

OFFICIAL LEGAL JOURNAL

OF SUSQUEHANNA COUNTY, PA

34th Judicial District

Vol. 2 ★ June 2, 2017 ★ Montrose, PA ★ No. 9



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CASES REPORTED

Osprey Portfolio, LLC, Plaintiff,
vs.
Marie Moran, individually, and as heir to Paul F. Moran, Sr., and
James Russell and Patricia Russell, Defendants.

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Court of Common Pleas 34th Judicial District:

The Hon. Jason J. Legg
President Judge

The Hon. Kenneth W. Seamans
Senior Judge

The Legal Journal of
Susquehanna County contains
decisions of the Susquehanna
County Court, legal notices,
advertisements & other matters of
legal interest. It is published every
Friday by the Susquehanna County
Bar Association.

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Legal Journal of Susquehanna County

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The Legal Journal of Susquehanna County is published and produced by the Susquehanna County Bar Association and Bailey Design and Advertising.

By requirement of Law and Order of Court the *Legal Journal of Susquehanna County* is made the medium for the publication of all Legal Advertisements required to be made in Susquehanna County, and contains all Notices of the Sheriff, Register, Clerk of the Courts, Prothonotary and all other Public Officers, Assignees, Administrators and Executors, Auditors, Examiners, Trustees, Insolvents, the formation and dissolution of Partnerships, affording indispensable protection against loss resulting from want of notice. It also contains the Trial and Argument Lists of all the Courts in Susquehanna County, and selected Opinions and Decisions of the Courts of Susquehanna County.

All legal notices must be submitted either via email or in typewritten form and are published exactly as submitted by the advertiser. *The Legal Journal* assumes no responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in context. As pertains to all content in each issue, all efforts have been made to accurately publish the information provided by court sources, however Publisher and Susquehanna County Bar Association cannot be held liable for any typographical errors or errors in factual information contained therein.

Legal notices must be received before 10:00 AM on the Monday preceding publication or, in the event of a holiday, on the preceding Friday.

MESSAGE FROM THE SUSQUEHANNA COUNTY BAR ASSOCIATION



The Legal Journal of Susquehanna County is a comprehensive weekly guide containing legal decisions of the 34th Judicial District encompassing civil actions filed; mortgages and deeds filed; legal notices; advertisements and other matters of legal interest. On behalf of the Susquehanna County Bar Association, we appreciate the opportunity to serve the legal community by providing a consolidated source of significant matters of legal importance.

PRICING & RATES

Notice Pricing

One time Insertions

Incorporation Notices	\$45
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Petition for Change of Name	\$45
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Orphans Court; Accounting on Estates (2-time insertion)	\$45

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Anthony J. Conarton

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Susquehanna County Courthouse — 105 Maple Street, Montrose, PA 18801 ★ 570.278.4600

Hours: Monday–Friday, 8:30 a.m.–4:30 p.m.

COURT OPINION

No. 2016-831 C.P.

OSPREY PORTFOLIO, LLC, Plaintiff,

vs.

**MARIE MORAN, individually, and as heir to Paul F. Moran, Sr.,
and JAMES RUSSELL and PATRICIA RUSSELL,
Defendants.**

Opinion continued from the May 26, 2017 issue

As to the other grounds for the stay, the Russells have asserted a claim of ownership through adverse possession to the real property which the Russells contend they acquired prior to the 1994 execution of the mortgage. The record supports the Russells' position that they acquired title by adverse possession to a portion of this real property at some point during their ownership. The consentable line agreement executed between the parties in 2011 provides the following operative language:

WHEREAS, confusion has arisen concerning the exact location of the property line between Moran and Russell concerning lands located in Little Meadows Borough [being described as the 0.33 acre "lane;"]

WHEREAS, both parties agree that Moran owns the .33 acres (more or less) parcel . . . Both parties agree that Russell garage/barn extends over the line into Moran property AND;

WHEREAS, Russell has been mowing the grass area on a portion of the .33 acre parcel owned by Moran AND;

WHEREAS, the parties desire to forever settle by the Consentable Line Agreement the location of the property line between them and Moran agrees to gift to Russell the "Russell Grass" and "Drive to garage". . . .

The area in question is approximately .14 acres more or less and the real estate taxes will be adjusted and paid for by the owners respectively.

(Plf. Cmp., Ex. D.) When the mortgage foreclosure complaint was filed, Osprey was aware of this consentable line agreement between Moran and the Russells as it was included as an exhibit to the mortgage foreclosure complaint.

During the course of the argument on the motion for a stay, Osprey contended that this agreement defeated any adverse possession claim that the Russells might have to a portion of the 0.33 acres because it indicated that Moran owned the 0.33 acres and Moran “gifted” a small portion of the real property to the Russells.¹² While the consentable line agreement plainly resolves any alleged ownership dispute between Moran and the Russells, the amicable settlement of that dispute does not foreclose the possibility that the Russells obtained title by adverse possession prior to the execution of the mortgage in 1994, which would thereby defeat any claim that Osprey would have to placing a lien on that real property. The very language of the consentable line agreement speaks to some level of adverse possession of a certain portion of the 0.33 acre “lane” prior to the parties reaching an amicable resolution over their disputed boundary line. Indeed, the Russells have now filed a quiet title action to that real property – and that litigation needs to be resolved prior to any further execution proceedings. Otherwise, the Sheriff of Susquehanna County will not be capable of representing the exact nature and extent of the real property that is being offered for sale through the execution proceedings.¹³

In this regard, one treatise has explained that the existence of collateral proceedings involving the same parties and the same property provides a basis upon which a trial court may grant a stay of execution:

A court of common pleas has jurisdiction to stay execution upon a judgment because of the pendency of proceedings in equity in another court of common pleas between the same parties and involving the same subject matter.

13 Standard Pennsylvania Practice 2d § 76:24 (Other proceedings, generally) (Westlaw

12 In Osprey’s 1925(b) statement, Osprey contends that the court erred in granting a stay because the Russells’ adverse possession claim was “totally meritless/frivolous.” (Plf. 1925(b) Statement, ¶ I.) First, the Russells have never litigated their adverse possession claim. Osprey relies upon Senior Judge Wallach Miller’s decision striking the Russells’ quiet title counterclaim “with prejudice” as a dispositive finding relative to the Russells’ adverse possession claim. (Plf. 1925(b) Statement, ¶ IV.) Osprey reliance upon this order is misplaced. First, as noted earlier, the counterclaim itself never actually contained any allegations relating to adverse possession, but simply reiterated the claims that Marie Moran never signed the mortgage. As such, any dismissal of that counterclaim with prejudice in this litigation would have no impact upon any adverse possession claims that the Russells may have to the subject real property. Second, Osprey was plainly on notice of a potential adverse possession claim when the foreclosure action was initiated as Osprey had obtained a copy of the boundary line agreement between the parties which memorialized the existence of a question as to the Russells’ occupation of a portion of the subject real property for some period of time prior to the boundary line agreement itself. Osprey also suggests that the summary judgment granted in this case somehow estops the Russells from asserting their adverse possession claim. This litigation has related solely to the conduct of the Morans – not the Russells – and there is nothing in this court’s summary judgment decision that addresses in any way whether the Russells had acquired title by adverse possession prior to 1994 when the mortgage itself was executed.

13 In its § 1925(b) statement, Osprey contends that the Russells are barred by *res judicata* with respect to any adverse possession claim. As noted, the Russells never alleged any facts relative to adverse possession in their responsive pleading. Instead, the Russells complied with Pennsylvania Rule of Civil Procedure 1148, which provides that a defendant in a mortgage foreclosure “may plead a counterclaim which arises from the same transaction or occurrence or series of transactions

March 2017). While a quiet title action is an action at law, the litigation involves the same parties and impacts upon a portion of the same property, namely 0.14 acres of real property which the Russells now claim to have acquired title through adverse possession prior to the 1994 mortgage.

There is also legal authority to support a stay of execution to allow real property title questions to be resolved. For instance, in Reliance Ins. Co. v. Schoolfield Const. Co., 14 D & C 4th 490 (Com. Pl. 1992), a judgment creditor was seeking to execute against marital property on a judgment obtained against a wife, but not against the husband. The Sheriff filed an interpleader to determine whether he could execute against the marital property to pay the wife's individual debt. While the Philadelphia Court of Common Pleas questioned the propriety of a sheriff's interpleader, the court entered the following order: "[T]he sheriff sale of the property . . . is stayed pending further action of the parties and without prejudice to either party to institute an appropriate action in which the rights of the parties may be fully determined." Id. at 494; see also Am. Cont'l Properties, Inc. & Century Apartments Assocs. v. Michael Lynn & Assocs., P.C., 32 Phila. Co. Rptr. 330, 332-33 (Pa. Com. Pl. 1995)(granting stay of execution where litigation was pending with respect to the property sought to be attached); cf. Everson v. Everson, 431 A.2d 889, 895 (Pa. 1981) (entering a stay of execution on equitable grounds where there was litigation pending in another state that called into question the amount of the judgment); Bowcar Mfg. Co. v. Bergman, 45 Pa. D. & C.3d 465, 469-70 (Pa. Com. Pl. 1987) (same). Thus, despite Osprey's contention that there is no legal authority to grant a stay to allow the Russells to litigate their adverse possession claim, other trial courts have also stayed execution where there is litigation that calls into question ownership of the real property against which execution is sought.¹⁴

or occurrences from which the plaintiff's cause of action arose." As such, the Russells' counterclaim alleged a quiet title claim relative to the assertion that Marie Moran never signed the mortgage, which would be allegations arising out of the facts relative to the mortgage foreclosure claim. Rule 1148 does not permit allegations relating to adverse possession that do not arise out of the 1994 mortgage itself. Indeed, the Russells contend that the facts underlying their adverse possession claim matured prior to 1994 and, as such, the Russells adverse possession claim could not have arisen out of the same transactions and occurrences underlying the mortgage complaint itself. For these reasons, the suggestion that somehow this mortgage foreclosure action now bars the Russells from asserting a claim to title by adverse possession is meritless as Rule 1148 would not have allowed for them to assert those claims in this proceeding.

14 Osprey likewise contends that the stay was improper because it was indefinite in length. (Plf. 1925(b) Statement, ¶¶ V & VI.) This is a mischaracterization of the stay order. Instead, the stay order was specifically tailored to allow the Russells to file an adverse possession complaint. The stay order provided the Russells only thirty (30) days to do so and, if the Russells failed to do so, provided that Osprey could petition the Court to lift the stay and proceed with execution. The Russells have complied with the Court's directive and filed a quiet title complaint alleging their adverse possession claim. As such, the stay is not indefinite but shall continue until such time as the Russells' adverse possession litigation is concluded. As noted herein, if execution is allowed while the adverse possession claim is pending, it will adversely impact upon any potential bids upon the property, which will prejudice both the debtors and Osprey. For these reasons, the stay of the execution is plainly not indefinite in length and constitutes an interlocutory order that generally is not appealable. See Valey Forge Ctr. Assocs. v. Rib-It/K.P., Inc., 693 A.2d 242, 244 (Pa. Super. Ct. 1997) ("Typically,

III. Conclusion

Pursuant to Rule 3183(b)(2), Osprey's attempt to execute on this court's June 3, 2016 interlocutory order was properly stayed. First, it is generally not appropriate to seek execution on an interlocutory order. Osprey's attempt to execution on this interlocutory order would have effectively eliminated Moran's and the Russells' direct appellate rights. Second, Osprey's attempt to execute on a 50% interest in the subject real property was inequitable as it would have prejudiced Moran in that such an execution would not be designed to maximize any third party bids on the real property at the Sheriff's Sale. Given the uncertainty as to the state of the title to this real property, Osprey's interlocutory – and premature – execution would have adversely impacted upon Moran's right to receive fair compensation for her real property at any Sheriff Sale. There was nothing commercially reasonable about the manner in which Osprey proceeded with this proposed execution.

Finally, the Russells have filed a separate legal action making an adverse possession claim to a portion of the real property. This collateral legal action involving the same parties and a portion of the same real property must be resolved prior to any execution proceeding. Osprey was aware of the potential adverse possession claim prior to filing the mortgage foreclosure complaint as it was implicitly recognized by Moran in the consentable line agreement. Given that the Russells claim that they acquired title to a portion of the subject real property prior to the 1994 mortgage, the adverse possession claim must be resolved prior to execution.

As such, for the reasons set forth herein, there were ample legal and equitable grounds to support the stay of execution under Rule 3183(b)(2) for a period of time necessary to complete the litigation necessary to determine if (1) there is a valid mortgage on the remaining 50% interest in the real property; and (2) whether the Russells obtained title by adverse possession to 0.14 acres of the subject real property prior to the 1994 mortgage.

Jason J. Legg
President Judge



an order staying execution is deemed interlocutory, and, therefore, unappealable because it is granted to maintain the status quo pending further disposition of other court proceedings or investigations.”).

Further, while the Court has not provided for any specific timeframe necessary for the resolution of the litigation relating to the alleged mortgage on Marie Moran's 50% interest in the real property, the matter is scheduled for a judge trial in June 2017. It is clear that this particular issue will resolve itself prior to the Russells' adverse possession claim and will then cease to serve as a basis for continuation of the stay. Up until that point, there are two compelling reasons to stay execution in this particular case – and both require the Court to engage in further court proceedings to determine the validity and extent of the ultimate lien in this particular case.

LEGAL NOTICES

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

ESTATE NOTICES

Notice is hereby given that, in the estate 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 present the same without delay and all persons indebted to said estates are requested to make immediate payment to the executors or administrators or their attorneys named below.

EXECUTRIX NOTICE

Estate of Stephen A. Ambrose, Sr.
AKA Stephen Ambrose
Late of Apolacon Township
EXECUTRIX
Donna M. Fizzano
14111 State Route 858
Little Meadows, PA 18830
ATTORNEY
Robert J. Hollister, Esquire
Giangrieco Law, PC
P.O. Box 126
Montrose, PA 18801

6/2/2017 • 6/9/2017 • 6/16/2017

ESTATE NOTICE

Notice is hereby given that letters of administration have been granted in the ESTATE OF **RUSSELL D. ELY** late of the Township of Bridgewater, Pennsylvania, (died March 24, 2017) to Sharon D. Ely, Administrator. All persons indebted to the said estate are required to

make payment, and those having claims or demands to present the same without delay to Sharon D. Ely or to Levene Gouldin & Thompson, LLP, attorneys for the estate, 450 Plaza Drive, P.O. Box F-1706, Binghamton, NY 13902-0106.

5/26/2017 • 6/2/2017 • 6/9/2017

ESTATE NOTICE

Notice is hereby given that letters of administration have been granted in the Estate of **Nora S. Purtell**, late of the Township of Apolacon, Pennsylvania, (died March 6, 2017) to Amee L. Howe, Administratrix. All persons indebted to the said estate are required to make payment, and those having claims or demands to present the same without delay to Estate of Amee L. Howe or to Levene Gouldin & Thompson, LLP, attorneys for the estate, PO Box F-1706, Binghamton, NY 13902-0106.

5/26/2017 • 6/2/2017 • 6/9/2017

NOTICE

In the Estate of Tina Crystal Jesse Sieben, deceased, late of New Milford Township, Susquehanna County, Pennsylvania.

Letters of Administration in the above estate having been issued to

Paul C. Sieben, all persons indebted to the said estate are requested to make payment; those having claims to present the same without delay to:

Paul C. Sieben
225 Prospect Street
Susquehanna, PA 18847

OR

Michael J. Gathany
Attorney at Law
PO Box 953
Hallstead, PA 18822

5/26/2017 • 6/2/2017 • 6/9/2017

EXECUTRIX NOTICE

Estate of Ray O. Hardic
Late of Rush Township
EXECUTRIX

Karen Vargason
2724 Moore Hill Road
Nichols, NY 13812
ATTORNEY

Michael J. Giangrieco, Esquire
Giangrieco Law, PC
P.O. Box 126
Montrose, PA 18801

5/19/2017 • 5/26/2017 • 6/2/2017

ADMINISTRATOR NOTICE

Estate of Darrin P. Green
Late of Silver Lake Township
ADMINISTRATOR

Jean Green
596 Kennedy Road
Brackney, PA 18812
ATTORNEY
Zachary D. Morahan, Esq.
Coughlin & Gerhart, LLP

JUDICIAL LAW CLERK POSITION

The Court of Common Pleas of the 44th Judicial District (Wyoming and Sullivan Counties) is seeking applications for the position of part-time Judicial Law Clerk. Applicants shall possess a valid law license in good standing and be admitted to practice in the Commonwealth of Pennsylvania. Salary to be commensurate with experience. All applications shall include a complete resume along with writing samples and shall be due no later than June 7, 2017 and forwarded to:

Hon. Russell D. Shurtleff, P.J.
Judges' Chambers
Wyoming County Courthouse
One Courthouse Square
Tunkhannock PA 18657

Wyoming County is an
equal opportunity employer

21-23 Public Avenue
Montrose, PA 18801

5/19/2017 • 5/26/2017 • 6/2/2017

ADMINISTRATOR NOTICE

Estate of Charles P. Gibbons
Late of Bridgewater Township
ADMINISTRATOR

Brian Gibbons
7443 SR 29
Springville, PA 18844
ATTORNEY
Sam W. Lewis
212 Church Street
Montrose, PA 18801

5/19/2017 • 5/26/2017 • 6/2/2017

EXECUTOR NOTICE

Estate of Carol Elizabeth Rafferty
AKA Carol E. Rafferty
Late of Franklin Township
EXECUTOR

Bruce P. Leach, Jr.
161 Verstreet Drive
Rochester, NY 14616
ATTORNEY
Robert J. Hollister, Esq.
Giangrieco Law, PC
P.O. Box 126
Montrose, PA 18801

5/19/2017 • 5/26/2017 • 6/2/2017

NOTICE

IN THE ESTATE OF **RITA FLYNN**, late of the TOWNSHIP OF FOREST LAKE, County of Susquehanna, Pennsylvania, Letters Testamentary in the above Estate having been granted to the undersigned, all persons indebted to said Estate are requested to make prompt payment and all having claims against said Estate will present them without delay to:

MARGARET ANN JONES,
Executrix
2124 Ford Road
Endicott, NY 13760

OR

Davis Law, P.C.
Raymond C. Davis, Esquire
Attorney for the Estate
181 Maple Street
Montrose, PA 18801

5/19/2017 • 5/26/2017 • 6/2/2017

NOTICE

In the Estate of Theodore Donovan, deceased, late of New Milford Borough, Susquehanna County, Pennsylvania.

Letters of Administration in the above estate having been issued to Thomas Donovan, all persons indebted to the said estate are requested to make payment; those having claims to present the same without delay to:

Thomas Donovan
4123 Old Route 11
Hallstead, PA 18822

OR

Michael J. Gathany
Attorney at Law
PO Box 953
Hallstead, PA 18822

5/19/2017 • 5/26/2017 • 6/2/2017

OTHER NOTICES

ORPHANS' COURT DIVISION ESTATE NOTICE

Public notice is hereby given to all persons interested in the following named Estate. The accountant of said Estate has filed in the Register's Office of Susquehanna County the accounting which has been certified to the Clerk of the Orphans' Court Division, Court of Common Pleas:

First and Final Accountings:

ESTATE OF
DONALD G. WILBUR, deceased
Phyllis Caffrey, Executrix

The above accounting will be presented to the Judge of the Court of Common Pleas on Tuesday, June 20, 2017, and if no exceptions have been filed thereto the account will be Confirmed Final.

MICHELLE ESTABROOK
CLERK OF ORPHANS' COURT

5/26/2017 • 6/2/2017

NOTICE

IN THE COURT OF COMMON
PLEAS
SUSQUEHANNA COUNTY

CIVIL ACTION - LAW

NO. 2017-390

Notice of Action in Mortgage
Foreclosure

Nationstar Mortgage LLC, Plaintiff

vs.

Arlene J. Barker Solely in Her
Capacity as Heir of Adele
Berthelson, Deceased, Mortgagor
and Real Owner, Defendant

To: Arlene J. Barker Solely in Her
Capacity as Heir of Adele
Berthelson Deceased, Mortgagor
and Real Owner, Defendant, whose
last known address is 670
Cosmello Road f/k/a 19 Cosmello
Road, New Milford, PA 18834.

This firm is a debt collector and we are attempting to collect a debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff, Nationstar Mortgage LLC, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of Susquehanna County, Pennsylvania, docketed to No. 2017-390, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 670 Cosmello Road f/k/a 19 Cosmello Road, New Milford, PA 18834, whereupon your property will be sold by the Sheriff of Susquehanna County. Notice: You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set

forth below. This office can provide you with information about hiring a lawyer. If you cannot afford to hire a Lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

Prothonotary of Susquehanna County
P.O. Box 218
Montrose, PA 18801
570.278.4600 x4018

Michael T. McKeever, Atty. for Plaintiff, KML Law Group, P.C., Ste. 5000, Mellon Independence Center, 701 Market St., Phila., PA 19106-1532, 215.627.1322.

6/2/2017

NOTICE OF FILING OF SHERIFF'S SALES

Individual Sheriff's Sales can be cancelled for a variety of reasons. The notices enclosed were accurate as of the publish date. Sheriff's Sale notices are posted on the public bulletin board of the Susquehanna County Sheriff's Office, located at 105 Maple Street, Montrose, PA.

SHERIFF'S SALE MORTGAGE FORECLOSURE JUNE 13, 2017

IN THE COURT OF COMMON
PLEAS OF SUSQUEHANNA
COUNTY,
upon Judgment entered therein,
there will be exposed to public sale
and outcry in the Sheriff's Office,
Susquehanna County Courthouse
Montrose, Pennsylvania, the

following described real estate, to
wit:

SALE DATE AND TIME 6-13-2017 9:00 AM

Writ of Execution No.:
2017-330 CP
PROPERTY ADDRESS: RR 7 Box
7242 NKA 1078 Johnson Pond
Road
Montrose, Pa 18801
LOCATION: Township of
Bridgewater
Tax ID #: 162.00-1,014.05,000
IMPROVEMENTS: ONE - 2
STORY WOOD FRAMED
DWELLING
ONE - 24 X 30 WOOD FRAMED
GARAGE
DEFENDANTS: Marsha L. Pratt,
AKA Marsha Pratt; Walter E. Pratt,
Jr., AKA Walter Pratt; Appalachian
Basin Mineral, LP; PennMarc
Resources II, LP; Wildes Mineral
Interests, LLC; McCrow Energy
Partners II, LLC
ATTORNEY FOR PLAINTIFF:
Kimberly Bonner, Esq
(614) 222-4921

NOTICE

The Sheriff shall not be liable for
loss or damage to the premises sold
resulting from any cause
whatsoever and makes no
representation or warranty
regarding the condition of the
premises. **Notice** is hereby given
and directed to all parties in
interest and claimants that a
Schedule of Distribution will be
filed by the Sheriff no later than 30
days after the sale and that
distribution will be made in
accordance with that Schedule

unless exceptions are filed thereto within ten (10) days thereafter. Full amount of bid plus poundage must be paid on the date of the sale by 4:30 p.m. or deed will not be acknowledged. For details on individual Sheriff Sales please go to:
www.susquehannasheriff.com/sheriffsales.html

Lance M. Benedict,
Susquehanna County Sheriff

5/19/2017 • 5/26/2017 • 6/2/2017

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
JULY 11, 2017**

IN THE COURT OF COMMON
PLEAS OF SUSQUEHANNA
COUNTY,
upon Judgment entered therein,
there will be exposed to public sale
and outcry in the Sheriff's Office,
Susquehanna County Courthouse
Montrose, Pennsylvania, the
following described real estate, to
wit:

**SALE DATE AND TIME
7-11-2017 11:00 AM**

Writ of Execution No.:

2016-191 CP

PROPERTY ADDRESS: FROM
SR 2067/BELCHER ROAD EAST
APPROX. 4,587'
FROM INTERSECTION OF
MOUNTAIN ROAD WEST
APPROX. 2,287'

LOCATION: Gibson Township
Tax ID #: 189.00-1,069.00,000.
IMPROVEMENTS: 123.71 Acres
of Vacant Land
DEFENDANTS: Christopher
Rappolt and Barbara Rappolt
ATTORNEY FOR PLAINTIFF:
James T. Shoemaker, Esq
(570) 287-3000

NOTICE

The Sheriff shall not be liable for
loss or damage to the premises sold
resulting from any cause
whatsoever and makes no
representation or warranty
regarding the condition of the
premises. **Notice** is hereby given
and directed to all parties in
interest and claimants that a
Schedule of Distribution will be
filed by the Sheriff no later than 30
days after the sale and that
distribution will be made in
accordance with that Schedule
unless exceptions are filed thereto
within ten (10) days thereafter. Full
amount of bid plus poundage must
be paid on the date of the sale by
4:30 p.m. or deed will not be
acknowledged. For details on
individual Sheriff Sales please go
to:
www.susquehannasheriff.com/sheriffsales.html

Lance M. Benedict,
Susquehanna County Sheriff

6/16/2017 • 6/23/2017 • 6/30/2017

MORTGAGES AND DEEDS

*RECORDED FROM MAY 18, 2017 TO MAY 24, 2017
ACCURACY OF THE ENTRIES IS NOT GUARANTEED.*

MORTGAGES

Information: OPEN-END MTG	Consideration: \$165,000.00
Mortgagor: MCGLYNN, ERIC J	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - MCGLYNN, JACLYN M	
Locations: Parcel #	Municipality
1 - 233.00-1,061.01,000.	AUBURN TOWNSHIP
Information: OPEN-END MTG	Consideration: \$20,000.00
Mortgagor: YODER, ASHLIE	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
Locations: Parcel #	Municipality
1 - 054.11-5,029.00,000.	SUSQUEHANNA
Information:	Consideration: \$50,000.00
Mortgagor: SEGERSTROM, ROBERT J	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - SEGERSTROM, TERRILYN A	
Locations: Parcel #	Municipality
1 - 115.09-1,073.00,000.	THOMPSON BOROUGH
Information: OPEN-END MTG	Consideration: \$136,800.00
Mortgagor: TRAVIS, DEBRA L	Mortgagee: DIME BANK
Locations: Parcel #	Municipality
1 - 054.00-5,010.01,000.	OAKLAND BOROUGH
Information:	Consideration: \$126,663.00
Mortgagor: HANDY, COLLEEN M	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
	2 - SUMMIT MORTGAGE CORPORATION
Locations: Parcel #	Municipality
1 - 107.18-1,006.00,000.	BRIDGEWATER TOWNSHIP
Information:	Consideration: \$272,000.00
Mortgagor: DEGRAW, JAMES D	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
	2 - NATIONSTAR MORTGAGE LLC
2 - DEGRAW, LAURA J	
3 - YAMELLO, GARY J	
Locations: Parcel #	Municipality
1 - 152.00-1,001.00,000.	ARARAT TOWNSHIP
Information:	Consideration: \$126,000.00
Mortgagor: CADY, RONALD D	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
	2 - NATIONS LENDING CORPORATION
2 - CADY, REBECCA S	
Locations: Parcel #	Municipality
1 - 066.00-1,007.05,000.	SILVER LAKE TOWNSHIP
Information:	Consideration: \$124,000.00
Mortgagor: BURKETT, JEFFREY O	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - BURKETT, NANCY A	
Locations: Parcel #	Municipality
1 - 031.00-2,058.00,000.	GREAT BEND TOWNSHIP

Information:	Consideration: \$900,000.00
Mortgagor: EMK BLUESTONE LLC	Mortgagee: FIRST CITIZENS COMMUNITY BANK
Locations: Parcel #	Municipality
1 - 092.00-1,001.00,000.	NEW MILFORD TOWNSHIP
2 - 092.00-1,001.01,000.	NEW MILFORD TOWNSHIP
Information:	Consideration: \$40,000.00
Mortgagor: HALEY, SCOTT W	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
Locations: Parcel #	Municipality
1 - 014.00-1,034.00,000.	GREAT BEND TOWNSHIP
Information:	Consideration: \$20,000.00
Mortgagor: WHEELER, ALEXIS L	Mortgagee: PETROSKI LLC
2 - WEBER, NATHAN D	
Locations: Parcel #	Municipality
1 - N/A	FOREST CITY 2W
Information:	Consideration: \$60,000.00
Mortgagor: TRUMP, MICHAEL	Mortgagee: TRUMARK FINANCIAL CREDIT UNION
2 - TRUMP, MARY ANNE	
Locations: Parcel #	Municipality
1 - 209.00-1,068.00,000.	HERRICK TOWNSHIP
Information:	Consideration: \$1,162,500.00
Mortgagor: ELITE PARTNERS OF PA LLC	Mortgagee: HONESDALE NATIONAL BANK
Locations: Parcel #	Municipality
1 - 135.00-2,006.00,000.	ARARAT TOWNSHIP
Information:	Consideration: \$77,400.00
Mortgagor: ANDERSON, TERRY L	Mortgagee: PS BANK
2 - ANDERSON, DORIS M	
Locations: Parcel #	Municipality
1 - 222.10-1,040.00,000.	HOP BOTTOM BOROUGH
Information:	Consideration: \$163,000.00
Mortgagor: SHAFFER, ANDREW R	Mortgagee: TIOGA STATE BANK
2 - SHAFFER, ERIN	
Locations: Parcel #	Municipality
1 - 064.00-2,007.00,000.	FOREST LAKE TOWNSHIP
Information:	Consideration: \$86,000.00
Mortgagor: DAVID, JUANA M	Mortgagee: NBT BANK
Locations: Parcel #	Municipality
1 - 114.00-1,019.01,000.	THOMPSON TOWNSHIP
Information:	Consideration: \$116,000.00
Mortgagor: LUTKIEWICZ, FRANCIS	Mortgagee: POLICE & FIRE FEDERAL CREDIT UNION
2 - LUTKIEWICZ, HELEN K	
Locations: Parcel #	Municipality
1 - 088.00-1,019.00,000.	FRANKLIN TOWNSHIP
Information:	Consideration: \$460,000.00
Mortgagor: HOLOFCHAK, NICK	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - HOLOFCHAK, PAULA	
Locations: Parcel #	Municipality
1 - 008.00-1,019.02,000.	SILVER LAKE TOWNSHIP
Information:	Consideration: \$460,000.00
Mortgagor: HOLOFCHAK, NICK L	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - HOLOFCHAK, PAULA J	
Locations: Parcel #	Municipality
1 - 008.00-1,005.00,000.	SILVER LAKE TOWNSHIP

Information:	Consideration: \$108,800.00
Mortgagor: SMALES, DANIEL 2 - SMALES, SHEREE R	Mortgagee: FINANCE OF AMERICA MORTGAGE LLC
Locations: Parcel # 1 - 218.03-1,046.00,000.	Municipality SPRINGVILLE TOWNSHIP
Information: OPEN-END MTG	Consideration: \$30,000.00
Mortgagor: SABAL, GAIL E	Mortgagee: MANUFACTURERS & TRADERS TRUST COMPANY
Locations: Parcel # 1 - 026.00-1,005.01,000.	Municipality SILVER LAKE TOWNSHIP
Information:	Consideration: \$123,500.00
Mortgagor: MARGERISON, RICHARD BENNETT JR 2 - MARGERISON, JANE	Mortgagee: VALLEY NATIONAL BANK
Locations: Parcel # 1 - 116.17-1,033.00,000.	Municipality THOMPSON TOWNSHIP
Information:	Consideration: \$80,000.00
Mortgagor: BRANDON, JOSEPH 2 - BRANDON, MEGAN	Mortgagee: NBT BANK
Locations: Parcel # 1 - 065.11-1,005.00,000.	Municipality SILVER LAKE TOWNSHIP

DEEDS

Information:	Consideration: \$50,000.00
Grantor: HAWTHORNE, PAUL A III	Grantee: PALMITER, BRIAN 2 - PALMITER, VINCENZA
Locations: Parcel # 1 - 039.00-1,001.01,000.	Municipality APOLACON TOWNSHIP
Information:	Consideration: \$389,900.00
Grantor: ERNSTROM, RITA	Grantee: KENNY, STEVEN 2 - KENNY, SHEILA
Locations: Parcel # 1 - N/A	Municipality SILVER LAKE TOWNSHIP
Information:	Consideration: \$129,000.00
Grantor: BAKER, DAVID T JR 2 - BAKER, SHERI LYNN	Grantee: HANDY, COLLEEN M 2 - HUGHES, CHRISTOPHER T
Locations: Parcel # 1 - 107.18-1,006.00,000.	Municipality BRIDGEWATER TOWNSHIP
Information:	Consideration: \$115,000.00
Grantor: MCCOURT, MICHAEL J (ESTATE) 2 - DENZLER, MARGARET A 3 - KIEFREIDER, KATHLEEN J 4 - MCCOURT, ELEANOR 5 - FAUERBACH, MARGARET R	Grantee: MCGLYNN, ERIC J 2 - MCGLYNN, JACLYN M
Locations: Parcel # 1 - N/A	Municipality AUBURN TOWNSHIP
Information:	Consideration: \$1.00
Grantor: FORNICOLA, DOMINIC 2 - FORNICOLA, TERESSA	Grantee: FORNICOLA, DOMINIC
Locations: Parcel # 1 - N/A	Municipality LATHROP TOWNSHIP

Information:	Consideration: \$320,000.00
Grantor: WAMBOLD, ANTOINETTE R (AKA)	Grantee: DEGRAW, JAMES D
2 - CURRY, ANTOINETTE R	2 - DEGRAW, LAURA J
3 - CURRY, ROBERT S	3 - YAMELLO, GARY J
Locations: Parcel #	Municipality
1 - 152.00-1,001.00,000.	ARARAT TOWNSHIP
Information:	Consideration: \$44,500.00
Grantor: LSF9 MASTER PARTICIPATION TRUST	Grantee: EXR LLC
Locations: Parcel #	Municipality
1 - 050.07-1,035.00,000.	HALLSTEAD BOROUGH
2 - N/A	GREAT BEND TOWNSHIP
Information:	Consideration: \$1,050,000.00
Grantor: K & C N LLC	Grantee: EMK BLUESTONE LLC
Locations: Parcel #	Municipality
1 - N/A	NEW MILFORD TOWNSHIP
2 - N/A	JACKSON TOWNSHIP
Information:	Consideration: \$1.00
Grantor: ELLIS, GERALD A	Grantee: ELLIS, GERALD A
2 - ELLIS, LAURIE A	2 - ELLIS, LAURIE A
	3 - GALVIN, JENNIFER
	4 - GALVIN, MARK
Locations: Parcel #	Municipality
1 - N/A	DIMOCK TOWNSHIP
2 - N/A	RUSH TOWNSHIP
Information:	Consideration: \$20,000.00
Grantor: PETROSKI LLC	Grantee: WHEELER, ALEXIS
	2 - WEBER, NATHAN D
Locations: Parcel #	Municipality
1 - 249.19-3,049.00,000.	FOREST CITY 2W
Information:	Consideration: \$85,000.00
Grantor: PISERCHIA, GARY	Grantee: TRUMP, MICHAEL
	2 - TRUMP, MARY ANNE
Locations: Parcel #	Municipality
1 - 209.00-1,068.00,000.	HERRICK TOWNSHIP
Information:	Consideration: \$1.00
Grantor: SOUTHERN, MARY K	Grantee: DILLON, THOMAS E
2 - SOUTHERN, ROBERT	2 - DILLON, PATRICIA A
3 - DILLON, PATRICIA A	
4 - DILLON, THOMAS E	
5 - FAUGHNAN, JOSEPH E	
6 - FAUGHNAN, JOYCE	
7 - CANNIFF, JANICE E	
8 - CANNIFF, JEFFREY	
9 - FAUGHNAN, MAUREEN A	
10 - FAUGHNAN, CATHERINE R	
11 - FAUGHNAN, THOMAS M	
12 - FRAVALA, LINDA J	
13 - FRAVALA, JEFFREY	
Locations: Parcel #	Municipality
1 - N/A	ARARAT TOWNSHIP

Information:	Consideration: \$1,550,000.00
Grantor: THE HEMLOCK GROUP	Grantee: ELITE PARTNERS OF PA LLC
2 - HEMLOCK GROUP	
3 - KOLLER, RONALD W	
4 - STRUNK, ROBERT E	
5 - STRUNK, DAVID B	
6 - KOLLER, RONALD W (TA)	
7 - STRUNK, ROBERT E (TA)	
8 - STRUNK, DAVID B (TA)	
Locations: Parcel #	Municipality
1 - 135.00-2,006.00,000.	ARARAT TOWNSHIP
Information: AGRICULTURAL CONSERVATION EASEMENT	Consideration: \$228,975.00 Tax
Grantor: SQUIER, WILLIAM BOYD	Grantee: COMMONWEALTH OF PENNSYLVANIA
2 - SQUIER, LAURA ANN	2 - SUSQUEHANNA COUNTY
Locations: Parcel #	Municipality
1 - N/A	BRIDGEWATER TOWNSHIP
Information:	Consideration: \$1.00
Grantor: LIGHTNING CREEK HOLDINGS LP	Grantee: JJJ REAL ESTATE LLC
2 - APPALACHIAN CLEAN ENERGY LLC	
Locations: Parcel #	Municipality
1 - 080.00-1,054.00,000.	MIDDLETOWN TOWNSHIP
Information:	Consideration: \$1.00
Grantor: DOWDELL, EDYTHE A	Grantee: DOWDELL, EDYTHE A
	2 - SIVERS, EDYTHE
	3 - SIVERS, ALAN
Locations: Parcel #	Municipality
1 - 083.00-1,067.00,000.	FOREST LAKE TOWNSHIP
Information:	Consideration: \$500,000.00
Grantor: MCCAWLEY, CYNTHIA L	Grantee: LEKACH
Locations: Parcel #	Municipality
1 - 208.00-3,011.00,000.	CLIFFORD TOWNSHIP
Information:	Consideration: \$23,000.00
Grantor: PICKERING, JESSE W (ESTATE AKA)	Grantee: CORBIN, JOHN F
2 - PICKERING, JESSE (ESTATE)	2 - CORBIN, ANN
Locations: Parcel #	Municipality
1 - 183.00-1,059.00,000.	BROOKLYN TOWNSHIP
Information:	Consideration: \$165,000.00
Grantor: FRIERMAN, ROSE	Grantee: BRANDON, JOSEPH
2 - FRIERMAN, HOWARD	2 - BRANDON, MEGAN
Locations: Parcel #	Municipality
1 - N/A	SILVER LAKE TOWNSHIP
Information:	Consideration: \$159,000.00
Grantor: TNT PARTNERSHIP OF PA (NBM)	Grantee: LESKO, EARL
2 - TNT 1 LIMITED PARTNERSHIP	2 - LESKO, NANCY
Locations: Parcel #	Municipality
1 - N/A	SILVER LAKE TOWNSHIP



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