

OFFICIAL LEGAL JOURNAL

OF SUSQUEHANNA COUNTY, PA

34th Judicial District

Vol. 3 ★ March 1, 2019 ★ Montrose, PA ★ No. 48



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CASES REPORTED

Norman Gerald Lewandowski And Victoria Lewandowski, Plaintiffs
v.
Mark Machell, Defendant

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Court of Common Pleas 34th Judicial District:

The Hon. Jason J. Legg
President Judge

The Hon. Kenneth W. Seamans
Senior Judge

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

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Legal 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.

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

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

COURT OPINION

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

NORMAN GERALD LEWANDOWSKI	:	
And VICTORIA LEWANDOWSKI,	:	
Plaintiffs	:	
v.	:	
MARK MACHELL,	:	
Defendant	:	No. 2017-495 C.P.

OPINION**I. Introduction**

On April 21, 2017, plaintiffs Norman Gerald Lewandowski and his wife Victoria Lewandowski (“Lewandowskis”) filed this action against defendant Mark Machell (Machell”) seeking declaratory judgment regarding ownership of a parcel of real property located in Clifford Township, Pennsylvania. The Lewandowskis contend that Machell owns 2.00 acres of real property while Machell contends that he owns 4.25 acres of real property. On November 6, 2018, Machell filed a motion for summary judgment contending that the Lewandowskis have failed to raise a genuine issue of material fact relating to his ownership of the entirety of the 4.25 acre parcel. Likewise, the Lewandowskis have made an oral motion for summary judgment similarly contending there is no issue of material fact that Machell only owns 2 acres of real property.

II. Statement of Facts

Elizabeth Lewandowski (“Elizabeth”) was the owner of approximately 93 acres of real property located in Clifford Township. (Def.’s S.J. Mot. ¶ 2.) Elizabeth had three children: (1) Norman G. Lewandowski (“Norman”); (2) Patricia L. Lysak (“Patricia”); and (3) Walter R. Lewandowski (“Richard”). (Def.’s S.J. Mot. ¶ 3.) In 2005, Elizabeth subdivided the 93 acres of real property into several parcels so that the property could be divided equally between her children at her death. (Id. ¶ 4; Ex. A; Ex. C, Lewandowski Dep. 26-27, May 8, 2018.). On January 3, 2006, Norman, acting in his capacity as a power of attorney for Elizabeth, conveyed the 93 acres of real property, which included the 4.25 acres of real property at issue in this litigation, to himself and Patricia. (Id. ¶ 5; Ex. B.)

Elizabeth died on August 22, 2009. (Def.’s S.J. Mot. Ex. C: Lewandowski Dep. at 26.) On November 19, 2009, pursuant to the estate plan, the Lewandowskis, Patricia, Daniel Lysak (Patricia’s husband “Daniel”), and Richard conveyed the 4.25 acre parcel

to Richard. (Id. at 26, 28; Def.'s S.J. Mot. Ex. D.)¹ Norman subsequently learned that Susquehanna County was imposing a rollback tax penalty as a result of the transfer of 4.25 acres because it violated the Clean and Green program. (Id. at 34-35.)² Thereafter, in December 2010, the Lewandowskis, Patricia, Daniel and Richard signed a "corrective" deed with a separate description for only two acres of land. The "corrective" deed was then filed with the Susquehanna County Recorder of Deeds on December 27, 2010. (Def.'s S.J. Mot. Ex. F.) However, the Susquehanna County Assessment Office would not accept the "corrective" deed. (Def.'s S.J. Mot. ¶ 19.)³ On March 3, 2014, Richard transferred the 4.25 acres of real property to his lifelong friend, Machell. (Def.'s Cmp. Ex. C.)⁴ Richard died on March 21, 2014. (Def.'s S.J. Mot. ¶ 22.)

The 4.25 acre parcel that was conveyed to Richard is divided by a road. (Lewandowski Dep. at 20, 21.) On one side of the road is a house with a garage and a barn situated on approximately 2 acres of the 4.25 acre parcel. (Id. at 21, 35.) The

1 There is no indication in the 2009 deed as to why Richard was included as a grantor given that he had no interest in the real estate being conveyed. As noted, Norman had conveyed the 93 acres to himself and Patricia in 2006. Richard was not included in the 2006 conveyance.

2 The Pennsylvania Farmland and Forest Land Assessment Act of 1974, which is commonly known as the Clean and Green Act, was enacted to encourage conservation of land by providing a lower tax rate for land dedicated to agricultural and forest preserve purposes. See Feick v. Berks Board of Assessment Appeals, 720 A.2d 504, 505 (Pa. Comm. Ct. 1998); 72 P.S. §§ 5490.1-5490.13. In order to participate in the Clean and Green Act, the real property parcel must be at least 10 contiguous acres which is devoted to agricultural use (or if less than 10 acres, must have an anticipated annual gross income from agriculture of at least \$2,000) or it must be at least 10 contiguous acres devoted to agricultural reserve or forest reserve. 72 P.S. § 5490.3(a). Under the Act, a participant landowner cannot "split-off," or convey, more than two acres annually or the landowner will be subject to rollback taxes on the entire parcel plus interest at a rate of six percent per annum for the seven most recent tax years. 72 P.S. §§ 5490.5a, 5940.6(a.1)(i). The 2009 deed conveyed 4.25 acres – as contemplated by the parties and as intended under Elizabeth's estate plan. Thus, the 4.25 acre conveyance violated the conditions of the Clean and Green program because it exceeded the yearly 2 acre conveyance limitation.

3 Although the parties went through the appropriate procedure to subdivide the 4.25 acre parcel, the 2 acre parcel described in the 2010 deed never went through the subdivision process. (Lewandowski Dep. at 36.) The Susquehanna County Subdivision and Land Development Ordinance provides that no subdivision of real property may occur unless the owner has complied with the Ordinance. Susquehanna County Subdivision and Land Development Ordinance, effective January 26, 2011, Ordinance # 2005-01, *as amended*, § 102. Furthermore, the Pennsylvania Municipalities Planning Code likewise prohibits any subdivision that fails to obtain approval from the municipal planning commission. 53 P.S. § 10507; see Sinkiewicz v. Susquehanna Cty. Bd. of Comm'rs, 131 A.3d 541, 547 (Pa. Commw. Ct. 2015). It is unlawful for a seller to attempt to convey a parcel of real property which has not obtained subdivision approval as required under a municipal planning ordinance. See Messina v. Silberstein, 528 A.2d 959, 961 (Pa. Super. Ct. 1987). As to Elizabeth's property, it was subdivided into 5 different lots with the 4.25 acre lot being Lot 5 of the subdivision plan. Susquehanna County Instrument Number 200610547 (Map #5845). There is no public record of any further subdivision. Moreover, because Richard was the owner of the 4.25 acres after 2009, Richard would have needed to seek subdivision approval prior to the 2010 "corrective" deed. Richard failed to do so. The alleged "corrective" deed cannot be lawful because subdivision approval was never obtained prior to the sale of the 2 acre lot.

4 The March 2014 deed included the 2009 legal description for the 4.25 acre parcel not the 2010 legal description for the 2 acre parcel.

remaining acreage of the 4.25 acre parcel is on the other side of the road and has the water well that services the house. (*Id.* at 21.) Norman testified that there was an agreement between the Lewandowskis and their mother to have the 4.25 acres conveyed to Richard. (*Id.* at 33-34.) Norman stated that at the time of the conveyance to Richard, the Lewandowskis intended to transfer the whole 4.25 acres to Richard so he could have a house to live in. (*Id.* at 32.) After the rollback tax issue became known, Norman discussed the tax penalty with Richard and Richard agreed that they would need to redo the deeds to transfer only two acres in one year and the other 2.25 acres in a subsequent year. (*Id.* at 36.)⁵ Richard never obtained approval for a subdivision of the 4.25 acres. The Lewandowskis filed this declaratory judgment action seeking a judicial declaration that Richard owned only 2 acres of real property by virtue of the “corrective” deed and that Machell therefore owns only 2 acres of real property because that is the only real property Richard could convey to Machell.

On November 6, 2018, Machell filed this motion for summary judgment contending that the Lewandowskis have failed to present any evidence to establish that the 2010 Deed was a legally effective “corrective” deed. The Lewandowskis assert that the evidence supports that the deed was “reformed” to correct a mutual mistake of the parties. Oral argument on this matter was held on December 18, 2018 and the parties have submitted their respective briefs.⁶ The matter is now ripe for disposition.

I. Standard of Review

Summary judgment is appropriate “where the record clearly demonstrates that there is no genuine issue of material fact and that the moving party is entitled to judgment as a matter of law.” Summers v. Certainteed Corp., 997 A.2d 1152, 1159 (Pa. 2010) (citing Pa.R.C.P. No. 1035.2(1)). In reviewing a motion for summary judgment, the court must consider all facts (and any reasonable inferences deducible therefrom) in a “light most favorable to the non-moving party.” *Id.* Any doubts must be resolved in favor of the non-moving party and, for this reason, summary judgment is only proper where the record is “clear and free from all doubt.” *Id.* This is not to suggest that the non-moving party bears no burden; rather, the non-moving party must still “adduce sufficient evidence on an issue essential to his case and on which he bears the burden of proof such that a jury could return a verdict in his favor.” Burlington Coat Factory of Pennsylvania, LLC v.

⁵ On October 14, 2014 the Lewandowskis filed a complaint seeking mandamus relief against the Susquehanna County Assessment Office directing it to accept that the corrective deed reduced the acreage owned by Richard to 2 acres. The Lewandowskis also sought a judicial declaration that Machell owned only 2 acres as opposed to 4.25 acres. On April 1, 2017, the court granted summary judgment motions filed by the Assessment Office and Machell but denied the Lewandowskis’ summary judgment motion. See Lewandowski v. Susquehanna County Assessment Office and Mark Machell, No. 2014-1241 C.P., slip op. (Susq. Cty. Common Pleas April 1, 2016). The court determined that there were other remedies available to the parties to determine the validity of the 2010 “corrective” deed and that mandamus was not the appropriate vehicle for the relief sought by the Lewandowskis.

⁶ Counsel for the Lewandowskis raised an oral motion for summary judgment during oral argument asserting that the Lewandowskis were entitled to summary judgment because the deed filed in 2010 was a deed of reformation conveying only 2 acres to Richard.

Grace Const. Mgmt. Co., LLC, 126 A.3d 1010, 1017-18 (Pa. Super. Ct. 2015). If a non-moving party failed to present such evidence demonstrating a question of material fact, then summary judgment will be granted to the moving party. *Id.*⁷

II. Discussion

Machell asserts that there is no issue of material fact that the 2010 “corrective” deed was not legally effective where: (1) the property interest in the corrective deed is not identical to the property interest in the original deed; (2) Richard used the entirety of the property as his own after the corrective deed was filed; and (3) Richard conveyed the full 4.25 acres to Machell after the corrective deed had been filed. The Lewandowskis contend the evidence supports that the deed was “reformed” to correct a mutual mistake of the parties. The Lewandowskis argue that this mutual mistake is supported by the fact that Richard signed the corrective deed showing his intention to receive 2 acres rather than 4.25 acres after learning that there would be rollback tax consequences as a result of the initial conveyance of the full 4.25 acre parcel.

The Court Opinion will continue in the next issue.

⁷ An issue of material fact is in genuine dispute if the evidence is such that a reasonable jury could return a verdict for the nonmoving party. Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986).

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'S NOTICE

Letters Testamentary on the Estate of Delores D. Kostantewicz, who died on December 19, 2018, late of Auburn Township, Susquehanna County, Pennsylvania, having been granted the undersigned, notice is hereby given that all persons indebted to said estate are requested to make immediate payment, and all persons having claims against it must present them duly authenticated for settlement

Lisa Worth fka
Lisa Kostantewicz, Executrix
1430 Harding Avenue
Williamsport, PA 17701

Date: February 19, 2019

Attorney Leslie Wizelman
243 Second St., P.O. Box 114
Wyalusing, PA 18853
Telephone: 570-746-3844

3/1/2019 • 3/8/2019 • 3/15/2019

ESTATE NOTICE

Estate of William A. Smith a/k/a William Smith, late of Montrose, Susquehanna County, Pennsylvania, deceased.

Letters of Administration on the above estate having been granted the undersigned, all persons indebted to said estate are requested to make immediate payment, and those having legal claims to present the same without delay to:

Mr. William J. Smith,
Administrator
c/o PLA Associates, PC
1450 E. Boot Road, Building 400D
West Chester, PA 19380

Or Attorney

Charles W. Proctor, III, Esquire
PLA Associates, PC
1450 E. Boot Road, Building 400D
West Chester, PA 19380

3/1/2019 • 3/8/2019 • 3/15/2019

ESTATE NOTICE

In the Estate of Daniel J. Myer, deceased, late of Gibson Township, Susquehanna County, Pennsylvania who died testate on January 9, 2019. Letters of Testamentary in the above estate having been granted to the undersigned, all persons indebted to said estate are

requested to make immediate payment and those having claims against the same are requested to present them without delay to:

Elizabeth M. Fry
1023 Donegal Springs Rd.
Mount Joy, PA 18470
or

Laurence M. Kelly
Kelly Law Office
Attorney for the Estate
65 Public Avenue
Montrose, PA 18801
Telephone: 570-278-3861

3/1/2019 • 3/8/2019 • 3/15/2019

ADMINISTRATRIX NOTICE

Estate of James Robert Russell
Late of Little Meadows Borough
ADMINISTRATRIX
Patricia Russell
974 Maple Street
Little Meadows, PA 18830
ATTORNEY

Laurence M. Kelly
65 Public Avenue
Montrose, PA 18801

2/22/2019 • 3/1/2019 • 3/8/2019

ESTATE NOTICE ESTATE OF MARGARET M. GRECO

ESTATE NOTICE ESTATE OF MARGARET M. GRECO, deceased, of 50 State Route 2021, Clifford, Susquehanna County, PA, who dies September 8, 2018. Letters of Testamentary have been granted to Julie Aulisio, Executrix, who requests all persons having claims against the estate of the decedent to make known the same,

and all persons indebted to the decedent to make payments, without delay, to: Julie Aulisio, 185 Reese Street, Old Forge, Pa. 18518.

2/22/2019 • 3/1/2019 • 3/8/2019

EXECUTRIX NOTICE

Estate of Scott Hotchkiss AKA
Scott Joseph Hotchkiss
Late of City of Binghamton,
Broome County, New York
EXECUTRIX
Ellen E. Hotchkiss
35 Muckey Rd.
Binghamton, NY 13903
ATTORNEY
John R. Dean
Attorney at Law
72 Public Avenue
Montrose, PA 18801

2/22/2019 • 3/1/2019 • 3/8/2019

EXECUTOR NOTICE

Estate of Robert Griffin AKA
Robert P. Griffin
Late of Apolacon Township
CO-EXECUTOR
John M. Griffin
4046 Turnpike St.
Friendsville, PA 18818
CO-EXECUTOR
Joseph R. Griffin
4164 Turnpike St.
Friendsville, PA 18818
ATTORNEY
John R. Dean
Attorney at Law
72 Public Avenue
Montrose, PA 18801

2/22/2019 • 3/1/2019 • 3/8/2019

EXECUTOR NOTICE

Estate of Jane T. Chandler
Late of Montrose Borough
EXECUTOR
Kendal Chandler
64 Wilson Street
Montrose, PA 18801
ATTORNEY
Robert J. Hollister, Esq.
Giangrieco Law, PC
P.O. Box 126
Montrose, PA 18801

2/15/2019 • 2/22/2019 • 3/1/2019

EXECUTOR NOTICE

Estate of Michael R. Cutri, Sr.
AKA Michael R. Cutri
Late of Forest Lake Township
EXECUTOR
Michael R. Cutri, Jr.
11300 Forest Lake Rd.
Montrose, PA 18801
ATTORNEY
Jason G. Beardsley, Esq.
37 Public Avenue
Montrose PA 18801

2/15/2019 • 2/22/2019 • 3/1/2019

EXECUTRIX NOTICE

Estate of Theresa A. Diehl
Late of Springville Township
EXECUTRIX
Christina Hall
4765 SR 706
Montrose, PA 18801
ATTORNEY
Michael Briechele, Esq.
4 Chestnut Street
Montrose, PA 18801

2/15/2019 • 2/22/2019 • 3/1/2019

EXECUTOR NOTICE

Estate of Jean Marie Grassman
Late of Forest Lake Township
EXECUTOR
James Grassman
224 Kane Road
Montrose, PA 18801
ATTORNEY
Briechele Law Offices, P.C.
4 Chestnut Street
Montrose, PA 18801

2/15/2019 • 2/22/2019 • 3/1/2019

OTHER NOTICES

NOTICE

**PRIVATE SALE OF REAL
ESTATE IN SUSQUEHANNA
COUNTY PREVIOUSLY
EXPOSED TO PUBLIC SALE
BY THE SUSQUEHANNA
COUNTY TAX CLAIM
BUREAU AND NOT SOLD
BECAUSE THE UPSET PRICE
WAS NOT BID.**

NOTICE is hereby given that the
Susquehanna County Tax Claim
Bureau will expose to private sale
property situate in Rush Township,
Parcel #155.00-1,015.00,000,
Control # 37-0-009474, consisting
of .11 acres, land only, held in the
name of Mason, Edward W., c/o
John I Mason, Executor. The
property will be sold free and clear
of all tax claims and tax judgments.

The corporate authorities of any
taxing district having any tax
claims or tax judgments against the
property which is to be sold, the
owner, an interested party, or a
person interested in purchasing the
property may, if not satisfied that

the sale price indicated herein is sufficient, within forty-five (45) days after notice of the proposed sale, may petition the Court of Common Pleas of Susquehanna County to disapprove the sale.

The sale of the said property will be held April 3, 2019 at the hour of 10:00 A.M., at the Tax Claim Bureau office, Susquehanna County Courthouse, Montrose, Pennsylvania. The sale price of the property is \$.

Jason D. Miller, Director
Susquehanna County Tax Claim
Bureau

2/22/2019 • 3/1/2019

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 APRIL 9, 2019

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

April 9, 2019 at 9:00 AM

Writ of Execution No.: 2019-23 CP

PROPERTY ADDRESS: 398
Transue Road, Laceyville, PA
18623

LOCATION: Auburn Township

Tax ID #: 232.00-1,044.00,000.

IMPROVEMENTS: ONE - ONE
STORY WOOD FRAMED
DWELLING

ONE 24x32 WOOD
FRAMED SHED

DEFENDANTS: Shane A. Conrad
and Tammy S. Townsend, N/K/A
Tammy S. Conrad

ATTORNEY FOR PLAINTIFF:
David K. Brown, Esq
(570) 346-7922

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

2/15/2019 • 2/22/2019 • 3/1/2019

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
APRIL 9, 2019**

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
April 9, 2019 at 9:30 AM**

Writ of Execution No.: 2019-13 CP

PROPERTY ADDRESS: 1853

Lamb Road f/k/a RR2 Box 14,
Thompson, PA 18465

LOCATION: Thompson Township

Tax ID #: 115.00-2,012.00,000.

IMPROVEMENTS: ONE - TWO
STORY WOOD FRAMED
DWELLING

ONE – 16x20 WOOD
FRAMED SHED

DEFENDANTS: Raymond F.
Cordner and Flordaliz Cordner
ATTORNEY FOR PLAINTIFF:
M. Troy Freedman, 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

Lance M. Benedict,
Susquehanna County Sheriff

2/15/2019 • 2/22/2019 • 3/1/2019

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
APRIL 9, 2019**

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
4-9-2019 at 11:00 AM**

Writ of Execution No.:

2018-1577 CP

PROPERTY ADDRESS: 4928
State Route 706, Montrose, PA
18801

LOCATION: Rush Township

Tax ID #: 157.15-1,014.00,000

IMPROVEMENTS: ONE- Two
Story Wood Framed Dwelling
DEFENDANTS: MICHAEL
REPCHECK

ATTORNEY FOR PLAINTIFF:
Kenya Bates, 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: <http://susqco.com/> -Law Enforcement, Sheriff's Office, Sale listings

Lance M. Benedict,
Susquehanna County Sheriff

3/1/2019 • 3/8/2019 • 3/15/2019

SHERIFF'S SALE MORTGAGE FORECLOSURE APRIL 23, 2019

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

April 23, 2019 at 9:00 AM

Writ of Execution No.:

2019-31 CP

PROPERTY ADDRESS: 220

Franklin Avenue, Susquehanna, PA
18847

LOCATION: Susquehanna
Borough

Tax ID #: 054.15-2,055.00,000.

IMPROVEMENTS: ONE - ONE

STORY MANUFACTURED

DWELLING

DEFENDANTS: Deborah Acosta
& Dwayne Acosta

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

Lance M. Benedict,
Susquehanna County Sheriff

2/22/2019 • 3/1/2019 • 3/8/2019

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
APRIL 23, 2019**

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
April 23, 2019 at 9:30 AM**

Writ of Execution No.:

2018-1554 CP

PROPERTY ADDRESS: 5342

State Route 492, Jackson

Township, Susquehanna County,
Pennsylvania

Land adjacent from Bienko Well
Pad at 1926 Howell Road, New
Milford Township, Susquehanna
County, Pennsylvania

State Route 492, Jackson

Township, Susquehanna County,
Pennsylvania

LOCATION: Jackson Township,
New Milford Township, Jackson
Township

Tax ID #: 111.00-2,043.00,000.

130.00-1,015.00,000.

130.00-2,002.00,000.

IMPROVEMENTS: 57.28 Acres of
Land

18 Acres of Land

22.98 Acres of Land

DEFENDANTS: Robert C.

Robinson

ATTORNEY FOR PLAINTIFF:

Peter M. Good, Esq

(717) 232-7661

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

2/22/2019 • 3/1/2019 • 3/8/2019

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
MAY 14, 2019**

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

May 14, 2019 at 9:30 AM

Writ of Execution No.:

2019-126 CP

PROPERTY ADDRESS: 10986

STATE ROUTE 29, MONTROSE,
PA 18801

LOCATION: Bridgewater

Township

Tax ID #: 161.08-2,030.00,000.

IMPROVEMENTS: ONE - TWO
STORY WOOD FRAMED
DWELLING

ONE - 12 x 24 WOOD FRAMED
GARAGE

DEFENDANTS: JAY T. KERR &
ELSA KERR

ATTORNEY FOR PLAINTIFF:

Abigail Brunner, 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

2/22/2019 • 3/1/2019 • 3/8/2019

**SHERIFF'S SALE
MONEY JUDGMENT
MAY 14, 2019**

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

May 14, 2019 at 9:00 AM

Writ of Execution No.:

2019-90 CP

PROPERTY ADDRESS: 225

WEST SHORE DRIVE,

THOMPSON, PA 18465

LOCATION: Ararat Township

Tax ID #: 171.07-1,035.00,000.

IMPROVEMENTS: ONE - ONE
STORY WOOD FRAMED
DWELLING

ONE - 12 x 18 WOOD FRAMED
GARAGE

DEFENDANTS: BERNARD
KILPATRICK

ATTORNEY FOR PLAINTIFF:

Marissa McAndrew, Esq

(570) 785-3232

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

3/1/2019 • 3/8/2019 • 3/15/2019

MORTGAGES AND DEEDS

*RECORDED FROM FEBRUARY 14, 2019 TO FEBRUARY 20, 2019
ACCURACY OF THE ENTRIES IS NOT GUARANTEED.*

MORTGAGES

Information:	Consideration: \$224,999.00
Mortgagor: DAVIES, WILLIAM EDWARD III	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - DAVIES, PATRICIA LYNN	2 - QUICKEN LOANS INC
Locations: Parcel #	Municipality
1 - 088.00-1,093.00,000.	FRANKLIN TOWNSHIP
Information:	Consideration: \$50,000.00
Mortgagor: BENDOCK, BRYAN	Mortgagee: NBT BANK
Locations: Parcel #	Municipality
1 - 088.00-1,020.00,000.	FRANKLIN TOWNSHIP
Information:	Consideration: \$17,000.00
Mortgagor: KIKA, ROBERT M	Mortgagee: NBT BANK
Locations: Parcel #	Municipality
1 - 043.04-1,011.00,000.	CHOCONUT TOWNSHIP
Information:	Consideration: \$84,000.00
Mortgagor: KNAPP, PAMELA S (TRUST BY TRUSTEE)	Mortgagee: NBT BANK
Locations: Parcel #	Municipality
1 - 066.00-1,023.00,000.	SILVER LAKE TOWNSHIP
Information:	Consideration: \$50,000.00
Mortgagor: DECKER, JOSEPH A JR	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - DECKER, CHERYL A	
Locations: Parcel #	Municipality
1 - 187.00-2,023.00,000.	GIBSON TOWNSHIP
Information:	Consideration: \$139,428.00
Mortgagor: TURNER, SAMANTHA M	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
	2 - HOMESTEAD FUNDING CORP
Locations: Parcel #	Municipality
1 - 143.05-2,006.00,000.	MONTROSE 2W
Information:	Consideration: \$93,266.00
Mortgagor: BUTLER, KAY D	Mortgagee: NORTHWEST BANK
Locations: Parcel #	Municipality
1 - 268.07-3,001.00,000.	FOREST CITY 2W
Information:	Consideration: \$159,000.00
Mortgagor: GOLDATE, DAVID A	Mortgagee: FIDELITY DEPOSIT & DISCOUNT BANK
Locations: Parcel #	Municipality
1 - 191.13-2,049.00,000.	HERRICK TOWNSHIP
Information:	Consideration: \$43,000.00
Mortgagor: TRICHILO, ALAN	Mortgagee: HONESDALE NATIONAL BANK
2 - TRICHILO, COLLEEN	
Locations: Parcel #	Municipality
1 - 210.00-1,038.02,000.	HERRICK TOWNSHIP

Information:	Consideration: \$50,350.00
Mortgagor: ORD, MADELINE	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - BARNES, CAMERON M	2 - FIRST NATIONAL BANK OF PENNSYLVANIA
3 - KLIEWER, DAVID	
Locations: Parcel #	Municipality
1 - 031.20-1,033.00,000.	HALLSTEAD BOROUGH
Information:	Consideration: \$50,000.00
Mortgagor: KWIATKOWSKI, AKEX A	Mortgagee: COMMUNITY BANK
2 - KWIATKOWSKI, DIANE P	
Locations: Parcel #	Municipality
1 - N/A	LENOX TOWNSHIP
Information:	Consideration: \$142,424.00
Mortgagor: GRIGGS, AARON	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - GRIGGS, JULIE	2 - SUMMIT MORTGAGE CORPORATION
Locations: Parcel #	Municipality
1 - 124.14-3,024.00,000.	MONTROSE

DEEDS

Information:	Consideration: \$15,900.00
Grantor: FANNIE MAE (AKA BY ATTY)	Grantee: COMPTON, KURT
2 - FEDERAL NATIONAL MORTGAGE ASSOC (BY ATTY)	
Locations: Parcel #	Municipality
1 - 032.00-1,029.00,000.	GREAT BEND TOWNSHIP
Information:	Consideration: \$1.00
Grantor: ABU SHADY , MADGE M (TRUST BY TRUSTEES)	Grantee: ABUSHADY, RAMSEY R (TRUST BY TRUSTEES)
	2 - ABUSHADY, MADGE M (TRUST BY TRUSTEES)
Locations: Parcel #	Municipality
1 - 234.00-1,033.00,000.	AUBURN TOWNSHIP
Information:	Consideration: \$1.00
Grantor: CALANDI, JOSEPH (AKA)	Grantee: CALANDI FAMILY IRREVOCABLE TRUST
2 - CALANDI, JOSEPH A	
3 - CALANDI, DEBRA	
Locations: Parcel #	Municipality
1 - 268.00-1,012.00,000.	CLIFFORD TOWNSHIP
2 - 268.00-2,001.00,000.	FOREST CITY
3 - 268.06-2,007.00,000.	FOREST CITY
Information:	Consideration: \$249,999.00
Grantor: NEWHART, LAWRENCE E	Grantee: DAVIES, WILLIAM EDWARD III
2 - NEWHART, SUSAN G	2 - DAVIES, PATRICIA LYNN
Locations: Parcel #	Municipality
1 - 088.00-1,093.00,000.	FRANKLIN TOWNSHIP
Information:	Consideration: \$10,000.00
Grantor: PLACE, THEODORE C	Grantee: CLEVELAND, BRANDON MICHAEL
2 - PLACE, REBECCA S	2 - CLEVELAND, EMILY KAY
3 - CLEVELAND, BRANDON MICHAEL	
4 - CLEVELAND, EMILY KAY	
Locations: Parcel #	Municipality
1 - N/A	AUBURN TOWNSHIP

Information: CORRECTIVE	Consideration: \$1.00
Grantor: KESSLER, JAMES M	Grantee: KESSLER, JAMES M (TRUST)
2 - KESSLER, JANICE S	2 - KESSLER, JANICE S (TRUST)
Locations: Parcel #	Municipality
1 - 088.00-1,032.00,000.	FRANKLIN TOWNSHIP
Information:	Consideration: \$1.00
Grantor: WOODBURY, ANITRA K	Grantee: WOODBURY, ANITRA K
2 - WEBSTER, MAXIMILLIAN D	
Locations: Parcel #	Municipality
1 - 186.00-1,023.00,000.	HARFORD TOWNSHIP
2 - 186.00-1,024.00,000.	HARFORD TOWNSHIP
Information:	Consideration: \$1.00
Grantor: WOODBURY, ANITRA K	Grantee: WOODBURY, ANITRA K (TRUST)
Locations: Parcel #	Municipality
1 - 186.00-1,023.00,000.	HARFORD TOWNSHIP
2 - 186.00-1,024.00,000.	HARFORD TOWNSHIP
Information:	Consideration: \$1.00
Grantor: PLACE, THEODORE C	Grantee: PLACE, THEODORE C
2 - PLACE, REBECCA S	2 - PLACE, REBECCA S
Locations: Parcel #	Municipality
1 - N/A	AUBURN TOWNSHIP
Information:	Consideration: \$21,000.00
Grantor: DANIELS, HARRY R	Grantee: MUFFLEY, JONATHAN
	2 - MUFFLEY, KIMBERLY
Locations: Parcel #	Municipality
1 - 112.00-1,022.00,000.	JACKSON TOWNSHIP
Information:	Consideration: \$1.00
Grantor: PASCOE, DOUGLAS P	Grantee: PASCOE, DOUGLAS P
2 - PASCOE, VIVYENNE (ESTATE AKA)	
3 - EVANS, VIVYENNE R (ESTATE)	
Locations: Parcel #	Municipality
1 - N/A	LATHROP TOWNSHIP
Information:	Consideration: \$1.00
Grantor: WOODS, WALDO M	Grantee: WOODS, WALDO M
Locations: Parcel #	Municipality
1 - 162.00-1,022.00,000.	BRIDGEWATER TOWNSHIP
Information:	Consideration: \$144,148.00
Grantor: ROBINSON, PETER J	Grantee: TURNER, SAMANTHA M
2 - ROBINSON, MICHELE L	
Locations: Parcel #	Municipality
1 - 143.05-2,006.00,000.	MONTROSE 2W
Information:	Consideration: \$109,725.00
Grantor: CIMINO, ANTONIO	Grantee: BUTLER, KAY D
2 - CIMINO, CANDINE	
Locations: Parcel #	Municipality
1 - 268.07-3,001.00,000.	FOREST CITY 2W
Information:	Consideration: \$208,000.00
Grantor: GOLDATE, ROBERT W JR	Grantee: GOLDATE, DAVID A
2 - GOLDATE, ANTOINETTE M	
Locations: Parcel #	Municipality
1 - 191.13-2,049.00,000.	HERRICK TOWNSHIP

Information:	Consideration: \$53,000.00
Grantor: RAFFERTY, PAULETTE MARY	Grantee: ORD, MADELINE 2 - BARNES, CAMERON M 3 - KLIEWER, DAVID
Locations: Parcel # 1 - N/A	Municipality HALLSTEAD BOROUGH
Information:	Consideration: \$1.00
Grantor: STAUFFER, JEFFREY	Grantee: STAUFFER, JEFFREY
Locations: Parcel # 1 - N/A	Municipality SPRINGVILLE TOWNSHIP
Information:	Consideration: \$46,000.00
Grantor: WERT, ROBERT C 2 - COLLINS, LINDA M	Grantee: FIONDI INC
Locations: Parcel # 1 - 124.14-3,001.00,000.	Municipality MONTROSE
Information:	Consideration: \$42,000.00
Grantor: PS BANK (FKA) 2 - PEOPLES STATE BANK OF WYALUSING	Grantee: FIONDI INC
Locations: Parcel # 1 - N/A	Municipality MONTROSE
Information:	Consideration: \$40,000.00
Grantor: DIME BANK	Grantee: TOLERICO, JOHN
Locations: Parcel # 1 - 266.01-1,004.00,000.	Municipality CLIFFORD TOWNSHIP
Information:	Consideration: \$1.00
Grantor: WALLIKAS, MICHAEL 2 - WALLIKAS, GENEVA	Grantee: WALLIKAS, MICHAEL S 2 - WALLIKAS, RETA M
Locations: Parcel # 1 - N/A	Municipality RUSH TOWNSHIP
Information:	Consideration: \$1.00
Grantor: KING, DALE A	Grantee: KING, ROYCE A
Locations: Parcel # 1 - N/A	Municipality LIBERTY TOWNSHIP
Information:	Consideration: \$1.00
Grantor: CLOUGH, JOHN 2 - CLOUGH, ROSEANN	Grantee: CLOUGH, JOHN 2 - CLOUGH, ROSEANN
Locations: Parcel # 1 - N/A	Municipality BRIDGEWATER TOWNSHIP
Information:	Consideration: \$141,000.00
Grantor: CHARLES ROSS BOYER AND KATHE ANN BOYER REVOCABLE TRUST	Grantee: GRIGGS, AARON 2 - GRIGGS, JULIE
Locations: Parcel # 1 - 124.14-3,024.00,000.	Municipality MONTROSE

Susquehanna County LEGAL JOURNAL

3305 Lake Ariel Highway, Suite 3
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Phone: 570-251-1512
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Address: _____

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