

OFFICIAL LEGAL JOURNAL

OF SUSQUEHANNA COUNTY, PA

34th Judicial District

Vol. 1 ★ February 10, 2017 ★ Montrose, PA ★ No. 45



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CASES REPORTED

In re:
Estate of Donald Keith Birchard a/k/a Keith Birchard

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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.

The Official Legal Publication of Susquehanna County, Pennsylvania



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

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

COURT OPINION

**IN THE COURT OF COMMON PLEAS OF
SUSQUEHANNA COUNTY, PENNSYLVANIA**

In re: :
ESTATE OF DONALD KEITH :
BIRCHARD a/k/a KEITH :
BIRCHARD : **No. 2015-48 O.C.**
:

OPINION**I. Procedural History**

On October 27, 2014, Donald Keith Birchard a/k/a Keith Birchard (hereinafter referred to as decedent) died. On November 4, 2014, Diana Birchard (hereinafter referred as petitioner), decedent's widow, was granted letters testamentary appointing her as the Executrix of decedent's estate. On June 9, 2015, petitioner filed a petition seeking access to a business property located at 116 High Street, Montrose, Pennsylvania. Petitioner contended that some of decedent's assets were stored at that premises and that the assets were necessary to conclude the administration of the Estate. The person in control of the 116 High Street property was decedent's mother, Janet Birchard (hereinafter referred to as respondent).

On June 22, 2015, respondent filed an answer to the petition seeking access to the 116 High Street property. Respondent did not consent to petitioner having access to the 116 High Street property except "as part of a 'global' resolution of issues between the parties." (Resp. Ans., unnumbered page 2.) In this answer, Respondent included a "new matter" and a "counterclaim" through which she contended that assets belonging to her late husband, Donald Birchard, had been misappropriated by decedent's estate. Respondent claimed damages relating to (1) rental income for the period of time that decedent utilized the 116 High Street property for his business operations; (2) reimbursements for any accounts receivable relating to the former business operated by respondent's late husband, but which were collected by decedent's estate; and (3) an accounting of any assets or inventory of her late husband's business taken by decedent's estate (and reimbursement for any of her late husband's assets or inventory sold by decedent's estate).

On July 13, 2015, petitioner filed an answer to respondent's new matter and counterclaim. Petitioner also filed her own new matter asserting the affirmative defenses of (1) estoppel; (2) impossibility of performance; (3) justification; (4) statute of

limitations; and (5) unclean hands. (Pet. Answer, New Matter, ¶¶ 2 (A)-(E).

On August 27, 2015, Senior Judge Linda Wallach Miller entered an order granting petitioner leave to enter the 116 High Street property to inventory decedent's property. Senior Judge Wallach Miller did not address respondent's counterclaim in any manner.

On September 22, 2015, respondent filed a motion to compel answer to interrogatories that had been served on petitioner. On December 9, 2015, Senior Judge Brendan J. Vanston directed petitioner to answer in part the interrogatories propounded upon her by respondent. In all other respects, Senior Judge Vanston sustained petitioner's objections to respondent's interrogatories.

On December 15, 2015, petitioner filed a motion for contempt alleging that respondent had disobeyed the August 27, 2015 Order that directed respondent to allow petitioner to inventory the personal property located at the 116 High Street property. An argument on the contempt motion was scheduled for February 25, 2016. Thereafter, on February 22, 2016, petitioner notified the Court that there was no need for any argument on the contempt motion as the parties were cooperating to accomplish the inspection and inventory contemplated by the August 27, 2015 order. The Court then continued generally the argument on the contempt petition.

On February 23, 2016, respondent's counsel wrote to the Court requesting a trial date on respondent's counterclaim. On February 26, 2016, respondent filed a formal petition seeking a hearing on her counterclaim. On March 1, 2016, this Court scheduled a hearing date for May 23, 2016.

On May 11, 2016, petitioner filed an amended answer to respondent's counterclaim in which petitioner then asserted additional claims against respondent. While petitioner maintained the position that decedent had taken over the business operations in total in April 2014, petitioner raised the following claims in the event that it was determined that no formal transfer of the family business occurred: (1) *quantum meruit* relating to work performed by petitioner in collecting the accounts receivable; (2) *quantum meruit* relating to work performed by decedent for petitioner's business for which he was never compensated; and (3) *quantum meruit* for petitioner's work in resolving debt owed by respondent in connection with the former business entity.

A hearing was held on May 23, 2016. Each party has submitted supporting briefs and the matter is now ripe for disposition.

II. Findings of Fact

1. Respondent and Donald I. Birchard were married in 1958.
2. During the parties' marriage, Donald I. Birchard owned and operated a business known as B & D Plumbing, Heating and Electrical, which had a business location and building at 116 High Street, Montrose, Pennsylvania.
3. Donald I. Birchard initially owned and operated the B & D Plumbing, Heating and Electric with Charles C. Dietrich, Jr., as partners.
4. In 1974, Donald I. Birchard bought out Charles C. Dietrich, Jr.'s interest in the

partnership and B & D Plumbing, Heating and Electric became a sole proprietorship. (Pet. Ex. 1.)

5. Decedent was born on April 1, 1959. Decedent is the son of Donald I. Birchard and respondent. Decedent spent most of his adult life as an employee of B & D Plumbing, Heating and Electrical. Decedent worked with his father at B & D Plumbing for 30 years.
6. On October 9, 2010, Donald I. Birchard died testate leaving all of his estate to his wife, respondent Janet Birchard, which included B & D Plumbing, Heating and Electrical. (Resp. Ex. A.)
7. Prior to his death in October 2010, Donald I. Birchard had been sick and decedent had been running the family business.
8. Aside from decedent, Gary Travis was the only other employee of the family business.
9. After the death of Donald I. Birchard, decedent continued to run the family business and respondent continued to assist with the bookwork, answering the phone, making deposits and writing out checks for payroll and other expenses. (Resp. Exs. 1 & 2.) Decedent began sending out the bills and invoices for the work performed by B & D Plumbing, Heating and Electrical.
10. From 2010 through April 2014, decedent remained an employee of B & D Plumbing, Heating and Electrical and was paid an hourly wage of \$23 per hour based upon a 40 hour week. (Resp. Exs. 1, 3 & 3.1)
11. Respondent continued to report the income from B & D Plumbing, Heating and Electrical on her income tax return. (Resp. Ex. 4.)
12. On March 31, 2014, Respondent closed B & D Plumbing, Heating and Electrical.
13. On April 1, 2014, decedent formally took over his father's business and began operating it as his own business under the name of Birchard Plumbing.
14. Terry Cooper, an employee at NBT Bank, testified that she assisted decedent in starting up his new business entity. Initially, decedent simply wanted to use the pre-existing business name of B & D Plumbing, Heating and Electrical, but was unable to do so because he was not an owner of that business entity. Decedent discovered that he needed to start a separate business entity, Birchard Plumbing.
15. Decedent opened up a new business account and respondent's name was placed on the new account. Decedent was the sole proprietor of Birchard Plumbing.
16. Decedent also purchased a new truck for Birchard Plumbing.
17. Respondent continued to assist in the transition of the business and transferred monies (\$800.00) in April 2014 from the Birchard Plumbing business account into B & D Plumbing, Heating and Electrical business account to cover expenses for unemployment compensation fund payments and tax payments. (Pet. Ex. 3.)
18. At the time that decedent created the new business of Birchard Plumbing, there was still outstanding work that had been contracted out through B & D Plumbing, Heating and Electrical. Gary Travis completed this prior work and the payments

were received by Birchard Plumbing – not B & D Plumbing, Heating and Electrical – and placed in the Birchard Plumbing business account.

19. Decedent was making deposits into the Birchard Plumbing account of payments received from work performed by B & D Plumbing, Heating and Electrical. Respondent never demanded that decedent remit any monies to her for the work performed by B & D Plumbing Heating and Electrical.
20. After March 31, 2014, when a payment was received for work previously performed by B & D Plumbing, Heating and Electrical, respondent turned this money over to decedent for deposit into the account of Birchard Plumbing.
21. Birchard Plumbing operated out of the same address as B & D Plumbing, Heating and Electrical, namely 116 High Street, Montrose, Pennsylvania.
22. Decedent never paid respondent any rent for the 116 High Street property, and decedent and respondent never discussed any rental arrangement.
23. Respondent admitted that she allowed decedent to use the 116 High Street property without paying any rent.
24. Respondent closed out all of the former business accounts and took no efforts whatsoever to collect on any accounts receivable relating to B & D Plumbing, Heating and Electrical.
25. After the creation of Birchard Plumbing, respondent was turning over checks received for work performed by B & D Plumbing, Heating and Electrical to decedent for deposit into the Birchard Plumbing business account. Respondent did not seek any reimbursement for these monies except to the extent necessary to pay any outstanding obligations of B & D Plumbing, Heating and Electrical debts and obligations.
26. On October 27, 2014, decedent died.
27. On November 4, 2014, petitioner probated decedent's will and was appointed as the Executrix of decedent's estate.
28. As part of her duties to the Estate, petitioner attempted to obtain decedent's assets, collect outstanding monies owed to decedent's business, Birchard Plumbing, and pay the outstanding debts owed by Birchard Plumbing.
29. Petitioner discovered that suppliers had continued to bill B & D Plumbing, Heating and Electrical even after Birchard Plumbing had been formally created. (Resp. Exs. 4, 5 & 6.)
30. Petitioner made arrangements with some of the suppliers to return the inventory in order to pay off outstanding bills even where those bills were in the name of B & D Plumbing, Heating and Electrical, not Birchard Plumbing.
31. Petitioner sent out bills for unpaid work associated with B & D Plumbing, Heating and Electrical based upon decedent's records. (Resp. Exs. 7 & 8; Pet. Ex. 2.)
32. Petitioner was able to identify \$164,092.13 in outstanding accounts receivable for work performed by decedent (or Gary Travis) while they worked for B & D Plumbing, Heating and Electrical prior to April 1, 2014. (Resp. Ex. 9; Pet. Ex. 8.)

As of the date of the hearing in this matter, petitioner had collected \$95,691.40 in accounts receivable for work performed prior to April 1, 2014.¹

33. Respondent has never personally taken any steps whatsoever to collect on any outstanding accounts receivable associated with B & D Plumbing, Heating and Electrical.
34. Respondent never made any claim to the revenues generated from collection of accounts receivable from B & D Plumbing, Heating and Electrical until petitioner filed her request to gain access to the 116 High Street property in order to seize personal property she believed belonged to decedent's estate. Respondent's assertion that she was entitled to the former accounts receivable associated with B & D Plumbing, Heating and Electrical was made 8 months after decedent's death, and 14 months after B & D Plumbing, Heating and Electrical ceased operation and Birchard Plumbing took over all of its work and accounts.
35. Petitioner has never paid respondent any monies in connection with the collection efforts that related to work (and materials) that occurred prior to April 1, 2014 while decedent was working for B & D Plumbing, Heating and Electrical.
36. Neither petitioner nor respondent have any way to accurately identify the acquisition date of inventory located at the 116 High Street business property on any particular date.²
37. Petitioner estimated that she has spent 592 hours working on winding up decedent's business as part of the Estate administration, and the bulk of that time (76%) related to collection work relating to B & D Plumbing, Heating & Electrical accounts receivable prior to April 1, 2014. (Pet. Ex. 7.)
38. Petitioner was also able to review decedent's hourly work records for when he was an employee for B & D Plumbing, Heating, and Electrical from 2011 through March 30, 2014, and discovered that decedent had been substantially underpaid. (Pet. Ex. 9.) Petitioner's evaluation of work hours only reflected those hours that were actually billed to customers, not those hours related to other work functions such as invoicing, customer calls, providing estimates, ordering supplies, and truck repairs. After his father's death, the records demonstrated that decedent was putting in substantial and uncompensated time for B & D Plumbing, Heating and Electrical.

The Court Opinion will be continued in the next issue.

1 This figure would not include the monies that decedent collected after April 1, 2014 for work performed by B & D Plumbing, Heating and Electrical and deposited into the business account of Birchard Plumbing. Neither party is disputing that these deposits occurred. Indeed, respondent had closed out the B & D Plumbing, Heating and Electrical business accounts and admitted that she was turning these checks over to decedent for deposit into the Birchard Plumbing account. Respondent has failed to present any evidence as to the amount of B & D Plumbing, Heating and Electrical monies which was received by Birchard Plumbing between April 1, 2014 and October 27, 2014.

2 Petitioner provided a very generic list of alleged personal property belonging to decedent that is allegedly located at the 116 High Street property. (Pet. Ex. 10.) Petitioner had no other documentation to demonstrate that this personal property belonged to decedent.

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 Wayne H. Very
Late of Rush Township
EXECUTRIX
Belva L. Very
5677 State Route 706
Montrose, PA 18801

2/10/2017 • 2/17/2017 • 2/24/2017

EXECUTOR NOTICE

Estate of Frederick Leonard
Wedman AKA Frederick L.
Wedman
Late of Kingsley, Harford
Township
EXECUTOR
Frederick Andrew Wedman
1516 W. Park Avenue
Perkasie, PA 18944
ATTORNEY
James M. Schildt, Esquire
1007 W. Broad Street
Quakertown, PA 18951

2/10/2017 • 2/17/2017 • 2/24/2017

NOTICE

In the Estate of Robert H. DeLuca, deceased, late of Harford Township, Susquehanna County, Pennsylvania.

Letters Testamentary in the above estate having been issued to Robert A. DeLuca, all persons indebted to the said estate are requested to make payment; those having claims to present the same without delay to:

Robert A. DeLuca
2259 Tingley Street
Kingsley, PA 18826

OR

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

2/10/2017 • 2/17/2017 • 2/24/2017

ESTATE NOTICE

In the Estate of **Dennis aka Butch Canfield**, Deceased, late of the Township of Bridgewater, Susquehanna County, Pennsylvania, who died January 13, 2017.

LETTERS OF TESTAMENTARY in the above ESTATE having been granted to the undersigned, and all having claims against the same are requested to present them without delay to:

Connie Birchard, Executrix
706 Lamphere Road
Montrose PA 18801
(570) 561-6070

2/10/2017 • 2/17/2017 • 2/24/2017

ESTATE NOTICE

In the Estate of Charles M. Crocker
of Union Dale, Susquehanna
County, 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: Thomas
Medford Crocker, 2705 Dove Street,
Williamsport, PA 17701.

Marissa McAndrew, Esquire
Brieckle Law Offices, P.C.
707 Main Street PO Box 157
Forest City, PA 18421
Attorney for the Estate

2/10/2017 • 2/17/2017 • 2/24/2017

EXECUTRIX NOTICE

Estate of James M. Tracy AKA
James Mark Tracy
Late of Harford Township
EXECUTRIX
Elizabeth Tracy Oneill
16 Cleveland Ave. 1st Floor
Binghamton, NY 13905
ATTORNEY
Sam W. Lewis
212 Church Street
Montrose, PA 18801

1/27/2017 • 2/3/2017 • 2/10/2017

NOTICE OF PUBLICATION

Estate of Eileen E. Wilbur, Late of
Harford Township, Susquehanna
County, Pennsylvania

Date of Death: 10/29/2016
Executor: Karen Golaszewski
Attorneys: Needle Law, P.C.
240 Penn Avenue –
Suite 202
Scranton, PA 18503

1/27/2017 • 2/3/2017 • 2/10/2017

EXECUTRIX NOTICE

Estate of John Clifford White AKA
John C. White
Late of Clifford Township
EXECUTRIX
Theresa L. White-Lighter
2005 Airport Road
Clifford Township, PA 18421
ATTORNEY
Marissa McAndrew, Esq.
707 Main Street, P.O. Box 157
Forest City, PA 18421

1/27/2017 • 2/3/2017 • 2/10/2017

EXECUTOR'S NOTICE

Estate of Christine J. Baran, a/k/a
Christine Baran
Forest City, PA 18421
Date of Death: September 14, 2016

Notice is hereby given that Letters
Testamentary in the above named
estate have been granted to the
undersigned, to whom all persons
owing said estate are requested to
make payment and those having
claims or demands against it make

known the same without delay.

George L. Baran, Executor

c/o Robert A. Bull, Esquire
Law Offices of Bull & Bull, LLP
106 Market St.
Berwick, PA 18603

Attorney

1/27/2017 • 2/3/2017 • 2/10/2017

EXECUTRIX NOTICE

Estate of Lois J. Blakeslee
Late of New Milford Borough
EXECUTRIX
Sherry L. Iglar
3811 State Route 1018
Hallstead, PA 18822
EXECUTRIX
MaryJo Homanich
392 Powers Road
Binghamton, NY

1/27/2017 • 2/3/2017 • 2/10/2017

OTHER NOTICES

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN
THAT Articles of Incorporation
were filed with the Dept. of State
in the Commonwealth of PA on
1/23/2017, in accordance with the
provisions of the PA Business
Corporation Law of 1988, P.L.
1444, as amended and
supplemented, for the
incorporation of Peak Releaf, Inc.

The purpose of the corporation is
to engage in and to do any lawful
act or acts concerning any and all
lawful business for which
corporations may be incorporated
under the said PA Business
Corporation Law, including but not
limited to sale & distribution of
medical marijuana pursuant to the
Medical Marijuana Act of April 17,
2006 P.L.84 No. 16

Michael E. Brier, Esquire

2/10/2017

NOTICE

NOTICE IS HEREBY GIVEN that
an application for registration of
the fictitious name, **Country
Thyme Home & Gift's** for the
conduct of business in the
Commonwealth of Pennsylvania,
Susquehanna County with its
principal place of business at 202
Church Street, Montrose, PA
18801, was made to the
Department of State of the
Commonwealth of Pennsylvania on
January 31st, 2017, pursuant to the
Fictitious Names Act of December
16, 1982, Act 295. The name and
address of the only person or
persons owning or interested in
said business are: Sharon Phillips
of 4655 School Road, New
Milford, PA 18834

2/10/2017

**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
FEBRUARY 28, 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
2-28-2017 9:00 AM**

Writ of Execution No.:

2016-979 CP

PROPERTY ADDRESS: 12203

State Route 29

Montrose, Pa 18801

LOCATION: Township of

Bridgewater

Tax ID #: 143.00-1,027.00,000

IMPROVEMENTS: ONE – 1,344

SQ FT MANUFACTURED

COMMERCIAL INDUSTRIAL

BUILDING

ONE - 30 X 29 APARTMENT

DEFENDANTS: James S. Mazar

and Valerie J. Mazar and The

United States of America By and

Through the Internal Revenue

Service

ATTORNEY FOR PLAINTIFF:

David Gregory, Esq

(570) 251-9960

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

2/3/2017 • 2/10/2017 • 2/17/2017

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
FEBRUARY 28, 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

2-28-2017 9:30 AM

Writ of Execution No.:

2016-1012 CP

PROPERTY ADDRESS: 914

Stump Pond Road fka RR 2 Box

47 Stump Pond Road

New Milford, Pa 18834

LOCATION: Township of New Milford

Tax ID #: 110.00-2,030.00,000

IMPROVEMENTS: ONE - ONE

STORY WOOD FRAMED

DWELLING

ONE - 8 X 10 WOOD FRAMED SHED

ONE - 8 X 8 WOOD FRAMED SHED

ONE - 30 X 50 METAL SHED

ONE - 16 X 32 INGROUND SWIMMING POOL

DEFENDANTS: Gregory Page, Sr

ATTORNEY FOR PLAINTIFF:

Leon 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.susquehannasheriff.com/sheriffsales.html

Lance M. Benedict,
Susquehanna County Sheriff

2/3/2017 • 2/10/2017 • 2/17/2017

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
FEBRUARY 28, 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

2-28-2017 10:00 AM

Writ of Execution No.:

2016-924 CP

PROPERTY ADDRESS: 708

Delaware Street

Forest City, Pa 18421-1002

LOCATION: Borough of Forest City

Tax ID #: 268.07-2,037.00,000.

IMPROVEMENTS: ONE - 2

STORY WOOD FRAMED
DWELLING

ONE - 8 X 12 WOOD FRAMED
SHED

DEFENDANTS: Unknown Heirs,
Successors, Assigns, and All
Persons, Firms, or Associations
Claiming Right, Title or Interest
From or Under Dorothy A. Gantar,
Deceased

ATTORNEY FOR PLAINTIFF:

Peter Wapner, Esq

(215) 563-7000

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

2/3/2017 • 2/10/2017 • 2/17/2017

SHERIFF'S SALE MORTGAGE FORECLOSURE FEBRUARY 28, 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

2-28-2017 10:30 AM

Writ of Execution No.:

2016-960 CP

PROPERTY ADDRESS: 14

Church Street a/k/a 62 Church
Street

Hallstead, Pa 18822-9446

LOCATION: Borough of Hallstead

Tax ID #: 031.19-3,012.00,000

IMPROVEMENTS: ONE - 2 Story

WOOD FRAMED DWELLING

ONE - 10 X 12 WOOD FRAMED
SHED

ONE - 8 X 12 WOOD FRAMED
SHED

DEFENDANTS: Georganna Gates,
Individually and in His Capacity as
Administratrix of the Estate of
Margaret I. Gates Unknown Heirs,
Successors, Assigns, and All
Persons, Firms, or Associations
Claiming Right, Title or Interest
From or Under Margaret I. Gates,
Deceased.

ATTORNEY FOR PLAINTIFF:

Peter Wapner, Esq

(215) 563-7000

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

2/3/2017 • 2/10/2017 • 2/17/2017

MORTGAGES AND DEEDS

*RECORDED FROM JANUARY 26, 2017 TO FEBRUARY 1, 2017
ACCURACY OF THE ENTRIES IS NOT GUARANTEED.*

MORTGAGES

Information:	Consideration: \$20,000.00
Mortgagor: PROPERT, PAUL (AKA) 2 - PROPERT, PAUL E 3 - WALLACE, PRATRICA (AKA) 4 - PROPERT, PATRICIA M	Mortgagee: UTILITIES EMPLOYEES CREDIT UNION
Locations: Parcel # 1 - 033.00-1,055.00,000.	Municipality GREAT BEND TOWNSHIP
Information:	Consideration: \$100,000.00
Mortgagor: TOMAINO, BRENDAN 2 - TOMAINO, JENNIFER	Mortgagee: FIRST NATIONAL BANK OF PENNSYLVANIA
Locations: Parcel # 1 - 267.00-1,007.00,000.	Municipality CLIFFORD TOWNSHIP
Information:	Consideration: \$199,200.00
Mortgagor: PALMER, DAVID J 2 - PALMER, LUANN 3 - PALMER, BRIAN D 4 - PALMER, LAURA	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
Locations: Parcel # 1 - 221.00-1,015.01,000.	Municipality LATHROP TOWNSHIP
Information: OPEN-END MTG	Consideration: \$13,000.00
Mortgagor: SHIMER, BONNIE L	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
Locations: Parcel # 1 - 120.00-1,002.01,000.	Municipality FOREST LAKE TOWNSHIP
Information:	Consideration: \$71,500.00
Mortgagor: WODOCK, CHRISTOPHER J	Mortgagee: DIME BANK
Locations: Parcel # 1 - 205.00-2,008.02,000.	Municipality LENOX TOWNSHIP
Information:	Consideration: \$103,200.00
Mortgagor: MARTIN, JASON L 2 - MARTIN, HEATHER S	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC 2 - LIMITED LIABILITY COMPANY
Locations: Parcel # 1 - 031.19-2,025.00,000.	Municipality HALLSTEAD BOROUGH
Information: OPEN-END MTG	Consideration: \$65,000.00
Mortgagor: WARNER, WAYNE J (AKA) 2 - WARNER, WAYNE 3 - WARNER, TINA M (AKA) 4 - WARNER, TINA	Mortgagee: PS BANK
Locations: Parcel # 1 - 136.00-2,005.00,000.	Municipality RUSH TOWNSHIP
Information:	Consideration: \$25,000.00
Mortgagor: COLOMBO, MARY (NKA) 2 - GEIGER, MARY	Mortgagee: FIRST NATIONAL BANK OF PENNSYLVANIA
Locations: Parcel # 1 - 221.00-1,051.00,000.	Municipality LATHROP TOWNSHIP

Information:	Consideration: \$113,600.00
Mortgagor: WAMBOLD, MATTHEW	Mortgagee: COMMUNITY BANK
Locations: Parcel #	Municipality
1 - 155.00-1,021.00,000.	RUSH TOWNSHIP
Information:	Consideration: \$103,500.00
Mortgagor: WARNER, EDWARD D	Mortgagee: WELLS FARGO BANK
2 - WARNER, JESSICA R	
Locations: Parcel #	Municipality
1 - 157.15-1,010.00,000.	RUSH TOWNSHIP
Information:	Consideration: \$147,400.00
Mortgagor: APPLEGATE, JOSEPH A	Mortgagee: NBT BANK
Locations: Parcel #	Municipality
1 - 113.00-1,003.00,000.	JACKSON TOWNSHIP
Information:	Consideration: \$115,000.00
Mortgagor: JONES, BRADLEY R	Mortgagee: VISIONS FEDERAL CREDIT UNION
Locations: Parcel #	Municipality
1 - 054.07-1,021.00,000.	OAKLAND BOROUGH
Information:	Consideration: \$10,500.00
Mortgagor: MADDEN, TIMOTHY A	Mortgagee: HONESDALE NATIONAL BANK
2 - MADDEN, SHANNON L	
Locations: Parcel #	Municipality
1 - N/A	FOREST CITY
Information:	Consideration: \$10,000.00
Mortgagor: MULFINO, MICHAEL J	Mortgagee: WAYNE BANK
2 - MULFINO, MARY ANN	
Locations: Parcel #	Municipality
1 - 220.00-2,011.00,000.	LATHROP TOWNSHIP

DEEDS

Information:	Consideration: \$1.00
Grantor: SVENTEK, FRANK J	Grantee: BRENNAN, SHAWN P
2 - SVENTEK, KATHLEEN L	2 - BRENNAN, JUSTINE L
Locations: Parcel #	Municipality
1 - N/A	SILVER LAKE TOWNSHIP
Information:	Consideration: \$1.00
Grantor: SMITH, SHIRLEY A	Grantee: SMITH, DUANE A
Locations: Parcel #	Municipality
1 - 037.00-1,057.00,000.	HARMONY TOWNSHIP
Information: DEED IN LIEU OF FORECLOSURE	Consideration: \$1.00
Grantor: BISHOP, CHRISTOPHER D	Grantee: FITZGERALD, STEVEN
Locations: Parcel #	Municipality
1 - 054.11-3,056.00,000.	SUSQUEHANNA 2W
Information:	Consideration: \$1.00
Grantor: MCFARLAND, MELISSA A	Grantee: MCFARLAND, ROBERT S
2 - MCFARLAND, ROBERT S	
Locations: Parcel #	Municipality
1 - N/A	CHOCONUT TOWNSHIP
Information: DEED OF EASEMENT	Consideration: \$1.00
Grantor: J & F RESOURCES LLC	Grantee: FOREST CITY BOROUGH
Locations: Parcel #	Municipality
1 - 268.00-1,014.00,000.	CLIFFORD TOWNSHIP
2 - 268.00-1,008.00,000.	CLIFFORD TOWNSHIP

Information:	Consideration: \$1.00
Grantor: RIFENBURY, MARGARET E	Grantee: RIFENBURY, MARGARET E
Locations: Parcel #	Municipality
1 - N/A	LIBERTY TOWNSHIP
Information:	Consideration: \$160,000.00
Grantor: HANSEN, DAVID L	Grantee: CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
2 - HANSEN, WENDY L	
Locations: Parcel #	Municipality
1 - 053.00-2,017.00,000.	OAKLAND TOWNSHIP
Information:	Consideration: \$80,000.00
Grantor: PETERSON, DANIEL W	Grantee: VLASSENKO, DANIEL
Locations: Parcel #	Municipality
1 - 153.00-1,097.00,000.	ARARAT TOWNSHIP
Information:	Consideration: \$1.00
Grantor: HALESKY, SCOTT A	Grantee: HALESKY, SCOTT A 2 - HALESKY, TAMARA
Locations: Parcel #	Municipality
1 - 115.09-1,080.00,000.	THOMPSON BOROUGH
Information:	Consideration: \$1.00
Grantor: LEE, ERMA	Grantee: LEE, ERMA
2 - LAMB, LEWIS M	2 - LAMB, LEWIS M
Locations: Parcel #	Municipality
1 - 096.00-1,022.00,000.	THOMPSON TOWNSHIP
Information:	Consideration: \$4,900.00
Grantor: OLSEN, RALPH H (ESTATE)	Grantee: ROETTENBACHER, KEITH
Locations: Parcel #	Municipality
1 - N/A	BRIDGEWATER TOWNSHIP
Information:	Consideration: \$50,000.00
Grantor: FRISBIE, PAUL SILAS (AKA ESTATE)	Grantee: FAGAN, ROBERT R
2 - FRISBIE, PAUL S (ESTATE)	2 - FAGAN, JULIA A
3 - WHITE, DEBRA	
Locations: Parcel #	Municipality
1 - 011.03-1,002.00,000.	LIBERTY TOWNSHIP
Information:	Consideration: \$10,000.00
Grantor: JT SPANO LLC	Grantee: HODGES, PHILIP JR
Locations: Parcel #	Municipality
1 - N/A	FOREST CITY 2W
Information:	Consideration: \$1.00
Grantor: APPLEGATE, ANNETTE E	Grantee: APPLEGATE, JOSEPH A
Locations: Parcel #	Municipality
1 - 113.00-1,003.00,000.	JACKSON TOWNSHIP
Information:	Consideration: \$60,000.00
Grantor: TAYLOR, BRIAN E	Grantee: MARCY, MATTHEW D
2 - TAYLOR, MARY JANE	2 - MARCY, LINDENA R
3 - TAYLOR, ROBERT R	
4 - TAYLOR, YVONNE M	
Locations: Parcel #	Municipality
1 - N/A	LENOX TOWNSHIP
Information: QUIT CLAIM	Consideration: \$1.00
Grantor: MCCULLOUGH TRUST	Grantee: MCCULLOUGH, WILBUR J
	2 - MCCULLOUGH, NINA J
Locations: Parcel #	Municipality
1 - 105.00-1,016.06,000.	FRANKLIN TOWNSHIP

Information: QUIT CLAIM	Consideration: \$1.00
Grantor: MCCULLOUGH TRUST	Grantee: MCCULLOUGH, WILBUR J 2 - MCCULLOUGH, NINA J 3 - MCCULLOUGH, ANDREW P 4 - CROWLEY, KIMBERLY G MCCULLOUGH 5 - MCCULLOUGH, DONALD
Locations: Parcel # 1 - 218.00-2,046.00,000.	Municipality SPRINGVILLE TOWNSHIP
Information:	Consideration: \$1.00
Grantor: NILSSON, CLIFFORD 2 - NILSSON, VIRGINIA M	Grantee: ANDUSKO, KATHLEEN 2 - ANDUSKO, JOSEPH
Locations: Parcel # 1 - 054.11-1,026.00,000.	Municipality OAKLAND BOROUGH
Information:	Consideration: \$46,000.00
Grantor: MCANDREW, ELOISE L (ESTATE)	Grantee: LEGATES, ERIC J 2 - LEGATES, ATHENA A
Locations: Parcel # 1 - N/A	Municipality THOMPSON BOROUGH
Information: CORRECTED DEED	Consideration: \$1.00
Grantor: JONES, BRADLEY R	Grantee: JONES, BRADLEY R
Locations: Parcel # 1 - 054.07-1,021.00,000.	Municipality OAKLAND BOROUGH
Information:	Consideration: \$1.00
Grantor: EMPET, SPENCER L 2 - EMPET, CHARLOTTE G	Grantee: FEDUCHAK, MICHAEL
Locations: Parcel # 1 - N/A	Municipality HARFORD TOWNSHIP
Information:	Consideration: \$24,500.00
Grantor: US BANK NATIONAL ASSOCIATION (SUCCESSOR TO) 2 - LASALLE BANK 3 - BEAR STERNS ASSET BACKED SECURITIES I TRUST 2004-HE8	Grantee: TOLERICO, JOHN
Locations: Parcel # 1 - 268.07-2,050.00,000.	Municipality FOREST CITY 2W
Information:	Consideration: \$1.00
Grantor: ROE, SYLVESTAL C 2 - ROE, BONNIE G	Grantee: ROE, SYLVESTAL C (TRUST) 2 - ROE, BONNIE G (TRUST)
Locations: Parcel # 1 - 109.00-1,033.00,000. 2 - 109.00-1,007.00,000.	Municipality NEW MILFORD TOWNSHIP NEW MILFORD TOWNSHIP
Information:	Consideration: \$1.00
Grantor: STERLING, JANET	Grantee: STERLING, JANET E 2 - STERLING, CHARLES W 3 - STERLING, MICHELLE J
Locations: Parcel # 1 - 161.00-1,003.00,000.	Municipality BRIDGEWATER TOWNSHIP
Information: CORRECTIVE	Consideration: \$260,000.00
Grantor: MALANDRI FAMILY LIMITED PARTNERSHIP	Grantee: SIDOREK, LEON C
Locations: Parcel # 1 - 196.00-2,008.02,000.	Municipality AUBURN TOWNSHIP

Information:	Consideration: \$54,600.00
Grantor: BANK OF AMERICA (BY ATTY)	Grantee: SERSHEN, HELEN
Locations: Parcel #	Municipality
1 - 127.00-1,017.01,000.	NEW MILFORD TOWNSHIP
Information:	Consideration: \$450,000.00
Grantor: WISEMAN, KEITH	Grantee: CMA LAND CO. LLC
2 - WISEMAN, WENDY J	
Locations: Parcel #	Municipality
1 - 030.00-1,016.00,000.	LIBERTY TOWNSHIP
Information:	Consideration: \$46,750.00
Grantor: FERGUSON, GLENN E	Grantee: MARCELLUS BROTHERS LLC
2 - FERGUSON, JUDITH M	
Locations: Parcel #	Municipality
1 - N/A	SPRINGVILLE TOWNSHIP
2 - N/A	DIMOCK TOWNSHIP



SUSQUEHANNA COUNTY BAR ASSOCIATION

Susquehanna County LEGAL JOURNAL

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