

# Bradford County Law Journal

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Vol. 8 Towanda, PA Tuesday, November 22, 2016 No. 47



The Court:                   The Honorable Maureen T. Beirne, President Judge  
                                      The Honorable Evan S. Williams, III, Judge

Editors:                     Albert C. Ondrey, Esquire, Chairman  
                                      Daniel J. Barrett, Esquire  
                                      Deborah Barr, Esquire  
                                      Frances W. Crouse, Esquire

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**Bradford County Law Journal**

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By requirement of Law and Order of Court the BRADFORD COUNTY LAW JOURNAL is made the medium for the publication of all Legal Advertisements required to be made in the County of Bradford, 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, Divorces &c., affording indispensable protection against loss resulting from want of notice. It also contains the Trial and Argument Lists of all the Courts in Bradford County, and selected Opinions and Decisions of the Courts of Bradford County.

All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. The Law Journal assumes no responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in context.

Legal notices must be received before 10:30 A.M. on the Monday preceding publication or in the event of a holiday on the preceding work day.

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## BRADFORD COUNTY LAW JOURNAL

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### ESTATE AND TRUST NOTICES

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

#### FIRST PUBLICATION

##### **Summers, Alexander Fyodor**

Late of Troy Borough (died October 7, 2016)

Administratrix: Cynthia L. Fitzwater, 32 Case Street, Troy, PA 16947

Attorneys: Gerald W. Brann, Esquire, Brann, Williams, Caldwell & Sheetz, 1090 West Main Street, Troy, PA 16947

#### SECOND PUBLICATION

##### **Benjamin, Theresa a/k/a Theresa Marie Campbell Benjamin**

Late of Leroy Township

Co-Administrators: David W. Weaver, Jr. and Charles Weaver c/o Jessica Feese, Esquire, 140 East Third Street, Williamsport, PA 17701

Attorneys: Jessica Feese, Esquire, Lep-ley, Engelman & Yaw, 140 East Third Street, Williamsport, PA 17701

##### **Johnston, Billy Henry**

Late of New Albany Borough (died September 18, 2016)

Executrix: Delores Manahan, 5540 Route 220, New Albany, PA 18833

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

##### **Lyall, Anthony Jacob**

Late of Windham Township.

Administratrix: Jessica Weaver c/o Jessica Feese, Esquire, 140 East Third Street, Williamsport, PA 17701

Attorneys: Jessica Feese, Esquire, Lep-ley, Engelman & Yaw, 140 East Third Street, Williamsport, PA 17701

##### **Marrone, Sharon D.**

Late of Sayre Borough (died August 4, 2016)

Executrix: Glory Kilmer, 1 Stanley Avenue, Waverly, NY 14892

Attorneys: R. Joseph Landy, Esquire, Landy & Rossettie, PLLC, 228 Desmond Street, P.O. Box 206, Sayre, PA 18840-0206

##### **Minier, Shirley A.**

Late of Monroe Township (died October 25, 2016)

Executrix: Sylvia K. Silver, 26573 Colgate Court, Hemet, CA 92544

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

##### **Wolcott, Richard H.**

Late of Athens Township (died October 20, 2016)

Executrix: Richelle Sherwood, 4254 Terrace Avenue, Pennsauken, NJ 08109

Attorneys: Frances W. Crouse, Esquire, Law Office of Taunya Knolles Rosenbloom, 323 South Main Street, Athens, PA 18810

#### THIRD PUBLICATION

##### **Cook, David E.**

Late of Wysox Township (died October 21, 2016)

Co-Executors: Sean E. Cook, 125 Millers Crossing Road, Orwigsburg, PA 17961 and Tammy J. Nevin, 202 Mayer Street, Reading, PA 19606

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

##### **Heib, Concetta**

Late of South Creek Township

Co-Executors: Frank R. Salatino, 586 E. Lawrence Road, Lawrenceville, PA 16929 and Mary Heib Gorst, 912 Bridgman Street, Elmira, NY 14901

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Attorneys: Loomis | Koernig, 102 West Wellsboro Street, Mansfield, PA 16933, (570) 662-2157

**Mosher, Durland L., Sr. a/k/a Durland Leroy Mosher a/k/a Skip Mosher**

Late of Columbia Township (died September 4, 2016)

Executrix: Penny L. Morgan, 10 Maple Summit Road, Shunk, PA 17768

Attorneys: Lindsay M. Walker, Esquire, Brann, Williams, Caldwell & Sheetz, 1090 West Main Street, Troy, PA 16947

**Tomb, Kenneth E.**

Late of Athens Borough (died July 31, 2016)

Administrator: Kenneth H. Tomb c/o Niemiec, Smith & Pelling, Attorneys-at-law, 427 Main Street, Towanda, PA 18848

Attorneys: Niemiec, Smith & Pelling, Attorneys-at-law, 427 Main Street, Towanda, PA 18848

**Young, Ruth M.**

Late of Bradford County

Executrix: Susan Y. Sharp c/o Griffin, Dawsey, DePaola & Jones, P.C., 101 Main Street, Towanda, PA 18848

Attorneys: Griffin, Dawsey, DePaola & Jones, P.C., 101 Main Street, Towanda, PA 18848

### REGISTER'S NOTICE

0815-0230 FIRST AND FINAL ACCOUNT AND PROPOSED DISTRIBUTION OF CLARENCE L. ROBERTS, JR., Executor of the Estate of Margaret June Brown, late of Rome Township, Bradford Co., PA.

The same will be presented to the Orphans' Court on the 6th day of December, 2016.

Shirley Rockefeller  
Register of Wills

Nov. 22, 29

### SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, November 30, 2016 at 10:00 o'clock in the forenoon the following described property to wit:

#### Legal Description

ALL that certain lot, piece, or parcel of land situate, lying and being in the Township of Canton, County of Bradford, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center line of Township Road No. T823 where the lands of Allen Clegg and Eugene L. Passeri come together; thence follow the center line of said Township Road the following two courses and distances: South 11° 38' 07" West 252.72 feet; thence South 17° 41' 25" West 6.54 feet to another point in the center line of said Township Road; thence leave the center line of said Township Road and go North 79° 39' 18" West 290.31 feet through a pin set near the edge of said Township Road and on to a second pin for a corner; thence South 15° 01' 56" West 160.29 feet to a pin for a corner; thence North 80° 39' 21" West 191.05 feet to a pin for corner; thence North 1° 56' 40" East 280.0 feet to a pin for a corner; thence South 86° 27' East 302.0 feet to a pin for a corner; thence North 41° 07' 53" East 135.0 feet to a pin for a corner; thence South 77° 30' 44" East 173.0 feet through a pin set near the edge of Township Road No. T823 and on to a point in the center line of said Township Road, which is the point and place of beginning.

CONTAINING 3.015 acres.

BEING AND INTENDING to describe Lot 2, 3.015 acres on survey of Eugene Passeri Subdivision by John W. Ward, Registered Surveyor, survey dated December 2, 1993 and being Map No. C-244.

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GRANTORS EXCEPT AND RESERVE for themselves, their heirs and assigns, all oil, gas and mineral rights and rights to receive royalties on and under the above described property, along with easements and rights of way for themselves, their heirs, successors, assigns, lessees and other parties, to remove the oil, gas and minerals from the property, to come onto the property, to explore for oil, gas and minerals, to construct well sites and any other structures, install utility lines, access roads, pipelines, and any other machinery, equipment or structures needed to remove the oil, gas and minerals from the property and do whatever else is necessary, desirable or appropriate to remove the oil, gas and minerals from the property.

BEING the same premises conveyed to Shawn Gowin and Lindsay Gowin, his wife, by Rudy E. Passeri and Diane C. Passeri, his wife, by Deed dated October 10, 2013, and recorded October 21, 2013, at Bradford County Instrument Number 201320644.

Parcel No.: 16-106.00-055-001-000.

Property Address: 573 McFadden Road, Canton, PA 17724.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of WEST MILTON STATE BANK vs. SHAWN GOWIN & LINDSAY GOWIN. Clinton J. Walters, Sheriff  
Sheriff's Office  
Towanda, PA  
Nov. 9, 2016

Nov. 8, 15, 22

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on

Wednesday, November 30, 2016 at 10:00 o'clock in the forenoon the following described property to wit:

All that certain lot or piece of ground situate in Litchfield Township, County of Bradford, Commonwealth of Pennsylvania, bounded and described as follows, to wit;

BEGINNING at a birch tree, the Southeast corner of a lot, now or formerly owned and occupied by Aaron Stone, running thence 1 1/2 degrees West 48.75 perches to a sugar maple for a corner, running thence North 88 1/2 degrees West 82 perches to a pine stump by the road, running thence North 1 1/2 degrees East, 48.75 perches to the Southwest corner of the said Aaron Stone's lot; running thence South 88 1/2 degrees East 82 perches to the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Dennis J. McCaig and Mary L. McCaig by Deed from Mary Lou Novajosky and Mary L. McCaig, dated 04/07/2004, recorded 04/20/2004 in Instrument Number 200404694.

Tax Parcel: 23-035-00-175.

Premises Being: RR 2, Box 353 a/k/a 5262 Sportsman Rd., Athens, PA 18810-7934.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of FEDERAL NATIONAL MORTGAGE ASSOCIATION vs. DENNIS McCAIG & MARY McCAIG. Clinton J. Walters, Sheriff  
Sheriff's Office  
Towanda, PA  
Nov. 9, 2016

Nov. 8, 15, 22

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I

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will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, Nov. 30, 2016 at 10:00 o'clock in the forenoon the following described property to wit:

ALL those certain lots, pieces or parcels of land situate, lying and being in the Borough of Athens, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows:

Parcel No. 1:

Being a house and lot on the North side of North Street bounded on the East by Lot numbered 147 and on the West by Lot numbered 149, and being Lot numbered 148 on a plot or plan made by Orson Rickey for the Honorable Edward Herrick and recorded in Bradford County records.

Parcel No. 2

Beginning at a point on the North side of North Street; said beginning point being an iron pin located in the Southeast corner of other lands owned by Sylvester Scaife; said beginning point also being the Southwest corner of the lands herein conveyed; thence from said beginning point North 5° 00' West 150 feet to an iron pin in lands now or formerly of Peter Flood; thence along the South line of lands of Peter Flood, now or formerly, North 85° 00' East 10 feet; thence through other lands of the Redevelopment Authority of Bradford County, South 150 feet the North line of North Street; thence along the North line of North Street South 85° 00' West 10 feet to an iron pin and the place of beginning.

CONTAINING 1,500 square feet of land, more or less.

ALSO, for the purpose of ingress, egress, regress and parking of vehicles, the free and uninterrupted use, liberty, and privilege of, and passage over and upon, that portion of lands of former Grantor, situate in Athens Borough, Bradford County, Pennsylvania, bounded and described as follows:

BEGINNING at a pin or near the Northerly edge of North Street situate in the Southeast corner of lands of Isaacs, now or formerly, and the Southwest corner of lands

of Scaife; thence along line of lands of Isaacs, now or formerly, South 85° 30' West 20 inches to a point; thence Northerly to a point situate in the Eastern line of lands of Isaacs, now or formerly, said point lying and being 30 feet from the aforesaid beginning point on a course of North 4° 30' West; thence South 4° 30' East to a pin situate at or near the Northerly edge of North Street, the point and place of beginning.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of INGERSOLL RAND FEDERAL CREDIT UNION vs. HARMON KELLEY. Clinton J. Walters, Sheriff  
Sheriff's Office  
Towanda, PA  
Nov. 9, 2016

Nov. 8, 15, 22

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### SHERIFF'S SALE

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By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, Nov. 30, 2016 at 10:00 o'clock in the forenoon the following described property to wit:

#### LEGAL DESCRIPTION

ALL that certain lot, piece or parcel of land situate, lying and being in the Borough of Troy, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at the northeast corner hereof at a point in the north line hereof; thence North 88 degrees West 18.18 rods to a corner at the side of Prospect Street; thence along said street, South 05.5 degrees West 13 rods



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to a corner; thence South 83.5 degrees East 18.18 rods to a point; thence in a straight line in a northerly direction to the place of beginning. Including, in addition to the above description, the land fronting on Prospect Street to the center of the street.

TITLE TO SAID PREMISES IS VESTED IN Kyle G. Wisel and Amy M. Wisel, his wife, by Deed from Thomas E. Smyth, Executor of the Estate of Mary C. Smyth, dated 07/27/2009, recorded 08/04/2009 in Instrument Number 200916195.

Tax Parcel: 52/068.02/123/000 000/.

Premises Being: 115 Prospect Street a/k/a 616 Prospect Street, Troy, PA 16947-1345.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of WELLS FARGO BANK vs. KYLE WISEL & AMY WISEL.  
Clinton J. Walters, Sheriff  
Sheriff's Office  
Towanda, PA  
Nov. 9, 2016

Nov. 8, 15, 22

**SHERIFF'S SALE**

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, Nov. 30, 2016 at 10:00 o'clock in the forenoon the following described property to wit:

ALL THAT CERTAIN lot or piece of ground situate in Athens Township, County of Bradford, Commonwealth of Pennsylvania.

BEGINNING at a point at the center of the intersection of State Highway No. 08081

and Township No. 876, said point of beginning being the southwestern corner of the land herein described; running thence along the center of said Township Road No. 876, North 33 degrees 15 minutes East 242 feet to a point for a corner; thence through an iron pin located on the east edge of said Township Road and along other lands, now or formerly of the said Archie L. Morse, South 79 degrees 05 minutes East 113 feet to an iron pin for a corner; thence along other lands now or formerly of said Archie L. Morse, South 07 degrees 10 minutes West 225 feet through an iron pin at the edge of the said State Highway No. 08081 to the center of said State Highway; thence along the center of said State Highway No. 08081, North 78 degrees 35 minutes West 210 feet to the point and place of beginning.

CONTAINING 0.88 of an acre, be the same more or less. The above description was taken from a map prepared by George K. Jones, Surveyor, on 28 November 1964.

TAX PARCEL # 09-021.00-209-000-000.

BEING KNOWN AS: 1024 Miller Road, Athens, PA 18810.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of JP MORGAN CHASE BANK vs. PETER JOHNSON.  
Clinton J. Walters, Sheriff  
Sheriff's Office  
Towanda, PA  
Nov. 9, 2016

Nov. 8, 15, 22

**SHERIFF'S SALE**

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford

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County Courthouse in Towanda, PA on Wednesday, Nov. 30, 2016 at 10:00 o'clock in the forenoon the following described property to wit:

### LEGAL DESCRIPTION

ALL those certain lots, pieces or parcels of land situate, lying and being in the Township of South Creek, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows:

LOT NO. 1: BEGINNING at the Southeast corner of Pennsylvania State Highway Route 14, in Mattocks Road; thence in an Easterly direction 100 feet along the Southern edge of Mattocks Road to a point; thence in a Southerly direction 200 feet to a point; thence in a Southwesterly direction 142 feet to a point at the eastern edge of said Pennsylvania State Highway Route 14; thence in a Northerly direction along said Pennsylvania State Highway 300 feet to the place of beginning.

LOT NO. 2: BEGINNING at a point on the eastern edge of the State Highway Route No. 14, said point being the southernmost corner of a lot of land conveyed to Harmon Morgan et ux. by deed dated March 27, 1971, and recorded May 26, 1971, in Bradford County Deed Book 606 at page 807; thence S 75 degrees 50 minutes E 100 feet to a point for a corner; thence in a northerly direction through the lands of the Grantors' predecessor in title approximately 100 feet to a point for a corner, said point being the southeast-most corner of lands of Harmon Morgan et ux. as described in the deed found in Bradford County Deed Book 606 at page 807 above referred to; thence S 57 degrees 30 minutes W approximately 150 feet to the point and place of beginning.

THIS DEED and the previous deeds found in Bradford County Deed Book 606 at page 807 and in Bradford County Deed Book 635 at page 1 and in Bradford County Deed Book 687 at page 519 and in Bradford County Deed Book 688 at page 545 are

subject to all covenants and conditions as set forth in Bradford County Deed Book 573 at page 757, the two lots being considered as one for the purposes of said covenants. All of which covenants are incorporated herein by reference and shall run with the land.

TITLE TO SAID PREMISES IS VESTED IN Keith R. Morgan and Tina L. Morgan, his wife, by Deed from Merle E. Woodward and Sandra Lynn Woodward, his wife, dated 03/09/2009, recorded 03/12/2009 in Instrument Number 200904322.

Tax Parcel: 4001602023000000.

Premises Being: 32508 Route 14, Gillett, PA 16925-9484.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of WELLS FARGO BANK vs. KEITH MORGAN.

Clinton J. Walters, Sheriff  
Sheriff's Office  
Towanda, PA  
Nov. 9, 2016

Nov. 8, 15, 22

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### SHERIFF'S SALE

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By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wed., Nov. 30, 2016 at 10:00 o'clock in the forenoon the following described property to wit:

All of that certain lot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being described as follows:



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ALL THOSE CERTAIN lots, pieces or parcels of land situate, lying and being in the Borough of Sayre, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at an iron pin in the western line of Spring Street said pin being in the northern corner of lands now or formerly of Carl L. and Genevieve H. Schrader and said pin being North 12° 47' 24" West 202.19 feet from an iron pin in the northern line of Draper Street as it intersects with Spring Street; thence along the northern boundary of lands now or formerly of Schrader and the northern boundary of lands now or formerly of William A. and Joan W. Allen South 78° 7' 57" West to an iron pin; thence continuing along the western boundary of the lands now or formerly of Allen South 11° 50' 55" East 201.87 feet to an iron pin in the northern line of Draper Street; thence along the northern line of Draper Street South 78° 12' 45" West 65 feet to an iron pin; thence along lands now or formerly of Marjorie Wells North 11° 50' 55" West 201.78 feet to an iron pin; thence continuing along the northern boundary of lands now or formerly of Wells and along lands now or formerly of Charles Dixon and Erika Kresge South 78° 7' 57" West 161.73 feet to an iron pin; thence along lands now or formerly of Paul and Violet MacNeal, David S. and Rozella M. Duff and Robert J. and Janice L. Donovan North 63° 23' 20" West 161.45 feet to a railroad tie; thence along lands now or formerly of Leo F. Dugan and Deborah Lehman and unknown others North 13° 57' 20" West 202.65 feet to an iron pin; thence continuing along lands of unknown others and Herman and Anita M. Jones South 57° 20' 40" West 179.10 feet to an iron pin; thence continuing along the northern boundary of lands now or formerly of Jones through Hoover Street and along lands now or formerly of Rodney A. Spencer North 63° 23' 20" West 365.99 feet to an iron pin; thence along the southern boundary of the right-of-way of NYS Route 17, known

as the Southern Tier Expressway, North 74° 49' 42" East 761.56 feet to an iron pin; thence continuing along the said right-of-way of NYS Route 17 the following courses and distances: South 41° 7' 45" East 32.99 feet to an iron pin; thence North 54° 40' 37" East 9.80 feet to an iron pin; thence South 53° 24' 16" East 96.86 feet to an iron pin; thence North 54° 56' 50" East 50.82 feet to an iron pin in the western line of Spring Street; thence along the western line of Spring Street South 35° 3' 10" East through an iron pin 336.01 feet to an iron pin; thence continuing along the western line of Spring Street South 12° 47' 24" East 124.81 feet to an iron pin, the point and place of beginning.

BEING THE SAME PREMISES which Guthrie Healthcare System, formerly known as Guthrie Medical Center and Twin Tier Management Corporation, by Deed dated May 20, 1998 and recorded May 21, 1998 in the Office for the Recorder of Deeds in and for the County of Bradford and Commonwealth of Pennsylvania in Instrument Book # 199804658, granted and conveyed unto Northern Tier Hospitality, L.L.C., Mortgagor(s) herein.

BEING assessed as tax parcel number 35-007.06-003-000-000, which number covers no other land.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of U.S. BANK NATIONAL ASSOCIATION vs. NORTHERN TIER HOSPITALITY.

Clinton J. Walters, Sheriff  
Sheriff's Office  
Towanda, PA  
Nov. 9, 2016

Nov. 8, 15, 22