

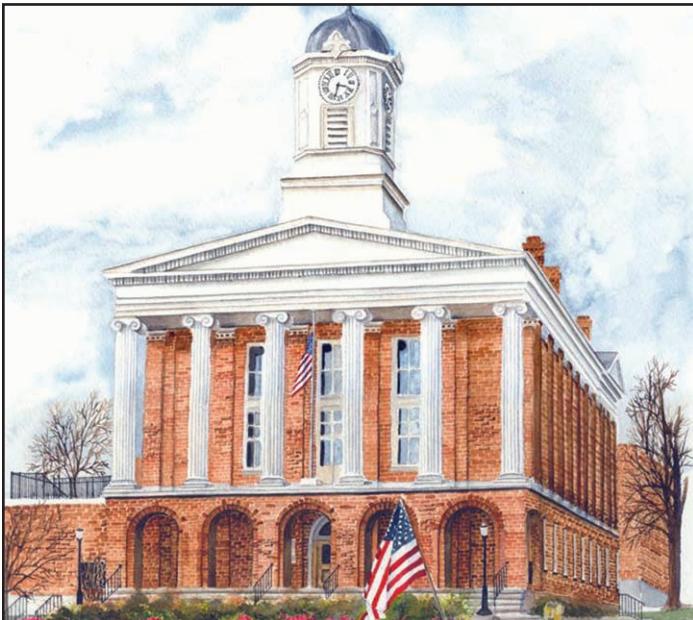
OFFICIAL

LEGAL JOURNAL

OF SUSQUEHANNA COUNTY, PA

34th Judicial District

Vol. 7 ★ April 29, 2022 ★ Montrose, PA ★ No. 5



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CASES REPORTED

Residential Mortgage Loan Trust
vs.
Belinda Rudder.

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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.



PA LEGAL ADS

The Official Legal Publication of Susquehanna County, Pennsylvania



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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
Fictitious Name Registration	\$45
Petition for Change of Name	\$45
Estate Notice (3-time insertion)	\$65
Orphans Court; Accounting on Estates (2-time insertion)	\$45

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A fee of \$10 will be added to all legal notices for the Notarized Proof of Publication.*

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Prorated subscriptions available

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Kenneth W. Seamans, *Senior Judge*

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Anthony J. Conarton

Auditors

Robert DeLuca
Richard Suraci
Rick Ainey

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

IN THE COURT OF COMMON PLEAS OF
SUSQUEHANNA COUNTY, PENNSYLVANIA

RESIDENTIAL MORTGAGE LOAN	:	
TRUST,	:	
Respondent,	:	
vs.	:	
BELINDA RUDDER,	:	No. 2020 - 792 C.P.
Petitioner.	:	

ORDER

NOW, this 21st day of April, 2022, upon consideration of petitioner Belinda Rudder's petition to enforce settlement agreement, as well as Respondent Residential Mortgage Loan Trust's response thereto, and after oral argument on the same, **IT IS HEREBY ORDERED AS FOLLOWS:**

1. Petitioner Belinda Rudder's petition to enforce settlement agreement is **DENIED.**¹

Jason J. Legg
President Judge

¹ This action originated as an ejectment action after respondent Residential Mortgage Loan Trust (hereinafter referred to as Residential) foreclosed on the real property owned by respondent Belinda Rudder (hereinafter referred to as Rudder). After the foreclosure, Rudder refused to vacate the real property and Residential initiated an ejectment proceeding. The parties amicably resolved the ejectment proceeding when Rudder agreed to vacate the property by July 3, 2021 in return for the sum of \$3,000. In order to receive the \$3,000 payment, Rudder was required to leave the property in "broom swept condition." (Rudder Pet., Ex. A, ¶ 1(C).) Rudder has now vacated the real property but Residential has refused to pay the \$3,000 because Residential asserts that Rudder failed to comply with the terms of the settlement agreement.

Residential contends that Rudder failed to leave the real property in a "broom swept condition" as required under the settlement agreement. (*Id.*) "The express obligation to surrender [a] premises in 'broom clean' condition has been interpreted to require that the premises be free of garbage, refuse, trash and other debris at the time of surrender." *Tobin v. Gluck*, 137 F. Supp. 3d 278, 299 (E.D.N.Y. 2015) (emphasis added), 684 Fed. Appx. 61 (2nd Cir. 2017). The record demonstrates that Rudder left substantial amounts of "garbage, refuse, trash and other debris" in the residence at the time of its surrender. (Residential Reply, Ex. C.) As such, Rudder failed to leave the real property in a "broom swept condition" as required under the parties' settlement agreement. Based Rudder's failure to comply with the express terms of the parties' settlement agreement, it is null and void and Rudder is not entitled to receive the \$3,000 payment. (Rudder Pet., Ex. A, ¶ 1(F).)

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.

DECEDENT'S ESTATE

ESTATE OF Robert T. Zawisky late of Herrick Township, Susquehanna County, PA (died December 20, 2021). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Debra Tedesco, 6 Carol Lane, Enola, PA 17025 or to William F. Dunstone, Esquire, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 S. Abington Road, Clarks Summit, PA 18411.

OLIVER, PRICE & RHODES

By: William F. Dunstone, Esquire

4/29/2022 • 5/6/2022 • 5/13/2022

ADMINISTRATRIX NOTICE

Estate of Freida M. Smith
Late of Oakland Borough
ADMINISTRATRIX
Catherine Corse
278 N. Main St.
Susquehanna, PA 18847
ATTORNEY
Beardsley Law PLLC
37 Public Avenue
Montrose, PA 18801

4/29/2022 • 5/6/2022 • 5/13/2022

ADMINISTRATRIX NOTICE

Estate of Charles Raymond Smith
Late of Oakland Borough
ADMINISTRATRIX
Catherine Corse
278 N. Main St.
Susquehanna, PA 18847
ATTORNEY
Beardsley Law PLLC
37 Public Avenue
Montrose, PA 18801

4/29/2022 • 5/6/2022 • 5/13/2022

ESTATE NOTICE

Notice is hereby given that letters testamentary have been granted in the **ESTATE OF EDWARD H. TURNER, JR.** late of the New Milford Township, Pennsylvania, (died January 30, 2022) to Dorinna Lee and Geannine Turner Peters, Executor. All persons indebted to

the estate are required to make payment, and those having claims or demands to present the same without delay to Dorinna Lee or Geannine Turner Peters or to Levene Gouldin & Thompson, LLP, attorneys for the estate, 450 Plaza Drive, Vestal, NY.

4/22/2022 • 4/29/2022 • 5/6/2022

EXECUTOR NOTICE

Estate of Carol L. Paquette
Late of Oakland Township
EXECUTOR
Peter Niven
23978 SR 92
Susquehanna, PA 18847
ATTORNEY
Michael Briechle, Esq.
4 Chestnut Street
Montrose, PA 18801

4/22/2022 • 4/29/2022 • 5/6/2022

ADMINISTRATRIX NOTICE

Estate of Frances O. C.
Waynesboro
Late of Liberty Township
ADMINISTRATRIX
Felicia Waynesboro
3517 Liberty Park Rd.
Hallstead, PA 18822

4/22/2022 • 4/29/2022 • 5/6/2022



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 14, 2022

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

06/14/2022 09:00 AM

Writ of Execution No.:

2015-970 CP

PROPERTY ADDRESS: 729 Hudson Street, Forest City, PA 18421

LOCATION: Forest City Borough
Tax ID #: 268.07-1,063.00,000.

IMPROVEMENTS: ONE – 2 story wood framed dwelling

DEFENDANTS: Brenda L.

Benjamin

ATTORNEY FOR PLAINTIFF:

Leon P. Haller, Esq.

(717) 234-4178

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.susqco.com, then select Law Enforcement, Sheriff's Office, Sheriff's Sales.

Lance M. Benedict,
Susquehanna County Sheriff

4/22/2022 • 4/29/2022 • 5/6/2022

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
JUNE 14, 2022**

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
06/14/2022 09:30 AM**
Writ of Execution No.:
2022-37 CP
PROPERTY ADDRESS: 14440

Strickland Hill Rd., Springville, PA 18844
LOCATION: Springville Township
Tax ID #: 219.00-1,040.00,000.
IMPROVEMENTS: ONE – 1 2/3 story wood framed dwelling
ONE – 24 X 32 wood framed garage
ONE – 16 X 24 wood framed shed
DEFENDANTS: Helen Warner
ATTORNEY FOR PLAINTIFF:
Robert Crawley, Esq.
(855) 225-6906

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.susqco.com, then select Law Enforcement, Sheriff's Office, Sheriff's Sales.

Lance M. Benedict,
Susquehanna County Sheriff

4/22/2022 • 4/29/2022 • 5/6/2022

MORTGAGES AND DEEDS

RECORDED FROM APRIL 14, 2022 TO APRIL 20, 2022
ACCURACY OF THE ENTRIES IS NOT GUARANTEED.

MORTGAGES

Information:	Consideration: \$37,572.64
Mortgagor: GLOVER, JASON M	Mortgagee: UNITED STATES SECRETARY OF HOUSING AND URBAN DEVELOPMENT
2 - GLOVER, TAMMY L	
Locations: Parcel # 1 - 054.00-1,012.00.000.	Municipality OAKLAND TOWNSHIP
Information:	Consideration: \$84,550.00
Mortgagor: GOMEZ, JEFFREY	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - GOMEZ, EILEEN	2 - ROCKET MORTGAGE LLC
Locations: Parcel # 1 - 268.07-1,089.00.000.	Municipality FOREST CITY 2W
Information:	Consideration: \$55,000.00
Mortgagor: HARRIS, DEBRA BRIAN-SUSANN	Mortgagee: HONESDALE NATIONAL BANK
Locations: Parcel # 1 - 268.07-6,032.00.000.	Municipality FOREST CITY
Information:	Consideration: \$222,616.00
Mortgagor: THOMAS, SHARON ANNE	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
	2 - ROCKET MORTGAGE LLC (FKA) 3 - QUICKEN LOANS LLC
Locations: Parcel # 1 - 038.00-1,010.00.000.	Municipality HARMONY TOWNSHIP
Information:	Consideration: \$152,000.00
Mortgagor: WARNER, ROSE	Mortgagee: NBT BANK
2 - ELY, CALEB	
Locations: Parcel # 1 - 142.02-1,005.00.000.	Municipality BRIDGEWATER TOWNSHIP
Information:	Consideration: \$133,000.00
Mortgagor: ROSSI, JOSEPH G	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - ROSSI, KRISTI L	2 - CARRINGTON MORTGAGE SERVICES LLC
Locations: Parcel # 1 - 172.00-2,023.00.000.	Municipality HERRICK TOWNSHIP
Information:	Consideration: \$60,000.00
Mortgagor: KELLY, WILLIAM	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
Locations: Parcel # 1 - 130.00-2,008.00.000.	Municipality JACKSON TOWNSHIP
Information:	Consideration: \$145,000.00
Mortgagor: ASHCRAFT, JOHN F	Mortgagee: CHEMUNG CANAL TRUST COMPANY
2 - ASHCRAFT, SARAH J	
Locations: Parcel # 1 - 021.00-3,001.00.000.	Municipality LITTLE MEADOWS BOROUGH

★ LEGAL JOURNAL OF SUSQUEHANNA COUNTY ★

Information:	Consideration: \$195,000.00
Mortgagor: MCARTHUR, JOHN	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
Locations: Parcel # 1 - 092.00-1,010.00.000.	Municipality NEW MILFORD TOWNSHIP
Information:	Consideration: \$350,000.00
Mortgagor: CONSIDINE, MICHAEL J	Mortgagee: CALIBER HOME LOANS INC
2 - CONSIDINE, HEATHER L	
Locations: Parcel # 1 - 143.00-1,029.00.000.	Municipality BRIDGEWATER TOWNSHIP
Information:	Consideration: \$30,000.00
Mortgagor: ROE, AMANDA	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - ROE, DARREN	
Locations: Parcel # 1 - 076.00-1,012.00.000.	Municipality HARMONY TOWNSHIP
Information:	Consideration: \$120,000.00
Mortgagor: SAVANI, SARA	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - CURLEY, MATTHEW E	
Locations: Parcel # 1 - 118.00-1,006.00.000.	Municipality MIDDLETOWN TOWNSHIP
Information:	Consideration: \$560,000.00
Mortgagor: DURANTE REAL ESTATE HOLDINGS LLC	Mortgagee: HONESDALE NATIONAL BANK
Locations: Parcel # 1 - 172.00-2,022.00.000. 2 - 173.00-2,013.00.000.	Municipality HERRICK TOWNSHIP HERRICK TOWNSHIP
Information:	Consideration: \$106,160.00
Mortgagor: OAKES, JENNIFER MARIE	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC 2 - SWBC MORTGAGE CORP
Locations: Parcel # 1 - 197.00-2,014.00.000.	Municipality AUBURN TOWNSHIP
Information:	Consideration: \$80,000.00
Mortgagor: ALLEN, CORY	Mortgagee: DISTANT VENTURES LIMITED PARTNERSHIP
Locations: Parcel # 1 - 137.02-1,046.00.000.	Municipality RUSH TOWNSHIP
Information:	Consideration: \$787,500.00
Mortgagor: U R LIFE APARTMENTS LLC	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
Locations: Parcel # 1 - 031.15-1,084.00.000.	Municipality GREAT BEND BOROUGH



DEEDS

Information:	Consideration: \$100.00
Grantor: DOEUR, HENRY 2 - DOEUR, ERICA 3 - DOEUR, NATHALIE 4 - LEWIS, PHEAKDEY	Grantee: BREMER HOF OWNERS INC
Locations: Parcel # 1 - N/A	Municipality HERRICK TOWNSHIP
Information:	Consideration: \$1.00
Grantor: GREENE, KELLY ZAYAC (FKA) 2 - DRAPER, KELLY ZAYAC 3 - ZAYAC, MARK A SR	Grantee: GREENE, KELLY ZAYAC 2 - ZAYAC, MARK A SR
Locations: Parcel # 1 - N/A	Municipality SILVER LAKE TOWNSHIP
Information:	Consideration: \$275,000.00
Grantor: HARRINGTON, RICHARD C 2 - HARRINGTON, JERI LYNN	Grantee: BIRCHARD, RODNEY
Locations: Parcel # 1 - N/A	Municipality BRIDGEWATER TOWNSHIP
Information:	Consideration: \$1,000
Grantor: CHACONA, NORMA	Grantee: PENNSYLVANIA COMMONWEALTH OF - DEPT OF TRANSPORTATION
Locations: Parcel # 1 - 036.00-1,019.00,000.	Municipality HARMONY TOWNSHIP
Information:	Consideration: \$150,000.00
Grantor: SPRINGVILLE LP	Grantee: WHITE, JONATHAN W 2 - WHITE, THERESA W
Locations: Parcel # 1 - 130.00-1,006.04,000.	Municipality NEW MILFORD TOWNSHIP
Information:	Consideration: \$1,000
Grantor: CARNEY, PETER F 2 - CARNEY, MARGARET K	Grantee: CARNEY, PETER F (ESTATE) 2 - CARNEY, MARGARET K (ESTATE)
Locations: Parcel # 1 - 044.00-2,018.05,000.	Municipality SILVER LAKE TOWNSHIP
Information:	Consideration: \$65,500.00
Grantor: MATOS, ROBERT	Grantee: CHWAL, KRISTA C 2 - CHWAL, JODY A
Locations: Parcel # 1 - N/A	Municipality FOREST CITY
Information:	Consideration: \$1,000
Grantor: SMITH, JAMES 2 - SMITH, JESSICA M GRIFFITH 3 - GRIFFITH SMITH, JESSICA M	Grantee: SMITH, JAMES
Locations: Parcel # 1 - 143.05-3,004.00,000.	Municipality MONTROSE 2W
Information: MINERAL & ROYALTY CONVEYANCE	Consideration: \$10,000
Grantor: DRINKER, PHILIP G	Grantee: ALLEGIANCE CAPITAL FUNND LLP
Locations: Parcel # 1 - N/A	Municipality DIMOCK TOWNSHIP
Information:	Consideration: \$1,000
Grantor: HUBBELL, JANE G	Grantee: HUBBELL, JANE G (TRUST BY TRUSTEE)
Locations: Parcel # 1 - 168.00-2,013.00,000.	Municipality GIBSON TOWNSHIP

★ LEGAL JOURNAL OF SUSQUEHANNA COUNTY ★

Information:	Consideration: \$89,000.00
Grantor: MCANDREW, MELISSA SUSAN (NKA) 2 - PEKARSKI, MELISSA	Grantee: GOMEZ, JEFFREY 2 - GOMEZ, EILEEN
Locations: Parcel # 1 - 268.07-1,089.00.000.	Municipality FOREST CITY 2W
Information:	Consideration: \$160,000.00
Grantor: KINCH, MARLYN (AKA BY ATTY) 2 - KINCH, MARLYN H (BY ATTY)	Grantee: ELY, CALEB 2 - WARNER, ROSE
Locations: Parcel # 1 - N/A	Municipality BRIDGEWATER TOWNSHIP
Information:	Consideration: \$25,000.00
Grantor: ROSS, JASON	Grantee: DSBG LLC
Locations: Parcel # 1 - 054.11-2,074.00.000. 2 - 054.11-2,074.00.000.	Municipality SUSQUEHANNA SUSQUEHANNA 2W
Information:	Consideration: \$150,000.00
Grantor: SWARTZ, KENNETH J 2 - SWARTZ, ANNE E	Grantee: PLUNKETT, JOHN J 2 - PLUNKETT, LORI H
Locations: Parcel # 1 - 116.17-1,022.00.000.	Municipality THOMPSON TOWNSHIP
Information:	Consideration: \$175,000.00
Grantor: JACKSON HOLE HOLDINGS LLC	Grantee: DURANTE REAL ESTATE HOLDINGS LLC
Locations: Parcel # 1 - 172.00-2,022.00.000. 2 - 173.00-2,013.00.000.	Municipality HERRICK TOWNSHIP HERRICK TOWNSHIP
Information:	Consideration: \$108,120.00
Grantor: JERAULD, KASSI L	Grantee: OAKES, JENNIFER MARIE
Locations: Parcel # 1 - 197.00-2,014.00.000.	Municipality AUBURN TOWNSHIP
Information:	Consideration: \$1.00
Grantor: HARO, ANNA M DANDREA (ESTATE) 2 - DANDREA, ANNA M (ESTATE) 3 - PLANK, ANNA DANDREA (ESTATE)	Grantee: PLANK, DAVID
Locations: Parcel # 1 - 106.00-1,015.00.000.	Municipality FRANKLIN TOWNSHIP
Information:	Consideration: \$1,050,000.00
Grantor: CHIANESE ASSOCIATES INC	Grantee: U R LIFE APARTMENTS LLC
Locations: Parcel # 1 - 031.15-1,084.00.000.	Municipality GREAT BEND BOROUGH





Legal Journal of Susquehanna County
3305 Lake Ariel Highway, Suite 3
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