

*OFFICIAL*  
**LEGAL JOURNAL**  
**OF SUSQUEHANNA COUNTY, PA**

34th Judicial District

Vol. 1 ★ September 16, 2016 ★ Montrose, PA ★ No. 24



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**CASES REPORTED**

IN RE: Estate of Clarence F. Beam, a/k/a Clarence Beam, Deceased

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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*



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Michael Briechle, Esq., Editor  
mike@briechlelaw.com

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3305 Lake Ariel Highway, Suite 3  
Honesdale, PA 18431

P: 570-251-1512  
F: 570-647-0086  
susqco.com

**Submit advertisements to**  
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Cover illustration by Kathleen Howell, an award-winning Pennsylvania artist. Her renderings of the "Pennsylvania County Courthouse Series" are on display at the Pennsylvania Judicial Center in Harrisburg, Pennsylvania.

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

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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

*All other notices will be billed at \$1.90 per line. Minimum insertion fees apply.*

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

#### **Subscription Rates**

##### *Per Year*

Mailed Copy	\$100
Emailed Copy	\$50
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*Subscription Year: March–February*

*Prorated subscriptions available*

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Michelle Estabrook

#### **Coroner**

Anthony J. Conarton

#### **Auditors**

George Starzec

Susan Jennings

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**

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**IN THE ORPHANS' COURT OF  
SUSQUEHANNA COUNTY, PENNSYLVANIA**

<b>IN RE:</b>	:	
<b>Estate of Clarence F. Beam,</b>	:	<b>No. 2016-66 O.C.</b>
<b>a/k/a Clarence Beam</b>	:	
<b>Deceased (7/12/2014)</b>	:	

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**OPINION****I. Background**

Decedent, Clarence F. Beam, died testate on July 12, 2014. Pursuant to the term of a codicil, John Stone was appointed as the Executor of the Estate. John Stone hired Davis Law, P.C., to represent the Estate. Pursuant to the term of a written retainer agreement, John Stone agreed that the Estate would pay Davis Law, P.C. an attorney fee as set for by the compensation tables established in Johnson Estate. In the first and final accounting filed June 22, 2016, John Stone included an executor fee for himself consistent with the compensation tables establishing in Johnson Estate. The first and final accounting included an attorney fee for Davis Law, P.C. calculated by using the compensation table established in Johnson Estate.

Geraldine Free filed an objection to the first and final accounting. A hearing was conducted on September 6, 2016 during which Geraldine Free indicated on the record that she was objecting to two items: (1) the reasonableness of the attorney fee paid by the Estate to Davis Law, P.C.; and (2) the reasonableness of the executor fee paid by the Estate to John Stone. At the hearing, John Stone testified that he spent approximately 130 hours working on Estate work and that he believed that a reasonable rate of compensation for his time would be \$50 per hour. John Stone also admitted that he entered into a retainer agreement with Davis Law, P.C., and agreed that the Estate would pay Davis Law, P.C., for its professional services based upon the compensation table established in Johnson Estate. John Stone testified that he understood that the legal fee would be a percentage of the total value of the Estate itself. John Stone identified the retainer agreement and admitted that he executed it as the Executor of the Estate of Clarence F. Beam.

Attorney Raymond Davis of Davis Law, P.C. testified that he worked on the Estate but that he had not documented the hours that he spent working on the Estate as he understood his compensation would be based upon the compensation permitted by Johnson Estate. Attorney Davis calculated the attorney fee based upon Johnson Estate and used that figure in the Estate inheritance tax return. There was testimony that the

inheritance tax return was accepted by the Department of Revenue - including the amount charged for both the attorney fee and the executor's fee. When questioned, Attorney Davis stated that he spent "approximately" 40 hours of his own time working on the Estate. This time estimate did not include the time dedicated the Estate work by his staff. Again, Attorney Davis testified that he did not keep track of his billable hours because there was an agreement to pay the legal fees associated with the Estate pursuant to the compensation tables set forth in Johnson Estate. Attorney Davis further testified that his hourly rate would be \$250 per hour.

## II. Discussion

### a. Attorney Fees

An attorney whose requested fees are challenged during an Estate proceeding bears the burden of proving the reasonableness of the compensation. See In re Estate of Preston, 560 A.2d 160, 164 (Pa. Super. Ct. 1989). While the decision relating to the appropriateness of any legal fees is left to the sound discretion of the trial court, the record must provide some support as to the reasonableness of the attorney fees requested. Id. In this regard, the Superior Court has provided the following guidance:

A fiduciary is entitled to 'reasonable and just' compensation for the services he provides. Thus, the fiduciary's entitlement *to compensation should be based upon actual services rendered not upon some arbitrary formula*. "It is fundamental that an attorney seeking compensation from an estate has the burden of establishing facts which show that he or she is entitled to such compensation."

In re Sonovick, 541 A.2d 374, 376 (Pa. Super. Ct. 1988) (emphasis in original) (citations omitted) (quoting Estate of Wanamaker, 460 A.2d 824, 825 (Pa. Super. Ct. 1983); see In re Estate of Rees, 625 A.2d 1203, 1206 (Pa. Super. Ct. 1993)("[A]ttorney fees in an estate are based on the reasonable value of services actually rendered.").

The use of a set percentage-based commission for the determination of fees has been strongly discouraged by the Commonwealth's appellate courts. For instance, our adjoining county previously adopted and utilized the fee schedule set forth in Johnson Estate for the determination of reasonable attorney fees in probate proceedings. In response to the use of such a percentage-based fee schedule, the Superior Court provided the following admonition: "[W]hen presiding over the administration of estates in the future, we direct the Bradford County Court of Common Pleas to comply with the Pennsylvania statutes and case law precedent *rather than adhering to the erroneous guidelines it currently employs*." Preston, 560 A.2d at 165 (emphasis added). As to the reliance upon this the compensation tables set up in Johnson Estate, the Superior Court found that such a practice was "clearly improper and *must* cease." Id. (emphasis in original).

In this case, however, the Court is not adopting the Johnson Estate fee schedule to determine an appropriate fee for Davis Law, P.C. This is a case where the Executor,

based upon his negotiations with Davis Law, P.C., entered into an agreement where the tables set forth in Johnson Estate were identified and utilized to define the compensation to be paid for the legal services rendered for the Estate. This Court, however, is authorized “to reduce to a ‘reasonable and just’ level those fees and commissions claimed by the fiduciary and their counsel.” Estate of Rees, 625 A.2d at 1206 (quoting Sonovick, 541 A.2d at 376). Thus, the question becomes whether the fee schedule negotiated between the Executor and Davis Law, P.C. is fair and reasonable based upon the legal work performed. In making this determination, the Pennsylvania Supreme Court has provided the following guidance:

What is fair and reasonable is sometimes a delicate, and at times a difficult question. The facts and factors to be taken into consideration in determination the fee or compensation payable to any attorney include: the amount of work performed; the character of the services rendered; the difficulty of the problems involved; the importance of the litigation; the amount of money or value of the property in question; the degree of responsibility incurred; . . . ; the professional skill and standing of the attorney in his profession; the results he was able to obtain; the ability of the client to pay a reasonable fee for the services rendered; and, very importantly, the amount of money or the value of the property in question.

In re LaRocca’s Trust Estate, 246 A.2d 337, 339 (Pa. 1968).

At the hearing in this matter, the record was not developed as to the scope and nature of the legal work required. As to the largest asset, the stocks and bonds, Attorney Davis testified that no legal work was necessary to transfer that property into the name of Charlotte Stone – though the record it was not clear how this transfer was accomplished. The stocks and bonds represented \$351,491.83 of the total value of the Estate. There was also a joint checking account (\$8,186.70) which apparently transferred into the name of Charlotte Stone upon the death of the decedent. The only other substantial asset was the real property, which ultimately sold for \$145,000.<sup>1</sup> The Estate had no real debt - and the first and final accounting demonstrates that the Executor only wrote only 14 checks in 2 years. The record fails to disclose that there was anything complicated about the Estate legal work.

Attorney Davis testified that he estimated spending approximately 40 hours of his time devoted to Estate work – namely, meeting with the Executor, drafting the initial probate paperwork, reviewing the financial documents to prepare an inheritance tax return, drafting an inheritance tax return, reviewing the inheritance tax return prior to its submission to the Department of Revenue, drafting a family agreement, drafting a first and final accounting, and appearing in court for the hearing on the first and final

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1 The Estate paid Davis Law, P.C., separately for the work done to complete the real estate transaction. The attorney fee connected with the sale of the real property was \$450. At the hearing, objector indicated that she was not challenging that fee and believed it was reasonable and proper.

accounting. Attorney Davis also testified that he has been performing legal works for estates in Susquehanna County for 40 years.

Objector Geraldine Free contends that Attorney Davis would not have spent 40 hours to complete these tasks, but Objector presented no evidence to rebut the amount of time that Attorney Davis devoted to Estate work. As noted, the record reflects that Attorney Davis has substantial experience handling estate matters. Given that the retainer agreement provided for compensation as set forth by the fee schedule in Johnson Estate, Attorney Davis cannot be faulted for tracking his time meticulously. Given Attorney Davis's experience, and the lack of any evidence to the contrary, the Court finds that his estimation of the time devoted to legal work of the estate is reasonable. As such, the Court finds that Attorney Davis has sustained his burden in demonstrating that he personally performed 40 hours of legal work for the Estate.

In addition to his time, Attorney Davis also testified that his staff would have devoted time to perform and complete Estate work. There was no estimation as to the amount of time Attorney Davis's staff spent on Estate work. The Court finds that some amount of compensation is necessary to compensate Davis Law, P.C., for the administrative work performed by its supporting staff. In this regard, the Court will award compensation for an additional 20 hours at a rate of \$50 per hour for additional work performed by the supporting professionals at Davis Law, P.C. This fee will likewise compensate Davis Law, P.C., for unbilled expenses such as copy costs and postage.

Given that the record supports that Attorney Davis spent 40 hours working on this Estate and that his hourly rate would have been \$250 per hour, the record supports the conclusion that \$10,000 in legal services were rendered by Attorney Davis of Davis Law, P.C. In addition, the Court has also concluded that an additional \$1,000 will be assigned for the administrative work of the support staff at Davis Law, P.C. The record therefore supports an award of \$11,000 for legal work performed by Davis Law, P.C.

In the first and final accounting, the attorney fee charged to the Estate is \$18,905.36. This amount was apparently determined by using the Johnson Estate schedule but the record fails to disclose how this amount was precisely calculated. While the Court attempted several calculations in preparation of this opinion, the Court was unable to arrive at the exact figure presented in the first and final accounting for a legal fee based upon the fee schedule set forth in Johnson Estate. Davis Law, P.C., had the burden of presenting the Court with evidence to demonstrate that the \$18,905.36 fee is reasonable and just. While the Court understands that the Executor entered into a retainer agreement based upon the fee schedule set forth in Johnson Estate, the Court cannot ignore the applicable case law that plainly discourages – or even prohibits – the use of fee schedules as the only basis for determining legal fees for an Estate.

For these reasons, the objection will be sustained as to the legal fee of \$18,905.36. The Court finds that Davis Law, P.C. has presented sufficient evidence to demonstrate that a “reasonable and just” compensation for the legal work performed for this Estate is \$11,000.

**b. Reasonableness of Executor's Fee**

Objector also objects to Hickey's proposed executor's fee payable to John Stone as being unreasonable. Based upon the testimony, the executor's fee was determined by utilizing the compensation tables set forth in Johnson Estate. As with the attorney fee, however, the record fails to demonstrate how the executor's fee was calculated by using the fee schedule set forth in Johnson Estate.

An executor is entitled to reasonable and just compensation. 20 Pa. C.S. § 3537. When dealing with executor's fees, the statute specifically allows the Court to "calculate such compensation on a graduated percentage." *Id.* For any compensation award to be reasonable, it must reflect the value of services rendered to the Estate. *In re Estate of Geniviva*, 675 A.2d 306, 312-13 (Pa. Super. Ct. 1996). "While as a matter of convenience, the compensation of a fiduciary may be arrived at by way of percentage, the true test is always what the services were actually worth and to award a fair and just compensation therefor." *Estate of Rees*, 625 A.2d at 1206 (quoting *In re Williamson Estate*, 82 A.2d 49, 52 (Pa. 1951)). The personal representative bears the burden of demonstrating the reasonableness of the requested commission. *See In re Padezanin*, 937 A.2d 475, 485 (Pa. Super. Ct. 2007); *Estate of Rees*, 625 A.2d at 1206. This Court has the authority to reduce any executor's fee or commission to a "reasonable and just" amount based upon the evidence presented on the record. *See Estate of Rees*, 625 A.2d at 1206.

During his testimony, John Stone testified that he spent approximately 130 hours on Estate work over the course of the past two years. John Stone also testified that he believed \$50 per hour was a reasonable and just rate for his compensation for the Estate work performed. Based upon John Stone's own testimony, the value for the services that he performed on behalf of the Estate total \$6,500.

In the face of this record, the first and final accounting proposes that John Stone would be paid the sum of \$18,155.36 – an amount nearly triple the amount that John Stone contends would be a reasonable compensations for the time and labor that he devoted to Estate work. While the applicable statute does allow for compensation based upon a graduated percentage as contemplated by the fee schedules set forth in Johnson's Estate, the case law still requires proof that the fee requested is a reasonable fee. Based upon this record, John Stone has not demonstrated that the requested fee is reasonably related to the services rendered to the Estate.

Given John Stone's un rebutted testimony relating to the work he performed and what he believed to be a fair rate of compensation, the record supports the conclusion that a reasonable and just compensation would be \$6,500. For these reasons, the objection will be sustained and the executor's fee reduced to an amount consistent with the testimony proffered by John Stone.



**LEGAL NOTICES**

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

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**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.*

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**EXECUTRIX NOTICE**

Estate of Robert T. Ippolito AKA  
Robert Ippolito  
Late of Rush Township  
EXECUTRIX  
Kristie Parlamento  
46 Floyd Street  
Brentwood, NY 11717  
ATTORNEY  
Sam W. Lewis  
212 Church Street  
Montrose, PA 18801

**9/9/2016 • 9/16/2016 • 9/23/2016**

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**EXECUTRIX NOTICE**

Estate of Alan Lipschutz  
Late of Gibson Township  
EXECUTRIX  
Frances Lipschutz, surviving spouse  
34 Plonski Road  
Thompson, PA 18465  
ATTORNEY  
Sosnov & Sosnov, Attorneys at Law  
c/o Amy Sosnov

540 Swede Street  
Norristown, PA 19401

**9/9/2016 • 9/16/2016 • 9/23/2016**

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**ESTATE OF MARIE L.  
BARTRON, DECEASED**

NOTICE IS HEREBY GIVEN that Letters Testamentary have been issued to Ben Bartron, Brian Bartron and Rebecca Feuerherd, Co-Executors of the Estate of Marie L. Bartron, Deceased, who died on July 30, 2016 late of the Township of Bridgewater, Susquehanna County, Pennsylvania. All creditors are requested to present their claims and all persons indebted to the decedent will make payment to the aforementioned Co-Executors or their attorney.

ROSENN, JENKINS &  
GREENWALD, LLP  
15 South Franklin Street  
Wilkes-Barre, PA 18711-0075

**9/2/2016 • 9/9/2016 • 9/16/2016**

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**ESTATE NOTICE ESTATE OF  
JOAN LYMAN, A/K/A JOAN H.  
LYMAN**

ESTATE NOTICE ESTATE OF  
JOAN LYMAN, A/K/A JOAN H.  
LYMAN, late of Springville,  
Pennsylvania (died May 9, 2016).  
Notice is hereby given that Letters  
Testamentary on the above estate

have been granted to Lisa L. Robinson, of Springville, PA, and Richard C. Lyman, of Springville, PA Co-Executors. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Co-Executors named herein, or to Douglas A. Clark, Esquire, The Clark Law Firm, PC, 1563 Main Street, Peckville, PA 18452.

**9/2/2016 • 9/9/2016 • 9/16/2016**

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**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.*

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**SHERIFF'S SALE  
MORTGAGE FORECLOSURE  
SEPTEMBER 27, 2016**

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**

**9-27-2016 9:00 AM**

Writ of Execution No.:

2016-614 CP

PROPERTY ADDRESS: 90

Church Street f/k/a 10 Church  
Street

Montrose, PA 18801

LOCATION: Borough of Montrose

Tax ID #: 124.13-3,007.00,000.

IMPROVEMENTS: ONE - TWO

STORY WOOD FRAME

DWELLING

DEFENDANTS: Bonnie Stafford

George

ATTORNEY FOR PLAINTIFF:

Sarah McCaffery, Esq

(610) 278-6000

**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](http://www.susquehannasheriff.com/sheriffsales.html)

Lance M. Benedict,

Susquehanna County Sheriff

**9/2/2016 • 9/9/2016 • 9/16/2016**

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**SHERIFF'S SALE  
MORTGAGE FORECLOSURE  
SEPTEMBER 27, 2016**

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**

**9-27-2016 9:30 AM**

Writ of Execution No.:

2016-632 CP

PROPERTY ADDRESS: 59

Church Street

Hallstead, PA 18822

LOCATION: Hallstead Borough

Tax ID #: 031.19-3,092.00,000.

IMPROVEMENTS: ONE - TWO

STORY WOOD FRAMED

DWELLING

ONE - 14 X 20 WOOD FRAMED

GARAGE

DEFENDANTS: Roy C Somers

and Doris J. Somers

ATTORNEY FOR PLAINTIFF:

Joseph Riga, Esq

(215) 790-1010

**NOTICE**

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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  
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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](http://www.susquehannasheriff.com/sheriffsales.html)

Lance M. Benedict,  
Susquehanna County Sheriff

**9/2/2016 • 9/9/2016 • 9/16/2016**

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**SHERIFF'S SALE  
MORTGAGE FORECLOSURE  
OCTOBER 11, 2016**

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**

**10-11-2016 9:00 AM**

Writ of Execution No.:

2016-651 CP

PROPERTY ADDRESS: 3985

Glenwood Road

Hop Bottom, PA 18824

LOCATION: Lenox Township

Tax ID #: 222.00-3,027.00,000.

IMPROVEMENTS: ONE - ONE

STORY WOOD FRAMED

**DWELLING**

ONE- 12 X 20 OPEN WOOD  
FRAMED SHED

ONE - 24 X 32 WOOD FRAMED  
GARAGE

DEFENDANTS: Charles F. Major  
a/k/a Charles Major and Doris A.  
Major a/k/a Doris Major  
ATTORNEY FOR PLAINTIFF:  
Andrew Marley, Esq  
(215)572-8111

**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](http://www.susquehannasheriff.com/sheriffsales.html)

Lance M. Benedict,  
Susquehanna County Sheriff

**9/16/2016 • 9/23/2016 • 9/30/2016**

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**SHERIFF'S SALE  
MORTGAGE FORECLOSURE  
OCTOBER 11, 2016**

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**

**10-11-2016 9:30 AM**

Writ of Execution No.:

2016-695 CP

PROPERTY ADDRESS: 24008

State Route 167 a/k/a RR 1 Box  
2039

Brackney, PA 18812

LOCATION: Silver Lake Township

Tax ID #: 026.00-1,013.00,000.

IMPROVEMENTS: ONE – BI-  
LEVEL WOOD FRAMED  
DWELLING

DEFENDANTS: Christian  
Capotosto and Valerie Capotosto  
ATTORNEY FOR PLAINTIFF:  
Matthew Fissel, Esq  
(215)627-1322

**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](http://www.susquehannasheriff.com/sheriffsales.html)

Lance M. Benedict,  
Susquehanna County Sheriff

**9/16/2016 • 9/23/2016 • 9/30/2016**

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**MORTGAGES AND DEEDS**

*RECORDED FROM SEPTEMBER 1, 2016 TO SEPTEMBER 7, 2016  
ACCURACY OF THE ENTRIES IS NOT GUARANTEED.*

**MORTGAGES**

Information: CLOSED-END MTG	Consideration: \$50,000.00
Mortgagor: TAYLOR, SCOTT	Mortgagee: FIRST KEYSTONE COMMUNITY BANK
2 - TAYLOR, CHERYL	
Locations: Parcel #	Municipality
1 - 205.01-1,005.00,000.	LENOX TOWNSHIP
Information:	Consideration: \$72,269.00
Mortgagor: FISK, MARY K (AKA)	Mortgagee: COMMUNITY BANK
2 - FISK, MARY KATHLEEN	
3 - FISK, LEO M (AKA)	
4 - FISK, LEO	
Locations: Parcel #	Municipality
1 - 054.07-1,003.00,000.	OAKLAND BOROUGH
Information:	Consideration: \$189,000.00
Mortgagor: ELLIS, TIMOTHY M	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - ELLIS, BRANWEN L	2 - PHH HOME LOANS LLC
3 - ELLIS, MAUREEN D	
Locations: Parcel #	Municipality
1 - 116.17-1,057.00,000.	THOMPSON TOWNSHIP
Information:	Consideration: \$160,000.00
Mortgagor: LOFT MINISTRIES THE	Mortgagee: TIOGA STATE BANK
Locations: Parcel #	Municipality
1 - 032.00-2,049.00,000.	GREAT BEND TOWNSHIP
Information:	Consideration: \$100,000.00
Mortgagor: OAKES, DEBRA M	Mortgagee: NBT BANK
Locations: Parcel #	Municipality
1 - 124.13-1,075.00,000.	MONTROSE
Information:	Consideration: \$100,000.00
Mortgagor: VANTASSEL, RYAN M	Mortgagee: VISIONS FEDERAL CREDIT UNION
2 - VANTASSEL, TOBIE L	
Locations: Parcel #	Municipality
1 - 062.04-2,024.01,000.	FRIENDSVILLE BOROUGH
Information:	Consideration: \$139,000.00
Mortgagor: KAUFMAN, DENIS C	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - KAUFMAN, DEBORAH A	2 - NEW PENN FINANCIAL LLC
Locations: Parcel #	Municipality
1 - 052.00-1,022.00,000.	GREAT BEND TOWNSHIP
Information: PARTIAL CLAIM MORTGAGE	Consideration: \$41,905.18
Mortgagor: POIRIER, DANIEL J	Mortgagee: UNITED STATES SECRETARY OF HOUSING AND URBAN DEVELOPMENT
2 - POIRIER, LORI A	
Locations: Parcel #	Municipality
1 - 082.00-1,071.00,000.	FOREST LAKE TOWNSHIP

*For further information on these listings, call the Recorder of Deeds' office at 570-278-4600.*

Information:	Consideration: \$56,000.00
Mortgagor: BISTOCCHI, LISA	Mortgagee: NBT BANK
Locations: Parcel #	Municipality
1 - 107.03-1,009.00,000.	BRIDGEWATER TOWNSHIP
Information: MTG	Consideration: \$103,000.00
Mortgagor: DAYE, JODY E	Mortgagee: PS BANK
2 - DAYE, JASON D	
Locations: Parcel #	Municipality
1 - 217.00-1,003.02,000.	DIMOCK TOWNSHIP
Information:	Consideration: \$213,600.00
Mortgagor: ANGELIDES, JASON	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - WESTON, HEIDI Z	2 - RESIDENTIAL MORTGAGE SERVICES INC
3 - WESTON, SEAN M	
Locations: Parcel #	Municipality
1 - 190.00-1,062.00,000.	HERRICK TOWNSHIP
Information:	Consideration: \$52,000.00
Mortgagor: FELTER, STEVEN G	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - FELTER, THERESA M	2 - HOMEWARD RESIDENTIAL INC
Locations: Parcel #	Municipality
1 - 054.15-2,070.00,000.	SUSQUEHANNA
Information:	Consideration: \$35,000.00
Mortgagor: JOHNSON, WILLIAM E (AKA)	Mortgagee: COMMUNITY BANK
2 - JOHNSON, WILLIAM	
3 - JOHNSON, JANICE (AKA)	
4 - JOHNSON, JANICE W C	
Locations: Parcel #	Municipality
1 - 159.00-1,047.01,000.	JESSUP TOWNSHIP
2 - 159.00-1,067.00,000.	JESSUP TOWNSHIP
Information:	Consideration: \$10,800.00
Mortgagor: MOSHER, JOHN J JR	Mortgagee: FAIRWAY CONSUMER DISCOUNT CO
2 - MOSHER, LORRAINE E	
Locations: Parcel #	Municipality
1 - 228.00-2,045.02,000.	CLIFFORD TOWNSHIP
Information:	Consideration: \$180,500.00
Mortgagor: BRAND, JORDAN W	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
	2 - STATE FARM BANK
Locations: Parcel #	Municipality
1 - N/A	LIBERTY TOWNSHIP
Information:	Consideration: \$600,000.00
Mortgagor: J & J CONSERVANCY LLC	Mortgagee: PS BANK
Locations: Parcel #	Municipality
1 - N/A	APOLACON TOWNSHIP

**DEEDS**

Information:	Consideration: \$72,500.00
Grantor: PRAWDZIK, JAMES P	Grantee: SCHREINER, LOUIS G
2 - PRAWDZIK, ANNAMARIE	
Locations: Parcel #	Municipality
1 - 057.00-1,048.01,000.	HARMONY TOWNSHIP
Information:	Consideration: \$1.00
Grantor: MEYER, CHRISTOPHER	Grantee: MEYER, CHRISTOPHER
Locations: Parcel #	Municipality
1 - N/A	THOMPSON BOROUGH
Information:	Consideration: \$25,900.00
Grantor: BATZEL, THEODORE W JR	Grantee: DECKER, ELWIN S (TRUST)
2 - BATZEL, CARLY B	2 - DECKER, SHARON E (TRUST)
Locations: Parcel #	Municipality
1 - N/A	HARFORD TOWNSHIP
Information: CORRECTIVE DEED	Consideration: \$1.00
Grantor: STAGER, JOHN J	Grantee: GLOVER, TODD M
	2 - GLOVER, SHARON A
Locations: Parcel #	Municipality
1 - 171.00-1,027.00,000.	ARARAT TOWNSHIP
Information:	Consideration: \$1.00
Grantor: FRYE, DIANE M	Grantee: FRYE, JOSEPH GERARD
	2 - PLACE, BEATRICE A
Locations: Parcel #	Municipality
1 - N/A	THOMPSON TOWNSHIP
Information:	Consideration: \$1.00
Grantor: TRAYER, ROBERT TODD	Grantee: TRAYER, SARA OLIVER (AKA)
2 - TRAYER, SARA OLIVER (AKA)	2 - OLIVER, SARA
3 - OLIVER, SARA	
Locations: Parcel #	Municipality
1 - N/A	AUBURN TOWNSHIP
Information:	Consideration: \$210,000.00
Grantor: BRYANT, COREY C	Grantee: ELLIS, MAUREEN D
2 - BRYANT, KELLY	2 - ELLIS, TIMOTHY M
3 - BRYANT, DAVID C	3 - ELLIS, BRANWEN L
4 - BRYANT, CYNTHIA C	
5 - BRYANT, CRAIG A	
Locations: Parcel #	Municipality
1 - 116.17-1,057.00,000.	THOMPSON TOWNSHIP
Information:	Consideration: \$78,000.00
Grantor: NICHOLS, MARGARET E	Grantee: OWENS, BRYAN T
	2 - OWENS, WILLIAM E
Locations: Parcel #	Municipality
1 - 265.01-1,012.00,000.	CLIFFORD TOWNSHIP
Information: IN LIEU OF FORECLOSURE	Consideration: \$1.00
Grantor: FITZGERALD, JOHN P	Grantee: FITZGERALD, STEVEN
Locations: Parcel #	Municipality
1 - 054.15-2,045.00,000.	SUSQUEHANNA
Information:	Consideration: \$60,000.00
Grantor: PS BANK (FDBA)	Grantee: MONTROSE BOROUGH
2 - PEOPLES STATE BANK OF WYALUSING	
Locations: Parcel #	Municipality
1 - 124.17-3,053.00,000.	MONTROSE 2W

Information:	Consideration: \$1.00
Grantor: COPELAND, ANN	Grantee: COPELAND, JAMES T
Locations: Parcel #	Municipality
1 - 079.01-1,014.00,000.	MIDDLETOWN TOWNSHIP
2 - 079.01-1,015.00,000.	MIDDLETOWN TOWNSHIP
3 - 079.01-1,016.00,000.	MIDDLETOWN TOWNSHIP
Information:	Consideration: \$1.00
Grantor: AUGUSTINE, LOUIS	Grantee: ENGLISH, SUSAN L
Locations: Parcel #	Municipality
1 - N/A	SILVER LAKE TOWNSHIP
Information:	Consideration: \$128,250.00
Grantor: CHASE, RICHARD (AKA)	Grantee: OAKES, DEBRA M
2 - CHASE, RICHARD F	
3 - CHASE, ROSEMARY	
Locations: Parcel #	Municipality
1 - N/A	MONTROSE 2W
Information:	Consideration: \$126,500.00
Grantor: BROAD, MARTHA A	Grantee: MEAD, RAYMOND H
2 - BROAD, JEFFREY W	2 - MEAD, KARANN E
Locations: Parcel #	Municipality
1 - 109.00-1,078.05,000.	NEW MILFORD TOWNSHIP
Information:	Consideration: \$1.00
Grantor: WALTERS, KENNETH W	Grantee: WALTERS LIVING TRUST
2 - WALTERS, JUNE D	
Locations: Parcel #	Municipality
1 - N/A	GIBSON TOWNSHIP
2 - 208.00-1,005.00,000.	GIBSON TOWNSHIP
Information:	Consideration: \$22,500.00
Grantor: ROLNICK, LAWRENCE M	Grantee: WILSON, STEVEN C
2 - SORRENTINO, KIMBERLY A	2 - WILSON, CHERYL J
Locations: Parcel #	Municipality
1 - 179.04-1,043.00,000.	DIMOCK TOWNSHIP
Information:	Consideration: \$1.00
Grantor: VANTASSEL, RYAN M	Grantee: VANTASSEL, RYAN M
2 - VANTASSEL, TOBIE L	2 - VANTASSEL, TOBIE L
Locations: Parcel #	Municipality
1 - 062.04-2,024.01,000.	FRIENDSVILLE BOROUGH
Information:	Consideration: \$1.00
Grantor: GENNEKEN, ANDREW M	Grantee: GENNEKEN, CHRISTIAN W
Locations: Parcel #	Municipality
1 - N/A	GIBSON TOWNSHIP
Information:	Consideration: \$1.00
Grantor: GENNEKEN, ANDREW M	Grantee: GENNEKEN, ANDREW S
Locations: Parcel #	Municipality
1 - N/A	GIBSON TOWNSHIP
Information:	Consideration: \$1.00
Grantor: GENNEKEN, ANDREW M	Grantee: GENNEKEN, CATHERINE F
Locations: Parcel #	Municipality
1 - N/A	GIBSON TOWNSHIP
Information:	Consideration: \$27,927.00
Grantor: HOLBROOK, DONNA LEE	Grantee: HOLBROOK, DEAN R
Locations: Parcel #	Municipality
1 - 111.00-1,038.00,000.	NEW MILFORD TOWNSHIP

Information:	Consideration: \$1.00
Grantor: COULOMBE, JESSICA R	Grantee: RHINEBECK, LISA Y (FKA) 2 - COLWELL, LISA Y
Locations: Parcel # 1 - 054.11-2,074.00,000.	Municipality SUSQUEHANNA 2W
Information: INTERVAL NO 18 UNIT NO 39	Consideration: \$100.00
Grantor: BREMER HOF INC	Grantee: BURCK, STEPHEN G 2 - BURCK, JENAY L
Locations: Parcel # 1 - N/A	Municipality HERRICK TOWNSHIP
Information:	Consideration: \$1.00
Grantor: BAIER, MICHAEL E 2 - BAIER, KATHLEEN J	Grantee: BAIER, MICHAEL E 2 - BAIER, KATHLEEN J
Locations: Parcel # 1 - N/A	Municipality FRANKLIN TOWNSHIP
Information:	Consideration: \$1.00
Grantor: DECKER, RAYMOND	Grantee: TAYLOR, MARGARET A
Locations: Parcel # 1 - N/A	Municipality LATHROP TOWNSHIP
Information:	Consideration: \$1.00
Grantor: VANOUS, JOHN L (ESTATE AKA) 2 - VANOUS, JACK L (ESTATE) 3 - INMAN-VANOUS, SHARLENE (AKA) 4 - VANOUS, SHARLENE INMAN	Grantee: INMAN-VANOUS, SHARLENE (AKA) 2 - VANOUS, SHARLENE INMAN
Locations: Parcel # 1 - 050.00-2,047.00,000.	Municipality GREAT BEND TOWNSHIP
Information:	Consideration: \$1.00
Grantor: ABBOTT, GAIL L	Grantee: MOORE, MARK 2 - COLEMAN-MOORE, CATHERINE (AKA) 3 - MOORE, CATHERINE COLEMAN
Locations: Parcel # 1 - 036.00-2,018.00,000.	Municipality LANESBORO BOROUGH
Information:	Consideration: \$1.00
Grantor: PORDON, NANCY E	Grantee: PORDON, NANCEY E
Locations: Parcel # 1 - N/A 2 - N/A	Municipality BROOKLYN TOWNSHIP LATHROP TOWNSHIP
Information:	Consideration: \$35,000.00
Grantor: SPARKS, WILLIAM J III	Grantee: THULLEN, JACK J 2 - THULLEN, HEIDI
Locations: Parcel # 1 - N/A	Municipality ARARAT TOWNSHIP
Information:	Consideration: \$10.00
Grantor: ENDEAVOR ACQUISITIONS LLC	Grantee: APPALACHIAN CLEAN ENERGY LLC 2 - LIGHTNING CREEK HOLDINGS LP
Locations: Parcel # 1 - 221.00-1,027.01,000.	Municipality LATHROP TOWNSHIP
Information:	Consideration: \$67,500.00
Grantor: COOPER, RAYMOND J JR 2 - COOPER, JODY	Grantee: YANNOTTA, ROBERT PAUL
Locations: Parcel # 1 - 187.00-1,002.01,000.	Municipality HARFORD TOWNSHIP

Information:	Consideration: \$1.00
Grantor: GESFORD, MATTHEW	Grantee: CARTUTT LLC
Locations: Parcel #	Municipality
1 - 180.00-2,018.00,000.	DIMOCK TOWNSHIP
Information:	Consideration: \$241,000.00
Grantor: VAN CLEAF, ROBERT W	Grantee: VANDERMAAS, EDWARD T
2 - VAN CLEAF, SHARON A	2 - VANDERMAAS, DEBORAH
Locations: Parcel #	Municipality
1 - N/A	HARFORD TOWNSHIP
Information:	Consideration: \$1.00
Grantor: SHADDUCK, FRANCIS (AKA)	Grantee: ERICKSON, BRETT TENNILLE
2 - SHADDUCK, FRANCIS E	2 - SHADDUCK, JESSE LEE
3 - SHADDUCK, CHRIS J	3 - SHADDUCK, CARRIE JAYE
Locations: Parcel #	Municipality
1 - N/A	MIDDLETOWN TOWNSHIP
2 - N/A	APOLACON TOWNSHIP
Information:	Consideration: \$1.00
Grantor: PAULIN, WILLIAM	Grantee: PAULIN, WILLIAM
2 - PAULIN, CARRIE	2 - PAULIN, CARRIE
3 - PAULIN, WILLIAM III	3 - PAULIN, WILLIAM III
4 - PAULIN, BROOKE ANN	
Locations: Parcel #	Municipality
1 - N/A	FOREST CITY
Information:	Consideration: \$1.00
Grantor: BIRTCH, JENNINGS B JR (TRUST BY TRUSTEES)	Grantee: BIRTCH, JENNINGS B
2 - BIRTCH, BETTY M (TRUST BY TRUSTEES)	2 - BIRTCH, BETTY M
Locations: Parcel #	Municipality
1 - N/A	NEW MILFORD TOWNSHIP
Information:	Consideration: \$1.00
Grantor: BIRTCH, JENNINGS B	Grantee: BIRTCH, JENNINGS BILL
2 - BIRTCH, BETTY M	2 - BIRTCH, DAVID A
Locations: Parcel #	Municipality
1 - N/A	FRANKLIN TOWNSHIP
2 - N/A	NEW MILFORD TOWNSHIP
Information:	Consideration: \$267,000.00
Grantor: MARKLEY, ANN E (NBM)	Grantee: ANGELIDES, JASON
2 - BRANCA, ANN E	2 - WESTON, SEAN M
3 - BRANCA, COLIN M	3 - WESTON, HEIDI Z
Locations: Parcel #	Municipality
1 - 190.00-1,062.00,000.	HERRICK TOWNSHIP
Information:	Consideration: \$300,000.00
Grantor: LIGHTNING CREEK HOLDINGS LP	Grantee: DIAZ FAMILY LIMITED PARTNERSHIP
2 - APPALACHIAN CLEAN ENERGY LLC	
Locations: Parcel #	Municipality
1 - 143.00-1,022.00,000.	BRIDGEWATER TOWNSHIP
Information:	Consideration: \$100,000.00
Grantor: CARSON, JEFFREY S	Grantee: MYERS, WILLIAM F
2 - CARSON, DIANE MARIE	
Locations: Parcel #	Municipality
1 - N/A	LATHROP TOWNSHIP

Information: OIL GAS AND HYDROCARBON DEED  
Grantor: DIAZ FAMILY LP

Locations: Parcel #  
1 - 143.00-1,023.02,000.

Information:  
Grantor: STEUER, JOSEPH  
2 - FITZGERALD, ERIN  
Locations: Parcel #  
1 - N/A

Consideration: \$300,000.00  
Grantee: LIGHTNING CREEK HOLDINGS LP  
2 - APPALACHIAN CLEAN ENERGY LLC

Municipality  
BRIDGEWATER TOWNSHIP

Consideration: \$190,000.00  
Grantee: BRAND, JORDAN W

Municipality  
LIBERTY TOWNSHIP



# Susquehanna County LEGAL JOURNAL

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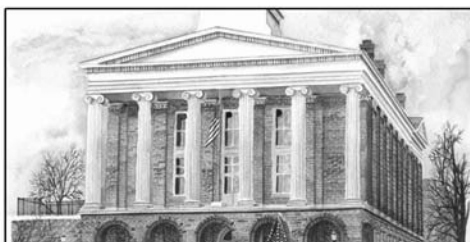
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