Executrix: Marsha L. Henley, 908 Merridale Blvd., Mt. Airy, MD 21771

Attorney: Crabbs & Crabbs, 202 Broadway, Hanover, PA 17331

ESTATE OF DORETHA M. BURGER, DEC'D

Late of the Borough of Abbotstown, Adams County, Pennsylvania

Executors: Jeffrey L. Shue, 923 Oakwood Ave., Spring Grove, PA 17362; Pamela A. Bollinger, 7216 Fish Hatchery Rd., Frederick, MD 21701

Attorney: Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF RUBY S. KUYKENDALL, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Earl R. Kuykendall, 632 Guemsey Road, Aspers, PA 17304

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF MARY JEAN MILLER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Charlotte Jean Cool, 143 Stultz Road, Fairfield, PA 17320

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF SHERRY M. MILLER, DEC'D

Late of Highland Township, Adams County, Pennsylvania

Administrator: Charles F. Miller, 171 Knox Road, Gettysburg, PA 17325

Attorney: John J. Mooney, III, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF ARLENE W. MULLER, DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania

Executor: Emerson F. Muller, 810 Heritage Drive, Gettysburg, PA 17325

Attorney: Puhl, Eastman & Thrasher, Attorneys at Law, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF JOSHUA E. MULLINIX, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Administrator: Larry E. Mullinix, 3374A York Road, Gettysburg, PA 17325

Attorney: Thomas R. Campbell, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF MAGDALENE PHILLIPS, DEC'D

Late of Germany Township, Adams County, Pennsylvania

Executrix: Patricia D. Sinclair, 2307 Tickwood Road, Essex, MD 21221

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF DIANE L. SWARTZ a/k/a DIANE SWARTZ, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Denise L. Brough, 190 Fishing Game Road, New Oxford, PA 17350

Attorney: John J. Mooney, III, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF DORIS M. WOODS, DEC'D

Late of Freedom Township, Adams County, Pennsylvania

Executors: Joseph J. Woods, 29 East 9th Street, Apt. 1, New York, NY 10003; Mary C. Haag, 4622 East Villa Rita Drive, Phoenix, AZ 85032-9531

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF JOSEPHINE N. DECOSMO, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executrices: Lottie D. Pecher, 631 Pecher Road, Fairfield, PA 17320; Denice Sprankle, Box 81, Orrtanna, PA 17353

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF SHIRLEY A. HERMAN, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Tammy L. Utz, 636 Oxford Rd., New Oxford, PA 17350

Attorney: Matthew L. Guthrie, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF ROSE G. McFERRREN a/k/a ROSE GERTRUDE McFERRREN, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: James Elmer McFerrer, 147 South Charles Street, Dallastown, PA 17313

Attorney: Barbara Jo Entwistle, Esq., Pyle and Entwistle, 66 West Middle Street, Gettysburg, PA 17325

ESTATE OF BARBARA J. STAUB a/k/a BARBARA JEANNE STAUB, DEC'D

Late of Hamilton Township, Adams County, Pennsylvania

Executors: Richard B. Staub, Jr., 105 New Chester Road, New Oxford, PA 17350; Dennis E. Staub, 352 Fleshman Mill Road, New Oxford, PA 17350

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle Street, Hanover, PA 17331

THIRD PUBLICATION**ESTATE OF ROBERT J. DILLMAN, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executor: James S. Dillman, 53 Meadow Lane, Gettysburg, PA 17325

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF HOWARD GRANT RYDER, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executrix: Helen C. Gonzalez, 7624 Forest Park Drive, NW, Olympia, WA 98502

Attorney: Clayton R. Wilcox, Esq., 234 Baltimore St., Gettysburg, PA 17325

ESTATE OF ROSANNA GULDEN WRIGHT, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executor: William C. Wright, 606 Quaker Valley Road, Biglerville, PA 17307

Attorney: Clayton R. Wilcox, Esq., 234 Baltimore St., Gettysburg, PA 17325

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-725 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of land situate in the Borough of Boonauville, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING at a point on the Southeastern right-of-way line of Carole Court (fifty (50) feet in width) at Lot No. 17 of the hereinafter referred to Subdivision Plan; thence along said Lot No. 17, South sixty-two (62) degrees eight (08) minutes East, one hundred (100) feet to a point at Lot No. 21; thence along said Lot No. 21 and continuing further along Lot No. 20, South twenty-seven (27) degrees fifty-two (52) minutes West, seventy-five (75) feet to a point at Lot No. 19; thence along said Lot No. 19, North sixty-two (62) degrees eight (08) minutes West, one hundred one and five hundredths (101.05) feet to a point on the Southeastern right-of-way line of the aforementioned Carole Court; thence along the Southeastern right-of-way line of said Carole Court by a curve to the left whose radius is seven hundred twenty-one and four tenths (721.4) feet, the long chord bearing of which is North twenty-nine (29) degrees twenty-four (24) minutes eighteen (18) seconds East and chord length of thirty-nine and nine hundredths (39.09) feet for an arc distance of thirty-nine and one-tenth (39.1) feet to a point; thence along same North twenty-seven (27) degrees fifty-two (52) minutes East, thirty-five and ninety-two hundredths (35.92) feet to the point and place of BEGINNING. CONTAINING 7,513.7 square feet, more or less, and designated as Lot No. 18 on a plan of lots of Bonnie Field, duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 9, at Page 24, and SUBJECT TO all legal highways, easements, rights-of-way and restrictions of record.

PARCEL #6-9-32

SUBJECT to restrictive covenants as set forth in Miscellaneous Book 27, as Page 302.

BEING the same property which Davidine Sirk, now Davidine Cool by her Deed dated April 7, 1995 and recorded in the Recorder's Office of Adams County at Deed Book Volume 1017, Page 99, granted and conveyed unto Davidine Cool and Howard H. Cool, Sr., her husband.

Property address: 4 Carole Ct., Gettysburg, PA 17325.

SEIZED and taken into execution as the property of **Howard H. Cool, Sr. & Davidine Cool** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on or about October 12, 2007 for the incorporation of BATTLEFIELD CHAPTER HARLEY OWNERS GROUP, INC., under the Pennsylvania Corporation Law of 1988. The initial registered office of the corporation is 21 Cavalry Field Road, Gettysburg, Pennsylvania 17325.

Bernard A. Yannetti, Jr., Esq.
Hartman & Yannetti
Solicitors

11/2

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed with the Department of State of Commonwealth of Pennsylvania on or about October 15, 2007, pursuant to the Fictitious Name Act, setting forth that Robert J. Monahan, Jr. and Peter M. Monahan are the individuals interested in a business, the character of which is advertising, that the designation under which the business is and will be conducted is BEST OF GETTYSBURG and that the principal place of business is 95 Presidential Drive, Gettysburg, Pennsylvania 17325.

Bernard A. Yannetti, Jr.
Solicitor

11/2

NOTICE

RE: Adoption of Rachael Renay Huber

A petition has been filed asking the court to put an end to all rights the biological father has to the child, RACHAEL RENAY HUBER. The court has set a hearing to consider ending the father's parental rights to the child. That hearing will be held in the Lancaster County Courthouse, 50 North Duke Street, Courtroom No. 6, Lancaster, Pennsylvania on December 6, 2007 at 9:15 AM. Even if the father fails to appear at the scheduled hearing, the hearing will go on without him and his rights to the child may be ended by the court without his being present. The father has a right to be represented at the hearing by a lawyer. The father should take this paper to his lawyer at once. If he does not have a lawyer or cannot afford one, he should go to or telephone the office set forth below to find out where you can get legal help.

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
800-692-7375

11/2 & 9

Adams County Legal Journal

Vol. 49

November 9, 2007

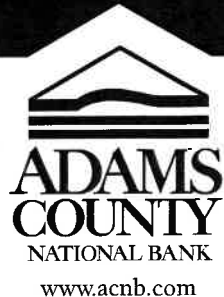
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COMMONWEALTH VS. ADAMS

Helping families achieve
their long-range financial goals
is our business.

Celebrating 150 years!
1857-2007



 Equal Housing Lender. Equal Opportunity Lender. Member FDIC.

ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Subscribers within Adams County should send subscriptions direct to the business office. Subscribers outside of Adams County should send subscriptions to Wm. W. Gaunt & Sons, Inc., 3011 Gulf Drive, Holmes Beach, FL 34217-2199. Postmaster: Send address changes to Adams County Legal Journal, 111 Baltimore Street, Room 305, Gettysburg, PA 17325.

Business Office – 111 Baltimore Street, Room 305, Gettysburg, PA 17325. Telephone: (717) 337-9812

Periodicals postage paid at Gettysburg, PA 17325.

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-808 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that lot of ground, as improved, situate in the Borough of McSherrystown, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING for a corner on a street known as Second Street at property now or formerly of Richard A. Welty and Darlene H. Welty; thence along said street, South 14-1/2 degrees East, 42 feet 7 inches to a corner at a street known as North Street; thence along said last mentioned street in a Southwesterly direction, 148 feet to a corner at an alley 10 feet wide; thence along said alley, North 18 degrees West, 50 feet 8 inches to aforesaid property formerly of Richard A. Welty and Darlene H. Welty; thence along last mentioned property, North 65-1/2 degrees East 149 feet to a corner, the place of BEGINNING.

The improvements thereon now known as 101 North Second Street, McSherrystown, PA 17344.

BEING - 3489/114 Jerry W. Miller and Kathryn E. Miller unto Eric D. Yingling dated 2/23/04.

TITLE TO SAID PREMISES IS VESTED IN Jeffrey Francis Mann and Jennifer Ann Mann, by Deed from Eric D. Yingling, dated 08/16/2006, recorded 08/31/2006, in Deed Book 4522, page 171.

Premises being: 101 North Second Street, McSherrystown, PA 17344

Tax Parcel No. 28-002-0029-000

SEIZED and taken into execution as the property of **Jeffrey F. Mann a/k/a Jeffrey Francis Mann & Jennifer Ann Mann** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the

Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-919 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described lot of ground, situate, lying and being in Oxford Township, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a corner at a point in Township Road T-476 at lands now or formerly of O. Stambaugh as shown on the hereinafter referred Subdivision Plan; thence from said point of beginning through a post set 26 feet from the beginning of this course North 42 degrees 23 minutes 41 seconds East 412.4 feet to a steel pin; thence continuing along said lands now or formerly of O. Stambaugh North 41 degrees 17 minutes 02 seconds East 214.61 feet to a post set at the corner of a lot designated as Lot 'A' on the hereinafter referred to Subdivision Plan; thence along said Lot 'A' as so designated South 44 degrees 06 minutes 08 seconds East 332.12 feet to an iron pipe at lands now or formerly of John H. Shank and Edna C. Shank; thence along said last mentioned lands the following three (3) courses and distances: (1) South 41 degrees 21 minutes 20 seconds West 184.63 feet to an iron pipe; (2) North 49 degrees 34 minutes 46 seconds West 280.86 feet to an iron pipe; (3) South 42 degrees 23 minutes 41 seconds West 420.32 feet through an iron pipe set near

the end of this course to a point in the aforesaid Township Road T-476; thence along said Township Road T-476 North 38 degrees 36 minutes 17 seconds West 50.62 feet in said Township Road T-476, being the point and place of BEGINNING. CONTAINING 2 acres of land.

The above description was taken from a Subdivision Plan captioned 'Final Plan-Subdivision for John H. Shank' dated November 14, 1978, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, Map Book 25, Page 37, and designated on said Subdivision Plan as Lot 'B'.

Parcel Number: (35)-K11-105B.

TITLE TO SAID PREMISES IS VESTED IN Robert E. Wilt and Wanda J. Wilt, husband and wife, as to a two-third interest as tenants by the entireties and Grace M. Wonder, unmarried, as to a one-third interest, and all with full right of survivorship, by Deed from Laura Miller, Executrix of the last will of Elizabeth J. Fitzpatrick, formerly known as Elizabeth J. Revels, dated 04/19/1993, recorded 04/20/1993, in Deed Book 712, page 237.

Premises being: 1175 Red Hill Road, New Oxford, PA 17350

SEIZED and taken into execution as the property of **Robert E. Wilt, Wanda J. Wilt & Grace M. Wonder** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

COMMONWEALTH VS. ADAMS

1. In order for bail to be appropriately denied, the Commonwealth's evidence, together with all reasonable inferences therefrom, must be sufficient in law to sustain a verdict of murder in the first degree.

2. When evidence offered at a preliminary hearing established a prima facie case of murder in the first degree, the court properly denied bail pending trial.

3. The Commonwealth bears the burden of proof in a hearing in which they seek an order denying bail.

4. Once the Commonwealth has established a prima facie case of non-bailable offense, sufficient proof is evident to trigger the prohibition of bail pursuant to Article 1, Section 14 of the Pennsylvania Constitution.

In the Court of Common Pleas of Adams County, Pennsylvania, Criminal, No. CP-10-CR-912-2006, COMMONWEALTH OF PENNSYLVANIA VS. TAYLOR SCOTT ADAMS.

Brian R. Sinnett, Esq., Assistant District Attorney, for Commonwealth
Steve Rice, Esq., for Defendant

George, J., November 2, 2006

OPINION PURSUANT TO Pa.R.A.P. 1762(g)

The Defendant, Taylor Scott Adams ("Adams"), seeks a petition for immediate relief based upon this Court's Order, dated September 18, 2006, denying Adams bail. Dismissal of the appeal is recommended.

By criminal complaint dated August 31, 2006, Adams was charged with criminal homicide in regard to the death of Justin Watson. Adams was arrested and produced before Magisterial District Judge Mark Beauchat on September 1, 2006. The Magisterial District Judge did not set bail on the basis that the charge against Adams was a non-bailable offense. On that same date, Adams filed motion with the Court of Common Pleas asking bail to be set. Hearing on the motion was scheduled for September 18, 2006 by President Judge John D. Kuhn. In the interim, a preliminary hearing was held on September 13, 2006 at which time Magisterial District Judge Beauchat held for court a charge of criminal homicide generally. On September 18, 2006, the Commonwealth appeared and represented that they intended to charge Adams in the criminal information with first degree murder as part of the general homicide charge held for court by the Magisterial District Judge. The Petition

to Set Bail was therefore denied. Subsequently, on October 16, 2006, Commonwealth filed an information against Adams which includes the charge of first degree murder.¹

Article I, Section 14 of the Pennsylvania Constitution, as amended November 3, 1998, provides that an accused is entitled to bail “except for offenses for which the maximum sentence is life imprisonment....when proof is evident or presumption great...” Instantly, it is beyond challenge that a sentence for one convicted of murder in the first degree, where aggravated circumstances justifying capital punishment are not present, is a term of life imprisonment. See 18 Pa.C.S.A. § 1102. Adams concedes as much, however, claims he is entitled to bail because the Commonwealth has failed to prove that the “proof is evident or presumption great” that he will be convicted of first degree murder.

In *Commonwealth ex rel. Alberti v. Boyle*, 195 A.2d 97, 98 (Pa. 1963), the Pennsylvania Supreme Court interpreted the words “when the proof is evident or presumption great” to mean that in order for bail to be appropriately denied, the Commonwealth’s evidence, together with all reasonable inferences therefrom, must be sufficient in law to sustain a verdict of murder in the first degree. Eight years later, in *Commonwealth v. Farris*, 278 A.2d 906, 906 (Pa. 1971), the Supreme Court held that since evidence offered at a preliminary hearing established a **prima facie case** of murder in the first degree, the court properly denied bail pending trial. (Emphasis added).

The Superior Court, in *Commonwealth v. Heiser*, 478 A.2d 1355 (1984), has also considered this issue. Noting that the Commonwealth bears the burden of proof in a hearing in which they seek an order denying bail, the Superior Court held that the Commonwealth can satisfy its burden to prove that an accused is not entitled to bail by establishing a prima facie case of murder in the first degree. *Id.* at 1356.²

¹Adams also filed a Petition for Writ of Habeas Corpus challenging the sufficiency of the evidence at his preliminary hearing. By Order dated October 24, 2006, the Petition for Writ of Habeas Corpus was denied by this Court.

²Each of the cases referred to above considered the availability of bail to one accused of first degree murder prior to the 1998 constitutional amendment to Article I, Section 14. Prior to the amendment, the Constitution limited its prohibition of bail to those charged with capital offenses. This distinction has little import, if any, on the Court’s interpretation of the language at issue.

The foregoing authority indicates that once the Commonwealth has established a prima facie case of non-bailable offense, “sufficient proof is evident” to trigger the prohibition of bail pursuant to Article I, Section 14. Since, after preliminary hearing the Commonwealth established a prima facie case of criminal homicide, this Court found that further hearing was not necessary and denied Adams’ Motion to Set Bail.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-817 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of November, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described real estate, lying and being situate in Franklin Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in Church Road (T-361) at the Northeast corner of the tract herein conveyed; thence in T-361, South 36 degrees 59 minutes 27 seconds West, 41.84 feet to a point; thence continuing in T-361, South 39 degrees 41 minutes 39 seconds West 13.18 feet to a point; thence with Lot No. 1 through a set iron pin on line, North 77 degrees 54 minutes 24 seconds West 98.86 feet to a set iron pin; thence by the same, South 67 degrees 14 minutes 13 seconds West 90.00 feet to a set iron pin; thence by the same, North 75 degrees 11 minutes 52 seconds West 200.78 feet to a set iron pin; thence by the same, North 67 degrees 00 minutes 00 seconds West 328.00 feet to a set iron pin; thence by the same, South 36 degrees 01 minute 18 seconds West 224.35 feet to a set iron pin; thence with lands now or formerly of Diane M. Garman, North 75 degrees 25 minutes 31 seconds West 580.36 feet to an existing iron pin and stones; thence with lands now or formerly of Robert F. Wagner, North 59 degrees 17 minutes 58 seconds East 334.96 feet to an existing steel pin and stone; thence with lands now or formerly of Samuel A. Ehman, through an existing iron pin on line, South 77 degrees 00 minutes 00 seconds East, 1,144.22 feet to a point in T-361, the place of BEGINNING. CONTAINING 4.074 acres and BEING the residue identified as 'Residue' on that survey and subdivision of land as prepared by R. Lee Royer & Associates, surveying, dated April 1, 1992 as approved by the Franklin Township Supervisors and recorded in Adams County Plat Book 61, Page 20.

Stewart Title Guarantee Company

Tax ID # B9-12B

BEING the same premises which John A. Gardiner, III a/k/a John A. Gardiner and Christine C. Gardiner, by Deed dated March 23, 2004 and recorded in Book 3593, Page 185, granted and conveyed unto John A. Gardiner, III and Christine C. Gardiner, his wife, Tenants by the Entirety, in fee.

Premises being: 940 Church Road, Orttanna, PA 17353

SEIZED and taken into execution as the property of **John A. Gardiner, III a/k/a John A. Gardiner, IV & Christine C. Gardiner** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 21, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-746 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of November, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following two (2) tracts of land situate on the West side of Pennsylvania State Highway, Route No. 94, otherwise known as the Carlisle Pike, in Oxford Township, Adams County, Pennsylvania, bounded and limited as follows:

TRACT NO. 1:

BEGINNING at a point on said Highway, which point is thirty-seven (37) feet North of a stone set along said Highway at the line of lands of L. L. Bittinger, deceased, and lands of William Krebs; thence from said point, and along lands of L. L. Bittinger, deceased, South sixty-three and one-half (63-1/2) degrees West two hundred (200) feet to a point; thence along the same, North twenty-six and one-half (26-1/2) degrees West, ninety-three (93) feet to a point at the Northerly side of a twenty-eight (28) feet wide alley; thence along the Northerly side of said alley North sixty-three and one-half (63-1/2) degrees East, two hundred (200) feet to a point at said Highway; and thence along said Highway, South twenty-six and one-half (26-1/2) degrees East, ninety-three (93) feet to a point, the place of BEGINNING.

Subject, however, to a public alley, twenty-eight (28) feet in width, extending from said Highway along the Northerly boundary of the premises herein described, a distance of two hundred

(200) feet to the rear or Western line of said premises, and further subject to the condition that the grantees, by the acceptance of the delivery of this conveyance, release and quitclaim to the grantors, their heirs and assigns any and all claim for any rights to water or use of water on said premises.

TRACT NO. 2:

BEGINNING for a corner at a stake on the line between the lands now or formerly of Edward Laughman and lands now or formerly of Claude J. Laughman and Lydia Laughman, his wife, sixty-five (65) feet from the State Highway formerly known as the Carlisle Pike, thence along other lands now or formerly of Edward Laughman of which this was a part, South forty-five (45) degrees thirty-four (34) minutes West, seventy (70) feet to a stake; thence South fifty-one (51) degrees nine (9) minutes West, seventy and one-tenth (70.1) feet to a stake at lands now or formerly of John H. Bittinger; thence along the same, North twenty-six (26) degrees thirty (30) minutes West, thirty-six and six-tenths (36.6) feet to a stake at other lands now or formerly of Claude J. Laughman and Lydia Laughman, his wife, thence along the same, North sixty-three (63) degrees thirty (30) minutes East, one hundred thirty-five (135) feet to the place of the BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Brian J. Staub, by Deed from Dennis A. Church and James A. Church, correctly known as, James M. Church and Brenda K. Wertz, Executors of the Last Will and Testament of Dennis E. Church, deceased, dated 06/20/2005, recorded 06/23/2005, in Deed Book 4016, page 157.

Premises being: 2168 Carlisle Pike, Hanover, PA 17331

Tax Parcel No. 35-K12-0054-000

SEIZED and taken into execution as the property of **Brian J. Staub** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 21, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-706 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 30th day of November, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate in Menallen Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at an iron pipe in or along Township Road T-369, known as Fairground Road, at corner of land now or formerly of Francis T. Carberry and wife; thence in or along said Fairground Road and by land now or formerly of South Mountain Community Fair Association, South 55 degrees 41 minutes 16 seconds West 34.20 feet to an iron pipe at a post; thence continuing in said Fairground Road and by land now or formerly of South Mountain Community Fair Association, South 72 degrees 9 minutes 15 seconds West 130.80 feet to a railroad spike at the Northern side of said road; thence by other land now or formerly of Dale G. Showers and wife, designated as Lot No. 3 on the Plan of Lots referred to below, and running in the center of a private road 50 feet in width, North 29 degrees 37 minutes 12 seconds West 285 feet to a point in the center of said private road; thence by other land now or formerly of Dale G. Showers and wife, designated as Lot No. 8 on the Plan of Lots referred to below, and running through an iron pipe located 25 feet from the beginning of this line, North 56 degrees 43 minutes 50 seconds East 162.47 feet to an iron pipe; thence by land now or formerly of Francis T. Carberry and wife and running through an iron pipe located 40 feet from the end of this line, South 29 degrees 37 minutes 12 seconds East 319.23 feet to an iron pipe in or along Fairground Road, the place of BEGINNING. CONTAINING 1.139 acres, more or less.

The foregoing description was obtained from a Plan of Lots prepared by Richard W. Boyer, Registered Surveyor, trading as Boyer Surveys, dated May 2, 1983 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 38 at page 38, the lot hereby conveyed being designated as Lot No. 4 on the said Plan of Lots.

TOGETHER WITH AND SUBJECT TO the right to use in common with Dale G. Showers and Janet S. Showers, husband and wife, their heirs and assigns, the 50 foot private road referred to in the foregoing description as a means of

ingress, egress and regress from Township Road T-369 to the lot of ground hereby conveyed and to Lot No. 3 and Lot No. 8 shown on the aforementioned Plan of Lots.

IT BEING the same which William Eugene Rudisill and Barbara Ann Rudisill, husband and wife, by their deed dated June 12, 2000, and recorded June 20, 2000 in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 2073 at page 1, sold and conveyed unto Barbara Ann Rudisill.

TITLE TO SAID PREMISES IS VESTED IN Ronald D. Barnhart, single person, by Deed from Barbara Ann Rudisill, single person, dated 01/05/2006, recorded 01/10/2006, in Deed Book 4277, page 179.

Premises being: 431 Fairground Road, Biglerville, PA 17307

Tax Parcel No. 29-D8-6C

SEIZED and taken into execution as the property of **Ronald D. Barnhart** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 21, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-499 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in the Borough of Bendersville, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at an existing iron pin located along the Eastern side of North Main Street at corner of land formerly of Robert J. Klunk, Jr., now land of Henry Janny, said iron pin being located 5.2

feet East of the curb along the Eastern side of said North Main Street; thence by land formerly of Robert J. Klunk, Jr., now land of Henry Janny, North 61 degrees East, 131.80 feet to a buggy axle along the Western side of a 20 foot public alley (North Laurel Lane); thence along the Western side of said 20 foot public alley (North Laurel Lane), South 28 degrees 4 minutes 50 seconds East, 70 feet to a railroad spike; thence along the Northern side of another 20 foot public alley, South 62 degrees 44 minutes 10 seconds West, 132.90 feet to a point on the stone curb; thence along North Main Street on a line parallel with and 5.2 feet East of the curb along the Eastern side of North Main Street, North 27 degrees 7 minutes 30 seconds West, 66 feet to an existing iron pin at corner of land formerly of Robert J. Klunk, Jr., now land of Henry Janny, the place of BEGINNING.

CONTAINING 8,998 Square Feet.

BEING more commonly known as 133 North Main Street, Bendersville, PA 17306.

BEING known as Adams County Parcel No. (03) 1-45.

SEIZED and taken into execution as the property of **Joseph G. Rosch** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

10/26, 11/2 & 9

INCORPORATION NOTICE

EAST COAST TMR, P.V. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

Kardos Rickles Sellers & Hand
626 S. State St.
Newtown, PA 18940

11/9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-959 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Cumberland Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a pipe on the North side of Township Road T-341, said pipe being approximately 0.25 mile West of Pennsylvania Route 34; thence by said Township Road T-341 North 62 degrees 30 minutes West, 100 feet to a pipe; thence North 20 degrees 48 minutes 30 seconds East, 365.05 feet to a post at a post and wire fence; thence by said post and wire fence South 57 degrees 19 minutes 30 seconds East, 7.60 feet to a corner post; thence by same and by land now or formerly of Edward Toddes South 17 degrees 28 minutes 49 seconds East, 148.29 feet to a pipe; thence by land now or formerly of Charles E. Arendt South 20 degrees 48 minutes 30 seconds West, 358.75 feet to a pipe, the place of BEGINNING. CONTAINING 0.72 acre, more or less.

Being Known As: 765 Boyds School Road, Gettysburg, PA 17325

Property ID No.: 09-F11-108

TITLE TO SAID PREMISES IS VESTED IN William J. Higgs and Dawn M. Higgs, husband and wife, as tenants of an estate by the entireties by deed from John D. Bright and Nancy Lee Bright dated 10/30/98 recorded 12/16/98 in Deed Book 1726 Page 130.

SEIZED and taken into execution as the property of **William J. Higgs & Dawn M. Higgs** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1425 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain unit in the property known, named and identified in the declaration referred to below as 'South Branch Estates', located in the Township of Oxford, Adams County, Pennsylvania, which has heretofore been submitted to the provisions of the Pennsylvania Uniform Condominium Act, 68 P.S.A. Section 3101, et seq., by the recording in the Office of the Recorder of Deeds in and for Adams County, PA, of a land development plan dated October 6, 1995, last revised December 14, 1995 and recorded in Book 69 Page 23 (together with all amendments and supplements thereto recorded on or before the date hereof) being all designated in such plan as Unit No. 1 as more fully bounded and described in such plan, together with a proportionate undivided interest in the Common Elements as defined in a Declaration Plan recorded in the Office of the Recorder of Deeds, in and for York County, PA in Record Book 1271 Page 34.

Under and Subject to any and all covenants, conditions, restrictions, rights of way, easements and agreements of record, including (but not limited to) those contained in the instruments recorded in the aforesaid Recorder's Office in Record Book 69, page 23.

Together with the limited common elements appurtenant as more fully shown of Plan 1271 Page 34.

Together with all buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and any reversions, remainders, rents, issues and profits thereof, and of every part and parcel thereof, including any interest specifically set forth, if any. And also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the Grantor of, in and to the same.

To Have And To Hold the same premises, and the appurtenances, hereby granted to Grantees and Grantee's heirs, successors and assigns, to and for the only proper use, benefit and behoof of the said Grantee and Grantee's heirs, successors and assigns forever, under and subject to the conditions set forth, if any.

And The Said Grantor hereby covenants and agrees that Grantor will

warrant specially the property hereby conveyed.

Under And Subject, nevertheless to the same condition, restrictions, exceptions and reservations as exist by virtue of prior recorded instruments, deeds and conveyances.

It Being The Same Premises which J.A. Myers Building and Development, Inc., a Pennsylvania Corporation, by their deed dated May 25, 1996 and recorded in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Record Book 1218, Page 139, granted and conveyed unto Philip R. Garland t/d/b/a Garland Construction, Inc., Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Vincent Nieves, III and Nitza Nieves, husband and wife by Deed from Philip R. Garland, t/d/b/a, Garland Construction, Inc., dated 3-25-99, recorded 4-13-99 in Deed Book 1807, page 276.

Premises being: 2 Fiddler Drive, New Oxford, PA 17350

Tax Parcel No. 35-001-0052-001

SEIZED and taken into execution as the property of **Vincent M. Nieves, III a/k/a Vincent M. Miezies & Nitza Nieves** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

INCORPORATION NOTICE

Articles were filed with the Dept. of State on October 30, 2007 for REENACTOR'S ROCK, INC. pursuant to the provisions of the PA Nonprofit Corporation Law of 1988 for the education and the encouragement of interest in the Civil War period of American history by means of lectures, seminars and other historical period activities.

11/9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-725 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of land situate in the Borough of Bonneauville, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING at a point on the Southeastern right-of-way line of Carole Court (fifty (50) feet in width) at Lot No. 17 of the hereinafter referred to Subdivision Plan; thence along said Lot No. 17, South sixty-two (62) degrees eight (08) minutes East, one hundred (100) feet to a point at Lot No. 21; thence along said Lot No. 21 and continuing further along Lot No. 20, South twenty-seven (27) degrees fifty-two (52) minutes West, seventy-five (75) feet to a point at Lot No. 19; thence along said Lot No. 19, North sixty-two (62) degrees eight (08) minutes West, one hundred one and five hundredths (101.05) feet to a point on the Southeastern right-of-way line of the aforementioned Carole Court; thence along the Southeastern right-of-way line of said Carole Court by a curve to the left whose radius is seven hundred twenty-one and four tenths (721.4) feet, the long chord bearing of which is North twenty-nine (29) degrees twenty-four (24) minutes eighteen (18) seconds East and chord length of thirty-nine and nine hundredths (39.09) feet for an arc distance of thirty-nine and one-tenth (39.1) feet to a point; thence along same North twenty-seven (27) degrees fifty-two (52) minutes East, thirty-five and ninety-two hundredths (35.92) feet to the point and place of BEGINNING. CONTAINING 7,513.7 square feet, more or less, and designated as Lot No. 18 on a plan of lots of Bonnie Field, duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 9, at Page 24, and SUBJECT TO all legal highways, easements, rights-of-way and restrictions of record.

PARCEL #6-9-32

SUBJECT to restrictive covenants as set forth in Miscellaneous Book 27, as Page 302.

BEING the same property which Davidine Sirk, now Davidine Cool by her Deed dated April 7, 1995 and recorded in the Recorder's Office of Adams County at Deed Book Volume 1017, Page 99, granted and conveyed unto Davidine Cool and Howard H. Cool, Sr., her husband.

Property address: 4 Carole Ct., Gettysburg, PA 17325.

SEIZED and taken into execution as the property of **Howard H. Cool, Sr. & Davidine Cool** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

NOTICE

RE: Adoption of Rachael Renay Huber

A petition has been filed asking the court to put an end to all rights the biological father has to the child, RACHAEL RENAY HUBER. The court has set a hearing to consider ending the father's parental rights to the child. That hearing will be held in the Lancaster County Courthouse, 50 North Duke Street, Courtroom No. 6, Lancaster, Pennsylvania on December 6, 2007 at 9:15 AM. Even if the father fails to appear at the scheduled hearing, the hearing will go on without him and his rights to the child may be ended by the court without his being present. The father has a right to be represented at the hearing by a lawyer. The father should take this paper to his lawyer at once. If he does not have a lawyer or cannot afford one, he should go to or telephone the office set forth below to find out where you can get legal help.

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
800-692-7375

11/2 & 9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-286 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN tract of land situate, lying and being in the Borough of Abbottstown, Adams County, Pennsylvania more particularly bounded and described as follows:

BEGINNING at a pin for a corner at the edge of Sutton Road and land now or formerly of Reuben Altland; thence by said last mentioned land, North 87 degrees 30 minutes East 300 feet to a pin at land now or formerly of Harry W. Wilhelm and Ruth Wilhelm; thence, South 10 degrees 30 minutes West 100 feet to a pin; thence, by land of same, South 87 degrees 30 minutes West, 300 feet to a pin at the edge of the aforesaid Sutton Road; thence by said road, North 10 degrees 30 minutes East, 100 feet to a pin, the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Alton A. Aldridge, Jr. and Peggy A. Aldridge, by Deed from Garland Construction, Inc., dated 8-22-00 and recorded 9-25-00 in Deed Book 2131, page 0031.

Premises being: 124 Sutton Road, Abbottstown, PA 17301

Tax Parcel No. 01-003-0082

SEIZED and taken into execution as the property of **Alton A. Aldridge, Jr. a/k/a Alton Aldridge & Peggy Ann Aldridge a/k/a Peggy Ann Noble a/k/a Peggy A. Hertzler** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/9, 16 & 21

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 administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF ANNA M. CORNWELL, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executors: Charles Daniel Cornwell, 333 West Main Street, #407, Madison, WI 53703; John Martin Cornwell, 107 Fishers Hill Court, Stephens City, VA 22655

Attorney: Donald W. Dorr, Esq., 846 Broadway, Hanover, PA 17331

ESTATE OF CLARA R. KLINEDINST, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executrix: Linda M. Martin, 2075 Yingling Dr., Spring Grove, PA 17362

ESTATE OF ROSE-MARIE MILLER a/k/a ROSE MARIE MILLER, DEC'D

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Executor: Stephen Edward Miller IV, 105 Fence Post Rd., Stafford, VA 22556

Attorney: John J. Murphy III, Esq., Patrono & Associates, LLC, 30 West Middle Street, Gettysburg, PA 17325

ESTATE OF HELEN M. RAFFENBERGER, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Richard R. Golden, 1670 Knoxlyn Rd., Gettysburg, PA 17325

Attorney: Phillips & Phillips, 101 W. Middle St., Gettysburg, PA 17325

ESTATE OF CARROLL E. TALBERT, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Stephan E. Hollens, 107 Roland Place, Bel Air, MD 21014

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF ROSEA A. ARMOR, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

PNC Bank, N.A., PO Box 308, Camp Hill, PA 17001-0308

Attorney: Henry O. Heiser, III, Esq., 104 Baltimore St., Gettysburg, PA 17325

ESTATE OF IDELLA P. BRUST, DEC'D

Late of Mount Pleasant Township, Adams County, Pennsylvania

Executrix: Marsha L. Henley, 908 Merridale Blvd., Mt. Airy, MD 21771

Attorney: Crabbs & Crabbs, 202 Broadway, Hanover, PA 17331

ESTATE OF DORETHA M. BURGER, DEC'D

Late of the Borough of Abbottstown, Adams County, Pennsylvania

Executors: Jeffrey L. Shue, 923 Oakwood Ave., Spring Grove, PA 17362; Pamela A. Bollinger, 7216 Fish Hatchery Rd., Frederick, MD 21701

Attorney: Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF RUBY S. KUYKENDALL, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Earl R. Kuykendall, 632 Guemsey Road, Aspers, PA 17304

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF MARY JEAN MILLER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Charlotte Jean Cool, 143 Stultz Road, Fairfield, PA 17320

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF SHERRY M. MILLER, DEC'D

Late of Highland Township, Adams County, Pennsylvania

Administrator: Charles F. Miller, 171 Knox Road, Gettysburg, PA 17325

Attorney: John J. Mooney, III, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF ARLENE W. MULLER, DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania

Executor: Emerson F. Muller, 810 Heritage Drive, Gettysburg, PA 17325

Attorney: Puhl, Eastman & Thrasher, Attorneys at Law, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF JOSHUA E. MULLINIX, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Administrator: Larry E. Mullinix, 3374A York Road, Gettysburg, PA 17325

Attorney: Thomas R. Campbell, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF MAGDALENE PHILLIPS, DEC'D

Late of Germany Township, Adams County, Pennsylvania

Executrix: Patricia D. Sinclair, 2107 Tickwood Road, Essex, MD 23227

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF DIANE L. SWARTZ a/k/a DIANE SWARTZ, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Denise L. Brough, 190 Fishing Game Road, New Oxford, PA 17350

Attorney: John J. Mooney, III, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF DORIS M. WOODS, DEC'D

Late of Freedom Township, Adams County, Pennsylvania

Executors: Joseph J. Woods, 29 East 9th Street, Apt. 1, New York, NY 10003; Mary C. Haag, 4622 East Villa Rita Drive, Phoenix, AZ 85032-9531

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF JOSEPHINE N. DECOSMO, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executrices: Lottie D. Pecher, 631 Pecher Road, Fairfield, PA 17320; Denise Sprankle, Box 81, Orrtanna, PA 17353

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF SHIRLEY A. HERMAN, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Tammy L. Utz, 636 Oxford Rd., New Oxford, PA 17350

Attorney: Matthew L. Guthrie, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

(continued on page 8)

THIRD PUBLICATION (continued)

ESTATE OF ROSE G. McFERREN a/k/a ROSE GERTRUDE McFERREN, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: James Elmer McFerren, 147 South Charles Street, Dallastown, PA 17313

Attorney: Barbara Jo Entwistle, Esq., Pyle and Entwistle, 66 West Middle Street, Gettysburg, PA 17325

ESTATE OF BARBARA J. STAUB a/k/a BARBARA JEANNE STAUB, DEC'D

Late of Hamilton Township, Adams County, Pennsylvania

Executors: Richard B. Staub, Jr., 105 New Chester Road, New Oxford, PA 17350; Dennis E. Staub, 352 Flesham Mill Road, New Oxford, PA 17350

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle Street, Hanover, PA 17331

lands of same in a Southerly direction for a distance of 4 feet to other lands now or formerly of Claude J. Lawrence, Tract No. 1 herein; thence by lands now or formerly of Claude J. Lawrence, Tract No. 1 herein, in a Westerly direction for a distance of 27 feet to an iron pin, the place of BEGINNING. CONTAINING 108 square feet, neat measure.

BEING further identified on Adams County Tax Map J14, page 36, as shown on Assessment Map in Records of Adams County, Pennsylvania.

BEING the same two tracts of land which Richard Francis Riser, Jr., Executor of the Estate of Susan Louise Riser, a/k/a Susan L. Riser, by deed dated June 12, 2000 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 2068, page 81, granted and conveyed unto Jody A. Clouser, GRANTOR HEREIN.

PARCEL NUMBER: 32-J14-0036-000
PREMISES BEING: 2859 Centennial Road, Hanover, PA 17331

TITLE TO SAID PREMISES IS VESTED IN Jody A. Clouser, single individual to Keith R. Strausbaugh, a single individual, dated 11/16/2004 and recorded 11/19/2004 in Book 3777 and Page 102.

SEIZED and taken into execution as the property of **Keith R. Strausbaugh** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/9, 16 & 21

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Pennsylvania's "Fictitious Names Act", 54 Pa. C.S.A. §§ 301 et seq., of the filing of an Application for Registration of Fictitious Name under the said Act. The fictitious name is GARDNERS APARTMENTS. The address of the principal office or place of business to be carried on under or through the fictitious name is 60 Gardners Station Road, Gardners, Pennsylvania 17324. The names and addresses of the parties to the registration are Elmer R. VanArsdale and Cindy VanArsdale of 60 Gardners Station Road, Gardners, Pennsylvania 17324. An application for registration under the Fictitious Names Act of the said fictitious name was filed in the Office of the Secretary of the Commonwealth of Pennsylvania on October 18, 2007.

Campbell & White, P.C.
112 Baltimore Street
Gettysburg, PA 17325
Attorneys for Applicant

11/9

IN THE COURT
OF COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA
CIVIL ACTION—LAW
NO. 07-S-1250

IN THE MATTER OF PETITION FOR CHANGE OF NAME OF KYLE TRENTON JUNG

NOTICE

NOTICE is hereby given that, on October 18, 2007, the petition of Jaime Mumaw on behalf of Kyle Trenton Jung was filed in the above-named court, requesting an Order to change the name Kyle Trenton Jung to Kyle Trenton Leppo.

The Court has fixed the day December 17, 2007, at 2:30 p.m., in Courtroom No. 2 of the Adams County Court House, 111-115 Baltimore Street, Gettysburg, PA 17325 as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any, why the request of the petitioner should not be granted.

By the Court:
/s/Michael A. George
J.

11/9

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-1183 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THOSE two tracts of land situate, lying and being in the Village of Centennial, Mount Pleasant Township, Adams County, Pennsylvania, bounded and described as follows:

TRACT NO. 1: BEGINNING in the center of a public road known as Centennial Road leading from Centennial to McSherrystown at lands now or formerly of Paul Gebhart; thence Eastward in said road, 37 feet 6 inches to lot now or formerly of F.X. Lawrence; thence Southward along said lot now or formerly of F.X. Lawrence, 202 feet to a stake at a 10 foot wide alley; thence Westward along said alley 37 feet 6 inches to a stake at lands now or formerly of Paul Gebhart aforesaid; thence Northward along said last mentioned lot, 202 feet to the place of BEGINNING.

TRACT NO. 2: BEGINNING at an iron pin in the public alley in the Village of Centennial, Township aforesaid, said public alley running parallel to and being West of the main road in said Village; thence by said alley in a Northerly direction for a distance of 4 feet to an iron pin; thence by lands now or formerly of Paul Gebhart and Viola M. Gebhart in an Easterly direction for a distance of 27 feet to an iron pin; thence continuing by

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Vol. 49

November 16, 2007

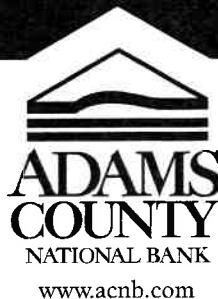
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BROOKS VS. SENTER

Our Trust Department
makes a business of caring for
other people's property.

Celebrating 150 years!
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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Subscribers within Adams County should send subscriptions direct to the business office. Subscribers outside of Adams County should send subscriptions to Wm. W. Gaunt & Sons, Inc., 3011 Gulf Drive, Holmes Beach, FL 34217-2199. Postmaster: Send address changes to Adams County Legal Journal, 111 Baltimore Street, Room 305, Gettysburg, PA 17325.

Business Office – 111 Baltimore Street, Room 305, Gettysburg, PA 17325. Telephone: (717) 337-9812

Periodicals postage paid at Gettysburg, PA 17325.

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-725 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot of land situate in the Borough of Bonneauville, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING at a point on the Southeastern right-of-way line of Carole Court (fifty (50) feet in width) at Lot No. 17 of the hereinafter referred to Subdivision Plan; thence along said Lot No. 17, South sixty-two (62) degrees eight (08) minutes East, one hundred (100) feet to a point at Lot No. 21; thence along said Lot No. 21 and continuing further along Lot No. 20, South twenty-seven (27) degrees fifty-two (52) minutes West, seventy-five (75) feet to a point at Lot No. 19; thence along said Lot No. 19, North sixty-two (62) degrees eight (08) minutes West, one hundred one and five hundredths (101.05) feet to a point on the Southeastern right-of-way line of the aforementioned Carole Court; thence along the Southeastern right-of-way line of said Carole Court by a curve to the left whose radius is seven hundred twenty-one and four tenths (721.4) feet, the long chord bearing of which is North twenty-nine (29) degrees twenty-four (24) minutes eighteen (18) seconds East and chord length of thirty-nine and nine hundredths (39.99) feet for an arc distance of thirty-nine and one-tenth (39.1) feet to a point; thence along same North twenty-seven (27) degrees fifty-two (52) minutes East, thirty-five and ninety-two hundredths (35.92) feet to the point and place of BEGINNING. CONTAINING 7,513.7 square feet, more or less, and designated as Lot No. 18 on a plan of lots of Bonnie Field, duly entered and appearing of record in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 9, at Page 24, and SUBJECT TO all legal highways, easements, rights-of-way and restrictions of record.

PARCEL #6-9-32

SUBJECT to restrictive covenants as set forth in Miscellaneous Book 27, as Page 302.

BEING the same property which Davidine Sirk, now Davidine Cool by her Deed dated April 7, 1995 and recorded in the Recorder's Office of Adams County at Deed Book Volume 1017, Page 99, granted and conveyed unto Davidine Cool and Howard H. Cool, Sr., her husband.

Property address: 4 Carole Ct., Gettysburg, PA 17325.

SEIZED and taken into execution as the property of **Howard H. Cool, Sr. & Davidine Cool** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-286 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN tract of land situate, lying and being in the Borough of Abbottstown, Adams County, Pennsylvania more particularly bounded and described as follows:

BEGINNING at a pin for a corner at the edge of Sutton Road and land now or formerly of Reuben Alliant; thence by

said last mentioned land, North 87 degrees 30 minutes East 300 feet to a pin at land now or formerly of Harry W. Wilhelm and Ruth Wilhelm; thence, South 10 degrees 30 minutes West 100 feet to a pin; thence, by land of same, South 87 degrees 30 minutes West, 300 feet to a pin at the edge of the aforesaid Sutton Road; thence by said road, North 10 degrees 30 minutes East, 100 feet to a pin, the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Alton A. Aldridge, Jr. and Peggy A. Aldridge, by Deed from Garland Construction, Inc., dated 8-22-00 and recorded 9-25-00 in Deed Book 2131, page 0031.

Premises being: 124 Sutton Road, Abbottstown, PA 17301

Tax Parcel No. 01-003-0082

SEIZED and taken into execution as the property of **Alton A. Aldridge, Jr. a/k/a Alton Aldridge & Peggy Ann Aldridge a/k/a Peggy Ann Noble a/k/a Peggy A. Hertzler** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/9, 16 & 21

BROOKS VS. SENTER

1. A judgment of non pros may be entered only if the praecipe is filed before a complaint is filed.

2. It is well settled in this Commonwealth that the Rules of Civil Procedure shall be liberally construed to secure the just, speedy, and inexpensive determination of every action or proceeding to which they are applicable.

3. The court at every stage of any such action or proceeding may disregard any error or defective procedure which does not affect the substantive rights of the parties.

In the Court of Common Pleas of Adams County, Pennsylvania,
Civil, No. 06-S-373, GARRETT SCOTT BROOKS, JR. VS.
KATHRYN MAE SENTER.

Thomas M. Shultz, Esq., for Plaintiff
Defendant *Pro Se*

George, J., November 6, 2006

OPINION

Defendant first alleges that this Court erred in accepting and considering the Amended Complaint. A judgment of non pros may be entered only if the praecipe is filed before a complaint is filed. *Moore v. John A. Luchsinger, P.C.*, 862 A.2d 631, 633 (Pa. Super. 2004). Here, the Praecipe for Entry of Non Pros was filed more than three months after the filing of the Amended Complaint.¹ Accordingly, this Court did not err in accepting the Amended Complaint.

Defendant's Second Preliminary Objection demands a more focused review. The actual objection itself, although not clearly defined, seems to challenge the nature of service of the Complaint on the Defendant. The Defendant claims that service of the Complaint was by means of regular mail, not by certified mail or personal delivery. Although the Defendant's claims are clearly supported by the record, I find no error in the manner of service. Pa.R.C.P.M.D.J. 1005(D) expressly provides that service of a complaint following appeal from the decision of a magisterial district judge shall be accomplished by leaving a copy for or mailing a copy to the opposing party at the address shown in the magisterial district judge's records. My review of the record reveals that the Plaintiff followed that procedure. Accordingly, I find no error on this basis.

¹The Amended Complaint was filed on May 10, 2006, while the Praecipe for Entry of Non Pros followed on August 31, 2006.

Although not precisely raised, it appears the Defendant also takes issue with the timing of service of the Complaint. The Pennsylvania Rules of Civil Procedure require service of original process within thirty (30) days. Pa.R.Civ.P. 401(a). Should this requirement not be met, the acting party must seek to have the complaint reinstated. Pa.R.Civ.P. 401(b). Pa.R.C.P.M.D.J. 1007 makes these procedures applicable to an appeal from a decision of a magisterial district judge. A review of the record reveals that this requirement was not followed. Despite the error, however, I hold that the present minor technical defect is insufficient to warrant dismissal of the Complaint. It is well settled in this Commonwealth that the Rules of Civil Procedure shall be liberally construed to secure the just, speedy, and inexpensive determination of every action or proceeding to which they are applicable. *Jones v. Trexler*, 419 A.2d 24, 26 (Pa. Super. 1980). The court at every stage of any such action or proceeding may disregard any error or defective procedure which does not affect the substantive rights of the parties. *Id.* Should this Court strictly apply the rules to the present case, a footrace to file would ensue. Such a decision would produce the very delays and extra costs specifically identified by the *Jones* Court. Because I conclude that the interests of justice are best served by overlooking a minor technical defect present in service of the Plaintiff's Complaint, the Preliminary Objection will be denied.²

For the foregoing reasons, the attached Order is entered.

ORDER

AND NOW, this 6th day of November, 2006, the Defendant's Preliminary Objections are dismissed. The Defendant is directed to file an Answer to the Complaint pursuant to the Pennsylvania Rules of Civil Procedure within twenty (20) days of the date of this Order.

²I note that Defendant's technical objections to the Complaint also suffer from a technical error. Adams County Rule of Civil Procedure 1028(c)(A)(1) requires an objecting party to file supporting brief within ten (10) days of the date of filing of the preliminary objections. Failure to file such a brief shall result in the preliminary objections being deemed withdrawn. Instantly, the Defendant has not filed a supporting brief.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-959 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Cumberland Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a pipe on the North side of Township Road T-341, said pipe being approximately 0.25 mile West of Pennsylvania Route 34; thence by said Township Road T-341 North 62 degrees 30 minutes West, 100 feet to a pipe; thence North 20 degrees 48 minutes 30 seconds East, 365.05 feet to a post at a post and wire fence; thence by said post and wire fence South 57 degrees 19 minutes 30 seconds East, 7.60 feet to a corner post; thence by same and by land now or formerly of Edward Toddes South 17 degrees 28 minutes 49 seconds East, 148.29 feet to a pipe; thence by land now or formerly of Charles E. Arendi South 20 degrees 48 minutes 30 seconds West, 358.75 feet to a pipe, the place of BEGINNING. CONTAINING 0.72 acre, more or less.

Being Known As: 765 Boyds School Road, Gettysburg, PA 17325

Property ID No.: 09-F11-108

TITLE TO SAID PREMISES IS VESTED IN William J. Higgs and Dawn M. Higgs, husband and wife, as tenants of an estate by the entireties by deed from John D. Bright and Nancy Lee Bright dated 10/30/98 recorded 12/16/98 in Deed Book 1726 Page 130.

SEIZED and taken into execution as the property of **William J. Higgs & Dawn M. Higgs** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1425 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain unit in the property known, named and identified in the declaration referred to below as 'South Branch Estates', located in the Township of Oxford, Adams County, Pennsylvania, which has heretofore been submitted to the provisions of the Pennsylvania Uniform Condominium Act, 68 P.S.A. Section 3101, et seq., by the recording in the Office of the Recorder of Deeds in and for Adams County, PA, of a land development plan dated October 6, 1995, last revised December 14, 1995 and recorded in Book 69 Page 23 (together with all amendments and supplements thereto recorded on or before the date hereof) being all designated in such plan as Unit No. 1 as more fully bounded and described in such plan, together with a proportionate undivided interest in the Common Elements as defined in a Declaration Plan recorded in the Office of the Recorder of Deeds, in and for York County, PA in Record Book 1271 Page 34.

Under and Subject to any and all covenants, conditions, restrictions, rights of way, easements and agreements of record, including (but not limited to) those contained in the instruments recorded in the aforesaid Recorder's Office in Record Book 69, page 23.

Together with the limited common elements appurtenant as more fully shown of Plan 1271 Page 34.

Together with all buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and any reversions, remainders, rents, issues and profits thereof, and of every part and parcel thereof, including any interest specifically set forth, if any. And also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the Grantor, in and to the same.

To Have And To Hold the same premises, and the appurtenances, hereby granted to Grantees and Grantee's heirs, successors and assigns, to and for the only proper use, benefit and behoof of the said Grantee and Grantee's heirs, successors and assigns forever, under and subject to the conditions set forth, if any.

And The Said Grantor hereby covenants and agrees that Grantor will

warrant specially the property hereby conveyed.

Under And Subject, nevertheless to the same condition, restrictions, exceptions and reservations as exist by virtue of prior recorded instruments, deeds and conveyances.

It Being The Same Premises which J.A. Myers Building and Development, Inc., a Pennsylvania Corporation, by their deed dated May 25, 1996 and recorded in the Office of the Recorder of Deeds in and for York County, Pennsylvania in Record Book 1218, Page 139, granted and conveyed unto Philip R. Garland t/d/b/a Garland Construction, Inc., Grantors herein.

TITLE TO SAID PREMISES IS VESTED IN Vincent Nieves, III and Nitzza Nieves, husband and wife by Deed from Philip R. Garland, t/d/b/a, Garland Construction, Inc., dated 3-25-99, recorded 4-13-99 in Deed Book 1807, page 276.

Premises being: 2 Fiddler Drive, New Oxford, PA 17350

Tax Parcel No. 35-001-0052-001

SEIZED and taken into execution as the property of **Vincent M. Nieves, III a/k/a Vincent M. Miezies & Nitzza Nieves** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/2, 9 & 16

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-1183 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THOSE two tracts of land situate, lying and being in the Village of Centennial, Mount Pleasant Township, Adams County, Pennsylvania, bounded and described as follows:

TRACT NO. 1: BEGINNING in the center of a public road known as Centennial Road leading from Centennial to McSherrystown at lands now or formerly of F.X. Lawrence; thence Eastward in said road, 37 feet 6 inches to lot now or formerly of F.X. Lawrence; thence Southward along said lot now or formerly of F.X. Lawrence, 202 feet to a stake at a 10 foot wide alley; thence Westward along said alley 37 feet 6 inches to a stake at lands now or formerly of Paul Gebhart aforesaid; thence Northward along said last mentioned lot, 202 feet to the place of BEGINNING.

TRACT NO. 2: BEGINNING at an iron pin in the public alley in the Village of Centennial, Township aforesaid, said public alley running parallel to and being West of the main road in said Village; thence by said alley in a Northerly direction for a distance of 4 feet to an iron pin; thence by lands now or formerly of Paul Gebhart and Viola M. Gebhart in an Easterly direction for a distance of 27 feet to an iron pin; thence continuing by lands of same in a Southerly direction for a distance of 4 feet to other lands now or formerly of Claude J. Lawrence, Tract No. 1 herein; thence by lands now or formerly of Claude J. Lawrence, Tract No. 1 herein, in a Westery direction for a distance of 27 feet to an iron pin, the place of BEGINNING. CONTAINING 108 square feet, neat measure.

BEING further identified on Adams County Tax Map J14, page 36, as shown on Assessment Map in Records of Adams County, Pennsylvania.

BEING the same two tracts of land which Richard Francis Riser, Jr., Executor of the Estate of Susan Louise Riser, a/k/a Susan L. Riser, by deed dated June 12, 2000 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 2068, page 81, granted and conveyed unto Jody A. Clouser, GRANTOR HEREIN.

PARCEL NUMBER: 32-J14-0036-000
PREMISES BEING: 2859 Centennial Road, Hanover, PA 17331

TITLE TO SAID PREMISES IS VESTED IN Jody A. Clouser, single individual to Keith R. Strausbaugh, a single individual, dated 11/16/2004 and recorded 11/19/2004 in Book 3777 and Page 102.

SEIZED and taken into execution as the property of Keith R. Strausbaugh and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/9, 16 & 21

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN that the Shareholder and Director of JESCO ENTERPRISES INC., a Pennsylvania corporation, most recently conducting business at 869 Biglerville Road, Gettysburg, Pennsylvania 17325 with a last registered office address of 915 Fairview Avenue, Gettysburg, Pennsylvania 17325 has approved a proposal that the Corporation voluntarily dissolve, and that the Board of Directors engage in winding up and settling the affairs of the Corporation. This Notice of the dissolution proceedings is given pursuant to Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

Brandon K. Meyer
Campbell & White P.C.
112 Baltimore Street
Gettysburg, PA 17325
Attorneys for the Corporation

11/16

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
NO. 07-S-979
Action to Quiet Title

MARK E. WEAVER, SR. and MAUREEN
S. WEAVER, husband and wife, Plaintiffs
vs.

HARRY VIENER and FANNIE M.
VIENER, husband and wife, their
respective heirs, executors, administrators,
successors and assigns, and JOHN
P. DEHAAS and PATSY A. DEHAAS,
husband and wife, Defendants

ORDER OF COURT

AND NOW, this 1st day of November, 2007, upon consideration of the attached Motion for Judgment, IT IS HEREBY ORDERED that Defendants Harry Viener and Fannie M. Viener, husband and wife, their respective heirs, executors, administrators, successors and assigns, shall be forever barred from asserting any right, lien, title or interest in the subject real estate inconsistent with the interest or claim that the Plaintiffs have set forth in their complaint, unless Defendants Harry Viener and Fannie M. Viener, husband and wife, their respective heirs, executors, administrators, successors and assigns, enter an appearance and file an answer to the complaint within thirty (30) days of notice of this Order. If such action is not taken within the 30-day period, the Prothonotary, on praecipe from the Plaintiffs, shall enter final judgment, if appropriate.

Service of this Order upon the Defendants Harry Viener and Fannie M. Viener, husband and wife, their respective heirs, executors, administrators, successors and assigns, shall be made by publication once in the *Adams County Legal Journal* and once in *The Gettysburg Times*.

BY THE COURT:
/s/Michael A. George

11/16

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 administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF CATHERINE I. GOODLING, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania
 Patsy Weishaar, 4053 McMullen Road, Taneytown, MD 21787
 Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF DOROTHY I. HERRING, DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania
 Sharon Patterson, 2270 Baltimore Pike, Gettysburg, PA 17325
 Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF HARRY R. KUYKENDALL, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania
 Executrix: Hazel T. Kuykendall a/k/a Hazel B. Kuykendall a/k/a Hazel B. Towney, c/o John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325
 Attorney: John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF DAVE L. SMILEY, DEC'D

Late of Butler Township, Adams County, Pennsylvania
 Executrix: Kathy A. Aiello, 134 Gun Club Road, York Springs, PA 17372
 Attorney: Gary L. James, Esq., James, Smith, Dieterick & Connelly, LLP, 134 Sipe Avenue, Hummelstown, PA 17036

ESTATE OF RAYMOND W. SPAHR, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania
 Suzanne Spahr, 2645 Old Route 30, Orttanna, PA 17353
 Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF ANNA M. CORNWELL, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania
 Executors: Charles Daniel Cornwell, 333 West Main Street, #407, Madison, WI 53703; John Martin Cornwell, 107 Fishers Hill Court, Stephens City, VA 22655
 Attorney: Donald W. Dorr, Esq., 846 Broadway, Hanover, PA 17331

ESTATE OF CLARA R. KLINEDINST, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania
 Executrix: Linda M. Martin, 2075 Yingling Dr., Spring Grove, PA 17362

ESTATE OF ROSE-MARIE MILLER a/k/a ROSE MARIE MILLER, DEC'D

Late of the Borough of Carroll Valley, Adams County, Pennsylvania
 Executor: Stephen Edward Miller IV, 105 Fence Post Rd., Stafford, VA 22556
 Attorney: John J. Murphy III, Esq., Patrono & Associates, LLC, 30 West Middle Street, Gettysburg, PA 17325

ESTATE OF HELEN M. RAFFENBERGER, DEC'D

Late of Franklin Township, Adams County, Pennsylvania
 Executor: Richard R. Golden, 1670 Knoxlyn Rd., Gettysburg, PA 17325
 Attorney: Phillips & Phillips, 101 W. Middle St., Gettysburg, PA 17325

ESTATE OF CARROLL E. TALBERT, DEC'D

Late of Straban Township, Adams County, Pennsylvania
 Executor: Stephan E. Hollens, 107 Roland Place, Bel Air, MD 21014
 Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF ROSEA A. ARMOR, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania
 PNC Bank, N.A., PO Box 308, Camp Hill, PA 17001-0308
 Attorney: Henry O. Heiser, III, Esq., 104 Baltimore St., Gettysburg, PA 17325

ESTATE OF IDELLA P. BRUST, DEC'D

Late of Mount Pleasant Township, Adams County, Pennsylvania
 Executrix: Marsha L. Henley, 908 Merridale Blvd., Mt. Airy, MD 21771
 Attorney: Crabbs & Crabbs, 202 Broadway, Hanover, PA 17331

ESTATE OF DORETHA M. BURGER, DEC'D

Late of the Borough of Abbottstown, Adams County, Pennsylvania
 Executors: Jeffrey L. Shue, 923 Oakwood Ave., Spring Grove, PA 17362; Pamela A. Bollinger, 7216 Fish Hatchery Rd., Frederick, MD 21701
 Attorney: Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF RUBY S. KUYKENDALL, DEC'D

Late of Straban Township, Adams County, Pennsylvania
 Executor: Earl R. Kuykendall, 632 Guernsey Road, Aspers, PA 17304
 Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

ESTATE OF MARY JEAN MILLER, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania
 Executrix: Charlotte Jean Cool, 143 Stultz Road, Fairfield, PA 17320
 Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF SHERRY M. MILLER, DEC'D

Late of Highland Township, Adams County, Pennsylvania
 Administrator: Charles F. Miller, 171 Knox Road, Gettysburg, PA 17325
 Attorney: John J. Mooney, III, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF ARLENE W. MULLER, DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania
 Executor: Emerson F. Muller, 810 Heritage Drive, Gettysburg, PA 17325
 Attorney: Puhl, Eastman & Thrasher, Attorneys at Law, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF JOSHUA E. MULLINIX, DEC'D

Late of Straban Township, Adams County, Pennsylvania
 Administrator: Larry E. Mullinix, 3374A York Road, Gettysburg, PA 17325
 Attorney: Thomas R. Campbell, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

(continued on page 6)

THIRD PUBLICATION (continued)

ESTATE OF MAGDALENE PHILLIPS, DEC'D

Late of Germany Township, Adams County, Pennsylvania

Executrix: Patricia D. Sinclair, 2307 Tickwood Road, Essex, MD 21221

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF DIANE L. SWARTZ a/k/a DIANE SWARTZ, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Denise L. Brough, 190 Fishing Game Road, New Oxford, PA 17350

Attorney: John J. Mooney, III, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF DORIS M. WOODS, DEC'D

Late of Freedom Township, Adams County, Pennsylvania

Executors: Joseph J. Woods, 29 East 9th Street, Apt. 1, New York, NY 10003; Mary C. Haag, 4622 East Villa Rita Drive, Phoenix, AZ 85032-9531

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN that the Application for Registration of Fictitious Name was filed by PINEY APPLE ACRES with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania on October 10, 2007 for the purpose of registering under the provisions of 54 Pa. C.S. § 311 (g), relating to fictitious names.

Wm. D. Schrack, III, Esq.
Schrack & Linsenbach Law Offices
124 West Harrisburg Street
Post Office Box 310
Dillsburg, PA 17019-0310

11/16

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Fictitious Name Act, 54 Pa. C.S. Section 301 et. Seq. that a certificate was filed in the Office of the Secretary of the Commonwealth of Pennsylvania on or about the 2nd day of November 2007 for the conduct of a business in Adams County under the fictitious name of CARROLL VALLEY COMPUTERS with its principal place of business at 25 Deer Trail, Fairfield, PA 17320. The name and address of the person owning or interested in said business is Timothy J. Skoczen, 25 Deer Trail, Fairfield, PA 17320.

11/16

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, in compliance with the requirements of Section 311, of Act 1982 - 295 (54 Pa. C.S. 311), the undersigned entity (ies) announce their intention to file in the Office of the Secretary of the Commonwealth of Pennsylvania, on approximately 10/30/07, a certificate for the conduct of a business in Adams County, Pennsylvania, under the assumed or fictitious name, style or designation of AUTO GLASS GUYZ, with its principal place of business at 1714 Hunterstown Hampton Rd., New Oxford, PA 17350. The names and addresses of the persons owning or interested in said business are Chad David Brenneman, residing at 1714 Hunterstown Hampton Rd., New Oxford, PA 17350. The character or nature of the business is Auto Glass Replacement.

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Adams County Legal Journal

Vol. 49

November 21, 2007

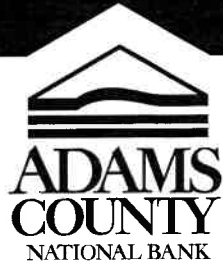
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CAHILL VS. SKI LIBERTY ET AL

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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Subscribers within Adams County should send subscriptions direct to the business office. Subscribers outside of Adams County should send subscriptions to Wm. W. Gaunt & Sons, Inc., 3011 Gulf Drive, Holmes Beach, FL 34217-2199. Postmaster: Send address changes to Adams County Legal Journal, 111 Baltimore Street, Room 305, Gettysburg, PA 17325.

Business Office – 111 Baltimore Street, Room 305, Gettysburg, PA 17325. Telephone: (717) 337-9812

Periodicals postage paid at Gettysburg, PA 17325.

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-1183 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THOSE two tracts of land situate, lying and being in the Village of Centennial, Mount Pleasant Township, Adams County, Pennsylvania, bounded and described as follows:

TRACT NO. 1: BEGINNING in the center of a public road known as Centennial Road leading from Centennial to McSherrystown at lands now or formerly of Paul Gebhart; thence Eastward in said road, 37 feet 6 inches to lot now or formerly of F.X. Lawrence; thence Southward along said lot now or formerly of F.X. Lawrence, 202 feet to a stake at a 10 foot wide alley; thence Westward along said alley 37 feet 6 inches to a stake at lands now or formerly of Paul Gebhart aforesaid; thence Northward along said last mentioned lot, 202 feet to the place of BEGINNING.

TRACT NO. 2: BEGINNING at an iron pin in the public alley in the Village of Centennial, Township aforesaid, said public alley running parallel to and being West of the main road in said Village; thence by said alley in a Northerly direction for a distance of 4 feet to an iron pin; thence by lands now or formerly of Paul Gebhart and Viola M. Gebhart in an Easterly direction for a distance of 27 feet to an iron pin; thence continuing by lands of same in a Southerly direction for a distance of 4 feet to other lands now or formerly of Claude J. Lawrence, Tract No. 1 herein; thence by lands now or formerly of Claude J. Lawrence, Tract No. 1 herein, in a Westerly direction for a distance of 27 feet to an iron pin, the place of BEGINNING. CONTAINING 108 square feet, neat measure.

BEING further identified on Adams County Tax Map J14, page 36, as shown on Assessment Map in Records of Adams County, Pennsylvania.

BEING the same two tracts of land which Richard Francis Riser, Jr.,

Executor of the Estate of Susan Louise Riser, a/k/a Susan L. Riser, by deed dated June 12, 2000 and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Deed Book 2068, page 81, granted and conveyed unto Jody A. Clouser, GRANTOR HEREIN.

PARCEL NUMBER: 32-J14-0036-000
PREMISES BEING: 2859 Centennial Road, Hanover, PA 17331

TITLE TO SAID PREMISES IS VESTED IN Jody A. Clouser, single individual to Keith R. Strausbaugh, a single individual, dated 11/16/2004 and recorded 11/19/2004 in Book 3777 and Page 102.

SEIZED and taken into execution as the property of **Keith R. Strausbaugh** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/9, 16 & 21

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-286 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 7th day of December, 2007, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN tract of land situate, lying and being in the Borough of Abbotstown, Adams County, Pennsylvania more particularly bounded and described as follows:

BEGINNING at a pin for a corner at the edge of Sutton Road and land now or formerly of Reuben Altland; thence by said last mentioned land, North 87 degrees 30 minutes East 300 feet to a pin at land now or formerly of Harry W. Wilhelm and Ruth Wilhelm; thence, South 10 degrees 30 minutes West 100 feet to a pin; thence, by land of same, South 87 degrees 30 minutes West, 300 feet to a pin at the edge of the aforesaid Sutton Road; thence by said road, North 10 degrees 30 minutes East, 100 feet to a pin, the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Alton A. Aldridge, Jr. and Peggy A. Aldridge, by Deed from Garland Construction, Inc., dated 8-22-00 and recorded 9-25-00 in Deed Book 2131, page 0031.

Premises being: 124 Sutton Road, Abbotstown, PA 17301

Tax Parcel No. 01-003-0082

SEIZED and taken into execution as the property of **Alton A. Aldridge, Jr. a/k/a Alton Aldridge & Peggy Ann Aldridge a/k/a Peggy Ann Noble a/k/a Peggy A. Hertzler** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on December 28, 2007, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/9, 16 & 21

CAHILL VS. SKI LIBERTY ET AL

1. Unlike a motion for summary judgment, the power of the court to enter a judgment on the pleadings is limited by the requirement that the court consider only the pleadings themselves and any document properly attached thereto.

2. Although disfavored under Pennsylvania law, exculpatory agreements, or releases, are valid provided they comply with the safeguards enunciated by our Superior Court in *Zimmer v. Mitchell and Ness*, 385 A.2d 437 (Pa. Super. 1978) *aff'd*, 416 A.2d 1010 (Pa. 1980).

3. It is the policy in this Commonwealth to enforce the doctrine of assumption of risk for persons knowingly engaging in downhill skiing.

4. Our legislature has expressly preserved assumption of risk as a defense to actions for downhill skiing injuries.

In the Court of Common Pleas of Adams County, Pennsylvania, Civil, No. 06-S-29¹, TIMOTHY JOSEPH CAHILL AND ANNE LESLIE CAHILL VS. SKI LIBERTY OPERATING CORP. t/d/b/a SKI LIBERTY AND t/d/b/a LIBERTY MOUNTAIN RESORT AND SNOW TIME, INC.

Lisa M. B. Woodburn, Esq., for Plaintiffs

Hugh M. Emory, Esq., for Defendants

George, J., November 14, 2006

OPINION

On January 17, 2004, Timothy Joseph Cahill² was skiing at the Liberty Mountain Ski Resort located in Carroll Valley, Adams County, Pennsylvania.³ Cahill, an experienced skier, enjoyed skiing privileges at Ski Liberty through his purchase of a season pass. Cahill applied for the 2003-2004 season pass through a website operated by Ski Liberty. In order to complete the application, the website required Cahill to acknowledge that he agreed to the terms of a

¹ The parties consistently used the incorrect caption throughout their pleadings.(06-8-29) Apparently, the Defendants misread the caption number on the Writ of Summons issued in this matter to read 06-8-29 rather than the proper caption number of 06-S-29. When the Defendants praeciped for a rule to file a complaint, their Praecipe carried the wrong number. All subsequent pleadings have duplicated that initial error. Accordingly, all are advised that the correct caption number, 06-S-29, should be used on all pleadings henceforth.

² Timothy Joseph Cahill will be referred to throughout this pleading as "Cahill." Plaintiff, Anne Leslie Cahill, is the wife of Timothy Joseph Cahill and has filed a derivative claim for loss of consortium.

³ Liberty Mountain Ski Resort is owned and operated by Snow Time, Inc., which is a Delaware corporation operating in Adams County. Collectively, the parties will be referred to as "Ski Liberty."

“season pass and advantage card release agreement” by clicking the “okay” box on the web page. The web page included an explanation of the terms which included a release and assumption of risk clause. Cahill’s application on the website was followed up with a written application which Cahill signed on January 11, 2004. In a conspicuous location immediately above his signature, the written application provides that he agreed to be legally bound by the “Notice of Risk”, “Assumption of Risk”, “Release from Liability”, and “Acknowledgement” provided to him by Ski Liberty.⁴

On the date in question, Cahill fell on an icy area while skiing near the bottom of Eastwind and Strata slopes. He claims that although he was unaware of ice in this area, Ski Liberty knew of the danger since, during the previous evening, a snow-making water hydrant broke releasing water which ultimately froze into ice because of the

⁴Both the website and the written documents accompanying the application provide as follows:

NOTICE OF RISK

I understand and accept the fact that snowsports (skiing...) in their various forms, including the use of lifts are dangerous with inherent and other risks. These risks include but are not limited to... ice and icy conditions... All of the inherent and other risks of snowsports present the risk of permanent catastrophic injury or death.

ASSUMPTION OF RISK

Understanding and agreeing that snowsports are hazardous, I voluntarily and expressly assume for myself the risk of injury while participating in these sports.

RELEASE FROM LIABILITY

In consideration of the use of the ski area’s facilities, I AGREE NOT TO SUE Ski Liberty Operating Corp., Whitetail Mountain Operating Corp., and/or Ski Roundtop Operating Corp., their owners, agents and employees, if injured while using the facilities, regardless of any negligence on the part of the Ski Area or its employees.

...

ACKNOWLEDGEMENT

In consideration of being permitted to use the facilities at Liberty Mountain Resort, Whitetail Mountain Resort and Ski Roundtop, I expressly acknowledge:

1. I have read and understand the “Notice of Risk,” “Assumption of Risk,” “Release from Liability,” “Be Aware, Ski with Care,” and “Your Responsibility Code.”

...

3. I voluntarily assume for myself all the risks involved in snowsports. (emphasis in original)

cold conditions. As a result of his fall, Cahill claims to have severely injured his face, back, ribs, and left hand. A Complaint was filed on March 17, 2006, claiming that Ski Liberty was negligent for failing to properly maintain the ski slopes in a safe manner and/or failing to adequately warn concerning the icy area. Ski Liberty has filed an Answer with New Matter alleging Cahill assumed the risk of his injuries and released Ski Liberty from all liability. Ski Liberty currently moves for judgment on the pleadings.

A motion for judgment on the pleadings is in the nature of a demurrer as it provides the means to test the legal sufficiency of the pleadings. All of the [P]laintiffs' allegations must be taken as true for the purposes of judgment on the pleadings. *Bata v. Central Penn National Bank of Philadelphia*, 224 A.2d 174, 178 (Pa. 1966). Unlike a motion for summary judgment, the power of the court to enter a judgment on the pleadings is limited by the requirement that the court consider only the pleadings themselves and any documents properly attached thereto. *Nederostek v. Endicott-Johnson Shoe Co.*, 202 A.2d 72, 73 (Pa. 1964). A motion for judgment on the pleadings should be granted only where the pleadings demonstrate that no genuine issue of fact exists and the moving party is entitled to judgment as a matter of law. *Dunn v. Board of Property Assessment, Appeals & Review of Allegheny County*, 877 A.2d 504 510 n. 12 (Pa. Cmwlth. 2005). Since I find that the release entitles Ski Liberty to judgment as a matter of law, the Complaint will be dismissed.

Although disfavored under Pennsylvania law, exculpatory agreements, or releases, are valid provided they comply with the safeguards enunciated by our Superior Court in *Zimmer v. Mitchell and Ness*, 385 A.2d 437 (Pa. Super. 1978), *aff'd*, 416 A.2d 1010 (Pa. 1980) as follows:

The contract must not contravene any policy of the law. It must be a contract between individuals relating to their private affairs. Each party must be a free bargaining agent, not simply one drawn into an adhesion contract, with no recourse but to reject the entire transaction...[T]o be enforceable, several additional standards must be met. First, we must construe the agreement strictly and against the party asserting it. Finally, the agreement must spell out the intent of the parties with the utmost particularity.

Id. at 439. Applying this criteria, I find the releases executed by Cahill to be valid.

The pleadings support a conclusion that the present agreement is not one of adhesion. Cahill was not forced to enter into the contract, but did so voluntarily in order to ski at Liberty Mountain. The agreement between the parties related to Cahill's engaging in a matter of personal choice without any evidence of coercion or inducement negating the volitional nature of his act. Clearly, this activity is not essential to Cahill's personal or economic well-being but, rather, was a purely recreational activity. See *Kotovsky v. Ski Liberty Operating Corporation*, 603 A.2d 663 (Pa. Super. 1992) (holding that exculpatory agreement signed by skier injured in downhill race was valid).

The releases also do not contravene public policy. The clauses were purely private in nature and in no way affect the rights of the public. In fact, releases such as that before the Court are actually in furtherance of public policy. Our state legislature, in enacting 42 Pa.C.S.A. § 7102(c) (relating to comparative negligence), specifically recognized that there are inherent risks in the sport of downhill skiing and specifically preserved the doctrine of assumption of risk as it applied to downhill skiing injuries and damages. 42 Pa.C.S.A. § 7102(c). This suggests that it is the policy in this Commonwealth to enforce the doctrine of assumption of risk for persons knowingly engaging in downhill skiing. *Kotovsky*, 603 A.2d at 666.

The releases executed by Cahill are unambiguous in both their language and intent. The language spells out with particularity the intent of the parties. The captions clearly advise patrons of the contents and purpose of the document as both a notice of risk and a release of liability. The waiver uses plain language informing the skier that downhill skiing is a dangerous sport with inherent risks including ice and icy conditions as well as other forms of natural or man-made obstacles, the condition of which vary constantly due to weather changes and use. Importantly, after advising a patron of these dangers, the documents unequivocally, in both bold and capital letters, releases Ski Liberty from liability for any injuries suffered while using the ski facilities regardless of any negligence on the part of Ski Liberty, its employees, or agents. The application of the releases to use of Ski Liberty facilities is not only spelled out specifically in the document but is reinforced by other references to the releases throughout the body of the document.

Cahill received, and acknowledged receipt, of the release from liability on two separate occasions. Notably, the first occasion appears to have been well in advance of the sale thereby allowing him ample opportunity to read it before using the facilities.⁵ This factual background reveals that the intent of the parties was imminently clear and spelled out with the utmost particularity in plain language. Therefore, under the criteria set forth in *Zimmer*, the releases are valid.

Perhaps in recognition of the viability of the releases at issue, Cahill does not challenge their validity but, rather, disputes their application to the current facts. In this regard, Cahill suggests that a hazardous condition created by Ski Liberty, and known to exist by the resort, is not an inherent risk to the sport of skiing thereby making the exculpatory agreements and assumption of risk doctrine inapplicable. In support of this argument, Cahill cites *Crews v. Seven Springs Mountain Resort*, 874 A.2d 100 (Pa. Super. 2005). In *Crews*, the Superior Court reviewed the trial court's dismissal of a complaint wherein the plaintiff sought damages for injuries received when the plaintiff was involved in a collision with another snowboarder who was a minor under the influence of alcohol. In reversing the trial court, the Superior Court concluded that the plaintiff did not assume the risk of a collision with an underage drinker on a snowboard since the same is not an inherent risk of the sport of skiing.

Cahill's reliance on *Crews* is misplaced. Primarily, *Crews* specifically limited the issue before the court to an analysis of the application of the assumption of risk doctrine. Instantly, this Court addresses a separate and distinct issue concerning the validity of an exculpatory agreement. Although these different issues are dealt with simultaneously in a number of court opinions, they are indeed distinguishable and require separate analysis. Compare *Zimmer v. Mitchell and Ness*, supra with *Crews v. Seven Springs Mountain Resort*, supra. Accordingly, I find *Crews* to be inapplicable to the issue of whether the release agreement entered by Cahill is valid.

Since I have found that Cahill knowingly and voluntarily entered into an exculpatory agreement releasing Ski Liberty from both the inherent dangers of downhill skiing and any negligence on the part of

⁵The written application reveals an order date for the season pass of October 31, 2003 which circumstantially establishes the date application was submitted by Cahill over the internet.

Ski Liberty or its employees, it is not necessary to undertake a detailed analysis of application of the assumption of risk doctrine to the current matter. Nevertheless, as noted, our legislature has expressly preserved assumption of risk as a defense to actions for downhill skiing injuries. 42 Pa.C.S.A. § 7102(c). Moreover, Ski Liberty provided Cahill prior and detailed notice of the dangerous and inherent risks of skiing. The notice is both thorough and exhaustive. Cahill is an experienced skier who obviously has personal knowledge of the inherent dangers involved in the sport. His experience undoubtedly has taught him that the sport of skiing is not conducted in the pristine and controlled atmosphere of a laboratory but rather occurs in the often hostile and fickle atmosphere of a south central Pennsylvania winter. Those familiar with skiing, such as Cahill, are aware that nature's snow is regularly supplemented with a man-made variety utilizing water and a complex system of sprayers, hydrants, and pipes. Human experience also teaches us that water equipment frequently leaves puddles which, in freezing temperatures, will rapidly turn to ice. The risks caused by this variety of ever-changing factors are not only inherent in downhill skiing but, perhaps, are the very nature of the sport. The self-apparent risks were accepted by Cahill when he voluntarily entered into a business relationship with Ski Liberty. He chose to purchase a ski ticket in exchange for the opportunity to experience the thrill of downhill skiing. In doing so, he voluntarily assumed the risks that not only accompany the sport but may very well add to its attractiveness.

Since I find the exculpatory agreement valid, Cahill's claim cannot be sustained. Similarly, Mrs. Cahill's derivative claim for loss of consortium must also automatically fail as a matter of law. See *Kiers by Kiers v. Weber National Stores, Inc.*, 507 A.2d 406 (Pa. Super. 1986); *Scattaregia v. Shin Shen Wu*, 495 A.2d 552 (Pa. Super. 1985); and *Little v. Jarvis*, 280 A.2d 617 (Pa. Super. 1971).

For the foregoing reasons, Defendants' Motion for Judgment on the Pleadings is granted.

ORDER

AND NOW, this 14th day of November, 2006, for the reasons set forth in the attached Opinion, Defendants' Motion for Judgment on the Pleadings is granted. The Prothonotary is directed to enter judgment in favor of the Defendants, Ski Liberty Operating Corp. and Snow Time, Inc.

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 administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF A. RICHARD BUTLER a/k/a ALVIN RICHARD BUTLER, DEC'D**

Late of the Borough of Biglerville, Adams County, Pennsylvania

Executrix: Kelly M. Rill, 156 Pine Grove Road, Hanover, PA 17331

Attorney: John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF CATHERINE VIOLA GLAD-FELTER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Administrator C.T.A.: Jeanne M. Gladfelter, 1111 Birdview Road, Westminster, MD 21157

Attorney: Arthur J. Becker, Jr., Esq., Becker & Strausbaugh, P.C., 544 Carlisle Street, Hanover, PA 17331

ESTATE OF FREDERICK N. PITTINGER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Administrator: Patricia M. Pittinger, 61 Peanut Drive, Hanover, PA 17331

Attorney: Donald W. Dorr, Esq., 846 Broadway, Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF CATHERINE I. GOODLING, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Patsy Weishaar, 4053 McMullen Road, Taneytown, MD 21787

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF DOROTHY I. HERRING, DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania

Sharon Patterson, 2270 Baltimore Pike, Gettysburg, PA 17325

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF HARRY R. KUYKENDALL, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executrix: Hazel T. Kuykendall a/k/a Hazel B. Kuykendall a/k/a Hazel B. Tawney, c/o John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

Attorney: John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF DAVE L. SMILEY, DEC'D

Late of Butler Township, Adams County, Pennsylvania

Executrix: Kathy A. Aiello, 134 Gun Club Road, York Springs, PA 17372

Attorney: Gary L. James, Esq., James, Smith, Dieterick & Connelly, LLP, 134 Sipe Avenue, Hummelstown, PA 17036

ESTATE OF RAYMOND W. SPAHR, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Suzanne Spahr, 2645 Old Route 30, Orrtanna, PA 17353

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF ANNA M. CORNWELL, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executors: Charles Daniel Cornwell, 333 West Main Street, #407, Madison, WI 53703; John Martin Cornwell, 107 Fishers Hill Court, Stephens City, VA 22655

Attorney: Donald W. Dorr, Esq., 846 Broadway, Hanover, PA 17331

ESTATE OF CLARA R. KLINEDINST, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executrix: Linda M. Martin, 2075 Yingling Dr., Spring Grove, PA 17362

ESTATE OF ROSE-MARIE MILLER a/k/a ROSE MARIE MILLER, DEC'D

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Executor: Stephen Edward Miller IV, 105 Fence Post Rd., Stafford, VA 22556

Attorney: John J. Murphy III, Esq., Patrono & Associates, LLC, 30 West Middle Street, Gettysburg, PA 17325

ESTATE OF HELEN M. RAFFENSBERGER, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Richard R. Golden, 1670 Knoxlyn Rd., Gettysburg, PA 17325

Attorney: Phillips & Phillips, 101 W. Middle St., Gettysburg, PA 17325

ESTATE OF CARROLL E. TALBERT, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Stephan E. Hollens, 107 Roland Place, Bel Air, MD 21014

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

NOTICE BY THE ADAMS COUNTY CLERK OF COURTS

NOTICE IS HEREBY GIVEN to all heirs, legatees and other persons concerned that the following accounts with statement of proposed distribution filed therewith have been filed in the Office of the Adams County Clerk of Courts and will be presented to the Court of Common Pleas of Adams County—Orphans' Court, Gettysburg, Pennsylvania, for confirmation of accounts and entering decrees of distribution on Monday, December 3, 2007, at 9:00 a.m.

CRAWFORD—Orphans' Court Action Number OC-115-07. The First and Final Account of Patricia M. Brown, Executrix of the Estate of Alan E. Crawford, deceased.

SNYDER—Orphans' Court Action Number OC-117-07. The First and Final Account of Sara Ellen Mummert, Executrix, of the Last Will and Testament of Mary E. Snyder, deceased, late of Cumberland Township, Adams County, Pennsylvania.

Kelly A. Lawyer
Clerk of Courts

11/21 & 11/30

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
NO. 07-SU-1045
Action to Quiet Title

BRICK POINT CONSTRUCTION, INC.,
Plaintiff

vs.

PATRICIA ANNE TYRRELL, her heirs,
administrators, successors and assigns,
Defendant

TO: Patricia Anne Tyrrell, her heirs,
administrators, successors and assigns.

You are notified that an Order has been entered on November 6, 2007, directing that within thirty (30) days after this publication, you shall commence an Action in Ejectment or other appropriate action against the Plaintiff above to assert any claim you may have in and to the lands herein described or be forever barred from asserting any right, lien, title or interest inconsistent with the interest or claim set forth in Plaintiffs' Complaint with respect to the land herein described:

ALL that tract of land situate, lying and being in Liberty Township, Adams County, Pennsylvania, being Lot No. 59 Section AB, more particularly bounded and described as follows:

BEGINNING at a point in the cul-de-sac of Strausbaugh Trail at Lot No. 58; thence in the cul-de-sac and by said lot, South 35 degrees 18

minutes 33 seconds West, 269.40 feet to Lot No. 96; thence by said lot and by Lot No. 95, North 54 degrees 39 minutes 37 seconds West, 80 feet to Lot No. 60; thence by said lot and by Lot No. 55, North 27 degrees 26 minutes 53 seconds East, 253.87 feet to Lot No. 56; thence by said lot and in the cul-de-sac of Strausbaugh Trail, South 63 degrees 32 minutes 56 seconds East, 116.11 feet to the place of BEGINNING.

The above description was taken from a plan of lots labeled "Section AB, Charnita" dated November 19, 1969, prepared by Evans, Hagen & Holdefer and recorded in Adams County Plat Book No. 1 at page 61.

BEING THE SAME WHICH Joseph R. Scheer and Margaret S. Scheer, by a Deed dated March 20, 2007, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Record Book 4779 at page 37, sold and conveyed unto Brick Point Construction, Inc., a Pennsylvania Business.

ALSO BEING THE SAME WHICH Charnita, Inc., a Pennsylvania corporation, by a deed dated September 8, 1970, and recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Deed Book 287 at page 646, sold and conveyed unto Patricia Anne Tyrrell, the Defendant herein.

/s/Bernard A. Yannetti, Esq.
Hartman & Yannetti
Attorney for Plaintiffs
126 Baltimore Street
Gettysburg, PA 17325
717-334-3105

11/21

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on or about July 16, 2007 for the incorporation of DESTINED, INC., under the Pennsylvania Corporation Law of 1988. The initial registered office of the corporation is 990 Taneytown Road, Gettysburg, PA 17325.

Bernard A. Yannetti, Jr., Esq.
Hartman & Yannetti
Solicitors

11/21

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN pursuant to the provisions of Sec. 311 of the Act of Assembly of December 16, 1982, 54 PA C.S.A. 311, that an application for registration of a fictitious name was filed on October 17, 2007 with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, for the conducting of a business under the fictitious name of HERITAGE HOME IMPROVEMENTS with its principal office or place of business at 198 Tiffany Lane, Gettysburg, PA 17325. The names and addresses of all persons owning or interested in said business are: David M. Kresky of 198 Tiffany Lane, Gettysburg, PA 17325.

Jonathan Patrono, Esq.
Patrono & Associates, LLC

11/21

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on September 7, 2007, for the purposes of obtaining a Certificate of Incorporation of a proposed corporation to be organized under the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988, P. L. 1444, No. 177, as amended. The name of the corporation is JOSEPH P. SMITH BOBCAT & CONCRETE SERVICES, INC., with a registered office at 54 Dakota Drive, Hanover, PA 17331.

David C. Smith, Esq.
Solicitor

11/21

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Pennsylvania Department of State, Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, on October 29, 2007, for the purpose of obtaining a Certificate of Incorporation of a nonprofit corporation under the Pennsylvania Nonprofit Corporation Law of 1988. The name of the corporation is ADAMS COUNTY COMMUNITY FOUNDATION, INC. The registered office for the corporation is: 101 West Middle Street, Gettysburg, PA 17325.

Phillips & Phillips
101 West Middle Street
Gettysburg, PA 17325
Attorneys for the Corporation

11/21

Adams County Legal Journal

Vol. 49

November 30, 2007

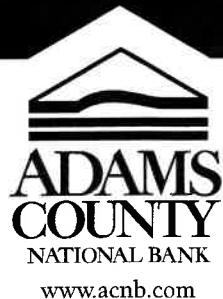
No. 28, pp. 174-180

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COMMONWEALTH VS. HARRISON

Serving individuals, businesses and organizations in our shared communities for 150 years is definitely something to celebrate.

Celebrating 150 years!
1857-2007



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ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Subscribers within Adams County should send subscriptions direct to the business office. Subscribers outside of Adams County should send subscriptions to Wm. W. Gaunt & Sons, Inc., 3011 Gulf Drive, Holmes Beach, FL 34217-2199. Postmaster: Send address changes to Adams County Legal Journal, 111 Baltimore Street, Room 305, Gettysburg, PA 17325.

Business Office – 111 Baltimore Street, Room 305, Gettysburg, PA 17325. Telephone: (717) 337-9812

Periodicals postage paid at Gettysburg, PA 17325.

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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-485 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of January, 2008, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain land situated in the Commonwealth of Pennsylvania, County of Adams, Township of Freedom, described as follows:

BEGINNING at an iron pin in Township Road T-318 at a point where it intersects with Township Road T-324 and at the Southwestern corner of land now or formerly of Carl H. Perkins and the Northeastern corner of land now or formerly of Sydney M. Shapiro; thence running in Township Road T-318 and by land now or formerly of Sydney M. Shapiro, South 65 degrees 22 minutes 05 seconds West, 233.76 feet to a railroad spike at the Southeastern corner of Tract No. 1 above; thence by Tract No. 1 and through an iron pin set back 25 feet from the start of this course North 05 degrees 52 minutes 55 seconds West 420.86 feet to an iron pin on line of land of Lot No. 3 in the hereinafter described plan of lots, which lot is now or formerly owned by Alan P. Horoschak and wife; thence by Lot No. 3 and crossing Township Road T-324, North 73 degrees 14 minutes 21 seconds East 396.48 feet to an iron pin, situate 18 feet East of the center line of T-324 and on line of land now or formerly of Henry P. Benoit; thence running along and in Township Road T-324, by land now or formerly of Henry P. Benoit and by land now or formerly of Carl H. Perkins, South 15 degrees 52 minutes 37 seconds West 452.86 feet to an iron pin at the intersection of Township Road T-324 and Township Road T-318, the point and place of BEGINNING.

Tax Parcel #: 13-D-15-22

Property Address: 165 Dawn Road, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Gaddam Prakash & Sharmila Prakash** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 25, 2008, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/30, 12/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 03-S-867 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of January, 2008, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN lot of land situated in Reading Township, Adams County, Pennsylvania, being more particularly described as Lot No. 827 on a Plan of Lots of Lake Meade Subdivision, duly entered and appearing of record in the Office of the Recorder of Deeds in and for Adams County in Misc. Deed Book 1, page 5, and subject to all legal highways, easements, rights of way and restrictions of record.

TOGETHER with the right in common with other owners of lots in said subdivision to use for all usual purposes the streets, ways, beaches, recreation areas, and other public areas, as shown on the said plot, and the right in common with the other owners of lots in the said subdivision to use the lake and beaches for swimming, fishing and boating in accordance with the rules and regulations of Lake Meade Property Owners Association, its successor or assigns.

UNDER AND SUBJECT to the restrictions, conditions and agreement set forth at length in deed of Lake Meade, Inc. to the grantors herein, referred to above.

HAVING THEREON erected a dwelling house known as: 397 Lake

Meade Drive, East Berlin, Pennsylvania 17316.

BEING THE SAME PREMISES WHICH Robert W. Snyder and Linda S. Snyder, by Deed dated 6/30/00 and recorded 7/25/00 in Adams County Deed Book 2093, Page 56, granted and conveyed unto Gary Zittle.

SEIZED IN EXECUTION as the property of Gary D. Zittle under Adams County Judgment No. 03-S-867.

Map & Parcel 37-10-56

SEIZED and taken into execution as the property of **Gary D. Zittle** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 25, 2008, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/30, 12/7 & 14

COMMONWEALTH VS. HARRISON

1. Where a motion to suppress has been filed, the burden is placed on the Commonwealth to establish by a preponderance of the evidence that the challenged evidence is admissible.

2. All persons have a right under both the Fourth Amendment of the United States Constitution and Article I, Section 8 of the Pennsylvania Constitution to be free from unreasonable searches and seizures.

3. Before an issuing authority may issue a constitutionally valid search warrant, he or she must be furnished with information sufficient to persuade a reasonable person that probable cause exists to conduct a search. The standard for evaluating the search warrant is a totality of the circumstances.

4. A magistrate is to make a practical, common sense decision whether, given all the circumstances set forth in the affidavit before him, including the veracity and basis for knowledge of persons supplying hearsay information, there is a fair probability that contraband or evidence of crime will be found in a particular place.

5. Probable cause for a search warrant exists where the facts and circumstances within the knowledge of a police officer are reasonably trustworthy and sufficient to warrant a person of reasonable caution in the belief that an offense has been committed.

6. A court which is required to review the issuance of a search warrant has a similar, but slightly different task than the magistrate: It is the duty of a court reviewing an issuing authority's probable cause determination to ensure that the magistrate had a substantial basis for concluding that probable cause existed. In so doing, the reviewing court must accord deference to the issuing authority's probable cause determination and must view information offered to establish probable cause in a common-sense, non-technical manner.

7. The court may only consider evidence within the four corners of the supporting affidavit when determining whether a warrant is supported by probable cause.

8. When a probable cause determination is based on information from an informant, the court must examine the informant's veracity, reliability, and basis of knowledge.

9. When an affidavit is based on hearsay, it must contain (1) some of the underlying circumstances from which the informant concluded that the contraband was where he claimed it was and (2) reasons why the affiant believed the informant was reliable. The reliability of hearsay within an affidavit may be established by corroboration.

In the Court of Common Pleas of Adams County, Pennsylvania,
Criminal, No. CR-1029-2005, COMMONWEALTH VS. DENNIS
JAMES HARRISON

Shawn Wagner, Esq., Sarah M. Castillo, Esq., for Commonwealth
Patrick W. Quinn, Esq., for Defendant

Kuhn, P.J., December 5, 2006

OPINION ON DEFENDANT'S OMNIBUS
PRE-TRIAL MOTION

Before the Court is a pre-trial motion filed by Defendant on February 13, 2006 wherein he seeks suppression of all evidence seized from his residence on September 8, 2005.¹ For reasons set forth below, the motion is granted.

BACKGROUND

On September 8, 2005, Trooper Gregg Dietz of the Pennsylvania State Police applied for and obtained a search warrant from Magisterial District Judge John Zepp for Defendant's residence located at 6300 Oxford Road, Huntington Township, Adams County, Pennsylvania. Attached to the application was Trooper Dietz's Affidavit of Probable Cause, which provides:

Your affiant is a Pennsylvania State Trooper assigned to the criminal investigation unit at PSP-Gettysburg. I have been employed as a trooper since January 2, 1994. In the course of my duties as a trooper, I have investigated numerous offenses listed under the Pa. Crimes Code Title 18 along with other offenses listed under Title 75 and Act 64 of 1972. In addition to my investigative duties, I have attended numerous classes and seminars specifically related to my current assignment. I have been the affiant and lead investigator where I have executed search warrants and have successfully prosecuted numerous subjects for a wide variety of crimes against both person and property.

On September 6, 2005, this officer was contacted by Adams County Children and Youth Caseworker Kim WALKER in reference to a report referred to her by Carroll County Children and Youth. The complainant in this incident is the ex-girlfriend of HARRISON's [sic] and the mother of his two children. She is currently living

¹ After several continuances, the matter was submitted to the Court on May 26, 2006 and briefs were filed by July 11, 2006. By Opinion dated August 7, 2006, the motion was denied. The Commonwealth filed a Motion for Reconsideration on August 18, 2006 which resulted in an order vacating the Court's earlier Opinion. The parties were given the opportunity to file supplemental briefs.

in a shelter for abused women as a result of altercations with HARRISON in the past. They have a custody agreement where he has custody of the children 1, 2, 4th weekends of the month. The children have been with HARRISON the past two weekends.

In the course of there [sic] relationship, HARRISON has made numerous statements to the complainant about his sexual fantasies involving their daughter (2 yoa). He has also told the complainant that there were two different incidents while the couple still lived together (7/03-8/05) where he has assaulted the child. He told the compl. that on one incident he masterbated [sic] and wiped the semen onto his daughter [sic] lips and she licked it. The second incident HARRISON described to her was he again masterbated [sic] and put the semen onto a spoon and fed it to the daughter.

Beginning with Sunday 08-28-05 when the children were returned to the complainant on Sunday 8-28-05, she recalls smelling an odor which she felt was not normal and smelled like seminal fluid. She proceeded to give the child a bath and as she was bathing him, the compl. reports he called her and said that she should make sure she washes her hair because he left a present there for her and that he ejaculated on her face before he gave the kids back.

Since that time, HARRISON has called the compl. numerous times on the phone talking about completing [sic] explicit sexual acts on his daughter and other fantasies he has had. On Monday 08-29-05, he called her and was asking her if it was possible to have intercourse with her and was describing how he had to get his penis wet to do it. He then asked her if it was possible to have oral sex with her and the compl [sic] repeatedly told him that was not going to happen.

On Wednesday, he called the compl. again and was describing what he wanted to do when he picked the children up on Friday 09-09-05. He stated he was going to video him and the compl [sic] having sex in the back of the truck and would start by having oral sex on his son.

On Sunday 09-04-05, the compl. spoke with Harrison on the phone while he had custody of the children. He related that he was on the computer looking at child porn and talking about purchasing a bumper sticker on line that says "I like my dad's cum" and sending [sic] it to the compl. He has also printed out pictures of what she described as very young undeveloped girls from his computer. She has stated that he is constantly on the computer and readily talks about viewing child pornography on line. She stated that as of the end of August 2005, she still observed the computer at the residence.

Based on the above information and my experience as a Pennsylvania State Trooper, I request that a search warrant be issued based on the facts set forth in this Probable Cause [sic] Affidavit. It is my experience that subjects involved in the viewing of child pornography, often [sic] keep pictures, images, and tapes/videos of such that would be present on the subjects [sic] computer or present in his personal possessions. It is my belief based on the above mentioned interview that HARRISON does possess a computer at the above residence and is in possession or has stored or downloaded onto his hard drive, pictures, images, or photographs of child pornography that could be used, if found to be in his possession, evidence of the aforementioned crimes on page [sic] of this search warrant.

On the same day the warrant was issued, Trooper Dietz and Pennsylvania State Police Troopers Nicholas Bloschichak and Luigi Dirienzo served it on Defendant at his residence. As a result of the execution of the search warrant, the troopers seized two (2) computer towers, two (2) 8 mm cassette tapes, two (2) VHS tapes, and ten (10) Polaroid photographs of Defendant posing nude. A subsequent search of one of the computer towers by a Pennsylvania State Police employed computer crime analyst revealed seventy-seven images depicting minors engaging in prohibited sexual acts. Defendant was charged with 77 counts of Possession of Child Pornography, one count of Indecent Assault, and one count of Corruption of Minors.

DISCUSSION

Defendant contends that the Affidavit used to support the issuance of the warrant was deficient because (a) it lacked probable cause, (b) it was based on stale information, and (c) the scope of the search was overbroad. Because of the disposition entered on the probable cause issue, the other issues raised by Defendant need not be addressed.

Where a motion to suppress has been filed, the burden is placed on the Commonwealth to establish by a preponderance of the evidence that the challenged evidence is admissible. *Commonwealth v. Ruey*, 892 A.2d 802, 807 (Pa. 2006); *Commonwealth v. Hernandez*, 892 A.2d 11, 13 (Pa. Super. 2005). Thus, in this case, the Commonwealth has the burden of proving that the Affidavit upon which the search warrant was issued was supported by sufficient probable cause.

All persons have a right under both the Fourth Amendment of the United States Constitution and Article I, Section 8 of the Pennsylvania Constitution to be free from unreasonable searches and seizures. Except for a few established exceptions, searches are considered unreasonable unless conducted pursuant to a warrant, supported by probable cause, and authorized by a neutral and detached magistrate. The standard for determining whether probable cause exists for the issuance of a search warrant was enunciated in *Commonwealth v. Dean*, 693 A.2d 1360, 1365 (Pa. Super. 1997) as follows,

Before an issuing authority may issue a constitutionally valid search warrant, he or she must be furnished with information sufficient to persuade a reasonable person that probable cause exists to conduct a search. The standard for evaluating the search warrant is a 'totality of the circumstances' test as set forth in *Illinois v. Gates*, 462 U.S. 213 (1983), and adopted in *Commonwealth v. Gray*, 503 A.2d 921 (Pa. 1985). A magistrate is to make a 'practical, common sense decision whether, given all the circumstances set forth in the affidavit before him, including the 'veracity' and 'basis for knowledge' of persons supplying hearsay information, there is a fair probability that contraband or evidence of crime will be found in a particular place.' The information offered to establish

probable cause must be viewed in a common sense, non-technical manner. Probable cause is based on a finding of probability, not a prima facie showing of criminal activity, and deference is to be accorded a magistrate's finding of probable cause.

Probable cause for a search warrant exists where the facts and circumstances within the knowledge of a police officer are reasonably trustworthy and sufficient to warrant a person of reasonable caution in the belief that an offense has been committed. *Commonwealth v. Gelineau*, 696 A.2d 188, 192 (Pa. Super. 1997).

A court which is required to review the issuance of a search warrant has a similar, but slightly different task than the magistrate:

The totality of the circumstances test permits a balanced assessment of the relative weight of all the various indicia of reliability (and unreliability) attending to the informant's tip...It is the duty of a court reviewing an issuing authority's probable cause determination to ensure that the magistrate had a substantial basis for concluding that probable cause existed...In so doing, the reviewing court must accord deference to the issuing authority's probable cause determination and must view information offered to establish probable cause in a common-sense, non-technical manner.

Commonwealth v. Torres, 764 A.2d 532, 537-38 (Pa. 2001) (citations omitted).

Moreover, the court may only consider evidence within the four corners of the supporting affidavit when determining whether a warrant is supported by probable cause. *Commonwealth v. Sharp*, 683 A.2d 1219, 1223 (Pa. Super. 1996).

In this case, information was provided to Trooper Dietz through a multi-layered referral. It is alleged that Defendant's ex-girlfriend reported information to Carroll County Department of Social Services (CCDSS). That agency allegedly referred the same information to Kim Walker of Adams County Children and Youth Services (ACCYS). Ms. Walker, in turn, then contacted the trooper-affiant. Defendant has challenged the reliability of the multiple layers of hearsay information used to support the Affidavit of Probable Cause.

An affidavit of probable cause does not have to reflect the personal observations of the affiant. *Commonwealth v. Greco*, 350 A.2d 826, 828 (Pa. 1976). Information received from informants may form the basis of a probable cause determination. *Commonwealth v. Luv*, 735 A.2d 87, 90 (Pa. 1999). When a probable cause determination is based on information from an informant, the court must examine the informant's veracity, reliability, and basis of knowledge. *Interest of O.A.*, 717 A.2d 490, 495 (Pa. 1998). Reliability should be established by some objective facts that enables the court to conclude that an informant is reliable. Similarly, an affidavit containing double hearsay need not be categorically rejected and "must be evaluated in conjunction with the other information in the affidavit to determine whether the information is reliable." *Commonwealth v. Singleton*, 603 A.2d 1072, 1074 (Pa. Super. 1992). When an affidavit is based on hearsay, it must contain (1) some of the underlying circumstances from which the informant concluded that the contraband was where he claimed it was and (2) reasons why the affiant believed the informant was reliable. *Greco*, 350 A.2d at 829. The reliability of hearsay within an affidavit may be established by corroboration. *Commonwealth v. Frazier*, 410 A.2d 826, 830 (Pa. Super. 1979). Furthermore, if an informant's tip provides information demonstrating a special familiarity with the defendant's affairs, corroboration of this information imparts additional reliability to the tip and supports a finding of probable cause. *Commonwealth v. Whitters*, 805 A.2d 602, 606 (Pa. Super. 2002).

Continued to next issue (12/7/2007)

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-1010 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of January, 2008, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL THAT CERTAIN lot or piece of ground situate in Menallen Township, Adams County, Pennsylvania, bounded and described as follows:

BEGINNING at a p.k. nail Wenksville Road (SR 4010) at Lot No. 1; thence in said road and along Lot No. 1 South 60 degrees 53 minutes 12 seconds West 176.63 feet to a railroad spike at lands now or formerly of Lawrence W. Hays; thence along lands of same North 22 degrees 49 minutes 19 seconds West 317.29 feet to a corner post in concrete; thence continuing along same North 31 degrees 26 minutes 40 seconds East 227.62 feet to a rebar at lands now or formerly of Thomas Beamer; thence along lands of same South 38 degrees 44 minutes 11 seconds East 405.90 feet to a rebar in Wenksville Road; thence in Wenksville Road South 55 degrees 34 minutes 4 seconds West 125.56 feet to a bolt in Wenksville Road; thence in Wenksville Road South 32 degrees 6 minutes 6 seconds East 15.46 feet to a p.k. nail at corner of Lot No. 1 the place of BEGINNING.

THE above description was taken from a final plan dated October 13, 1995, by Mark A. Kuntz and recorded on December 10, 1997 in the Office of the Recorder of Deeds for Adams County, Pennsylvania, in Plan Book 72, Page 55 and is known as Lot No. 2 thereon.

Map Number: 29-D5-13B

Being known as 1840 Wenksville Road, Biglerville, PA 17307

SEIZED and taken into execution as the property of **Garrett A. Forsythe & Wendy A. Forsythe** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 25, 2008, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the

purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/30, 12/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 06-S-222 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of January, 2008, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land, together with improvements thereon erected, lying and being and situate in the Borough of Abbottstown, Adams County, Pennsylvania, more particularly described as follows:

BEGINNING at a point at High Street at Lot No. 3 now or formerly of George Hoeffers; thence by the same North fourteen and one-fourth (14-1/4) degrees West one hundred eighty-one and five-tenths (181.5) feet to a point at fourteen (14) foot wide alley; thence along said alley North seventy-five and three-fourths (75-3/4) degrees East sixty-six (66) feet to a stone at another fourteen (14) foot wide alley; thence along the last mentioned alley South fourteen and one-fourth (14-1/4) degrees East one hundred eighty-one and five-tenths (181.5) feet to a stone at High Street aforesaid; thence along High Street South seventy-five and three-fourths (75-3/4) degrees to a point, the place of BEGINNING.

IT BEING known as Lot No. 4 on a plan of lots as laid out by Z.E. Craumer, Surveyor, on January 14, 1928, as the land of Grant Freed.

IT BEING the same tract of land which Carol M Drenzo, Administratrix of the Estate of Adriana N. Drenzo, by deed dated April 30, 1997 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania in Record Book 1365, page 305, granted and conveyed unto David R. Kirby and Sandra L. Kirby, husband and wife, Grantors herein.

This is a conveyance between husband and wife.

AND the said grantors hereby covenant and agree that they and each of them will warrant specially the property hereby conveyed.

Being Known As: 249 High Street, Abbottstown, PA 17301

Property ID No.: 1-3-20

TITLE TO SAID PREMISES IS VESTED IN David R. Kirby by Deed from David R. Kirby and Sandra L. Kirby, husband

and wife dated 6/23/00 recorded 6/29/00 in Deed Book 2078 Page 20.

SEIZED and taken into execution as the property of **David R. Kirby** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 25, 2008, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/30, 12/7 & 14

NOTICE BY THE ADAMS COUNTY CLERK OF COURTS

NOTICE IS HEREBY GIVEN to all heirs, legatees and other persons concerned that the following accounts with statement of proposed distribution filed therewith have been filed in the Office of the Adams County Clerk of Courts and will be presented to the Court of Common Pleas of Adams County—Orphans' Court, Gettysburg, Pennsylvania, for confirmation of accounts and entering decrees of distribution on Monday, December 3, 2007, at 9:00 a.m.

CRAWFORD—Orphans' Court Action Number OC-115-07. The First and Final Account of Patricia M. Brown, Executrix of the Estate of Alan E. Crawford, deceased.

SNYDER—Orphans' Court Action Number OC-117-07. The First and Final Account of Sara Ellen Mummert, Executrix, of the Last Will and Testament of Mary E. Snyder, deceased, late of Cumberland Township, Adams County, Pennsylvania.

Kelly A. Lawver
Clerk of Courts

11/21 & 11/30

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 administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF RAYMOND T. GUISE, DEC'D

Late of Butler Township, Adams County, Pennsylvania
 Executrix: Mildred G. Guise, 325 Centre Mills Road, Aspers, PA 17304
 Attorney: Puhl, Eastman & Thrasher, Attorneys at Law, 220 Baltimore Street, Gettysburg, PA 17325

SECOND PUBLICATION

ESTATE OF A. RICHARD BUTLER a/k/a ALVIN RICHARD BUTLER, DEC'D

Late of the Borough of Biglerville, Adams County, Pennsylvania
 Executrix: Kelly M. Rill, 156 Pine Grove Road, Hanover, PA 17331
 Attorney: John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF CATHERINE VIOLA GLAD-FELTER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania
 Administrator C.T.A.: Jeanne M. Gladfelder, 1111 Birdview Road, Westminster, MD 21157
 Attorney: Arthur J. Becker, Jr., Esq., Becker & Strausbaugh, P.C., 544 Carlisle Street, Hanover, PA 17331

ESTATE OF FREDERICK N. PITTINGER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania
 Administrator: Patricia M. Pittinger, 61 Peanut Drive, Hanover, PA 17331
 Attorney: Donald W. Dorr, Esq., 846 Broadway, Hanover, PA 17331

THIRD PUBLICATION

ESTATE OF CATHERINE I. GOODLING, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania
 Patsey Weishaar, 4053 McMullen Road, Taneytown, MD 21787
 Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF DOROTHY I. HERRING, DEC'D

Late of Mount Joy Township, Adams County, Pennsylvania
 Sharon Patterson, 2270 Baltimore Pike, Gettysburg, PA 17325
 Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF HARRY R. KUYKENDALL, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania
 Executrix: Hazel T. Kuykendall a/k/a Hazel B.. Kuykendall a/k/a Hazel B. Tawney, c/o John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325
 Attorney: John R. White, Esq., Campbell & White, P.C., 112 Baltimore St., Gettysburg, PA 17325

ESTATE OF DAVE L. SMILEY, DEC'D

Late of Butler Township, Adams County, Pennsylvania
 Executrix: Kathy A. Aiello, 134 Gun Club Road, York Springs, PA 17372
 Attorney: Gary L. James, Esq., James, Smith, Dieterick & Connelly, LLP, 134 Sipe Avenue, Hummelstown, PA 17036

ESTATE OF RAYMOND W. SPAHR, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania
 Suzanne Spahr, 2645 Old Route 30, Orrtanna, PA 17353
 Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-142 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of January, 2008, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Mount Joy Township and partly in Straban Township, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point on the Eastern edge of Thomas Drive, a 60 foot roadway at Southwest corner of land now or formerly of Arthur E. Bohner and wife; thence by the Southern boundary of said land now or formerly of Bohner South 62 degrees 00 minutes 00 seconds East, 200 feet to a point at land now or formerly of David C. Crockett; thence by said land now or formerly of Crockett and land now or formerly of Herbert Storbeck and others, South 28 degrees 00 minutes 00 seconds West, 198.75 feet to a point on the North boundary of Hood Drive; thence by the North boundary of Hood Drive, North 24 degrees 30 minutes West, 79.4 feet to a point on the North boundary of Hood Drive; thence along the North boundary of Hood Drive by a curve to the left, having a chord bearing of North 31 degrees 30 minutes 00 seconds West, and a chord distance of 80.36 feet as set forth in Miscellaneous Book 4 Page 427, to a point on the Northern boundary of Hood Drive; thence by said Northern boundary of said Hood Drive North 62 degrees 00 minutes 00 seconds West, 45 feet on said boundary line; thence by said boundary line of Hood Drive with a curve to the right, the radius of which is 25 feet, the chord distance of which is 35.96 feet as set forth above, to a point on the Eastern boundary of Thomas Drive; thence by that said boundary North 28 degrees 00 minutes 00 seconds East, 107.30 feet to the place of BEGINNING.

Tax Parcel No.: 31-4-76

Premises Being: 289 Hood Drive, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Angel L. McLaughlin, Known Heir to the Estate of Gwen J. McLaughlin, Deceased** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on January 25, 2008,

and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/30, 12/7 & 14

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 07-S-1036 issuing out of the Court of Common Pleas of Adams County, and to me directed, will be exposed to Public Sale on Friday, the 4th day of January, 2008, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Hamiltonban Township (previously cited as Orrtanna), Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point in the Fairfield Road, running thence in center of said road, North sixty-three and one-half (63-1/2) degrees East, two and four-tenths (2.4) perches; thence by Lot No. 4, South twenty-six (26) degrees East, six and five-tenths (6.5) perches to a stake; thence by lands now or formerly of Peter Kready, South fifty-four (54) degrees West, two and five-tenths (2.5) perches to center of Mill Race; thence by Lot No. 2, North twenty-five and one-quarter (25-1/4) degrees West, seven (7) perches to the place of BEGINNING. CONTAINING sixteen (16) perches of land, neat measure.

TITLE TO SAID PREMISES IS VESTED IN John A. Hendrickson, single and Glenn A. Hendrickson, single, as joint tenants with the right of Survivorship and not as tenants in common, by Deed from Alvah L. Stonesifer, Jr., Executor of the Last Will and Testament of Edith B. Stonesifer, dated 04/17/1991, recorded 04/18/1991, in Deed Book 584, page 913.

Premises being: 1855 Carroll Tract Road, Orrtanna, PA 17353

Tax Parcel No. 18-C12-0042

SEIZED and taken into execution as the property of **Glenn A. Hendrickson** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a

schedule of distribution will be filed by the Sheriff in his office on January 25, 2008, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

11/30, 12/7 & 14