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Chester County Law Reporter

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[69 Ches. Co. Rep. Firstrust Bank vs. K. Balagur, 20 West Park, LLC, et al.

Firstrust Bank vs. K. Balagur, 20 West Park, LLC, et al.

Default judgment - Summary judgment - Contract - Parol evidence

- 1. Rule of Civil Procedure 1037, concerning default judgment, requires a Motion for Default Judgment and filing of a practipe for default judgment containing a copy of the notice required by Pa.R.C.P. 237.1.
- 2. To prevail on a motion for summary judgment, the party seeking summary judgment must show that the record is clear, no genuine issue of material fact exists, and the moving party is entitled to judgment as a matter of law.
- 3. For a contract, the fundamental rule is to determine and give effect to the intention of the parties. The intent of the parties is contained in the express language of the contract and should be determined without reference to extrinsic evidence unless a term is ambiguous or susceptible of more than one reasonable interpretation.
- 4. The parties to a contract are bound by their agreements regardless of their individual understanding of the terms.
- 5. Where an agreement is clear and unambiguous, parol evidence should not be considered.
- 6. Summary judgment may be entered against a party who does not respond.
- 7. Plaintiff lent 1.3 million dollars to Kenneth Balagur with the mortgage lien being placed on a property owned by 20 West Park, LLC, of which, at the time of the loan, Balagur held a 45% interest. Upon sale of the property, the Plaintiff agreed to limit its interest in the property to 45% (based upon Balagur's membership interest) of the sale proceeds after the first and second liens were paid. The Court noted the parties executed a straight-forward mortgage pledging an interest in real estate to secure a loan by one of the property owner's members and, therefore, <u>Held</u> Moving Defendants' Summary Judgment Motion was denied and Plaintiff's Summary Judgment Motion against all Defendants was granted.

R.E.M.

C.C.P., Chester County, Pennsylvania, Civil Action no. 2019 -02916-MJ; Firstrust Bank vs. Wilkinson Roofing & Sidng, Inc., Equitable Property Investments I, LLC, 20 West Park, LLC, Kenneth S. Balagur, Kimberly A. Reitz and Richard Balagur

> Amanda M.V. Grant and John Fiorillo for 20 West Park, LLC and Richard Balagur Jerrold S. Kulback for Firstrust Bank Binder, J., May 6, 2021:-

240 CHESTE	ER COUNTY REPORTS	
Firstrust Bank vs. K. Balagur,	20 West Park, LLC, et al.	239 (2021)]
FIRSTRUST BANK	: IN THE COURT OF CO	MMON PLEAS
VS.	: CHESTER COUNTY, P	ENNSYLVANIA
WILKINSON ROOFING &	: CIVIL ACTION – LAW	
SIDING, INC., EQUITABLE PROPERTY INVESTMENTS	I, : NO. 2019-02916-MJ	
LLC, 20 WEST PARK, LLC,		
KENNETH S. BALAGUR, KIMBERLY A. REITZ and		
RICHARD BALAGUR		

ORDER

AND NOW, this 6th day of May, 2021, upon consideration of the Motion for Summary Judgment of Plaintiff against all Defendants¹, the Motion for Summary Judgment of Defendants 20 West Park, LLC and Richard Balagur (the "Moving Defendants"), the responses to each motion, and oral argument held on April 22, 2021 on both motions, for the reasons set forth in the attached memorandum it is hereby **ORDERED** that Moving Defendants' Summary Judgment Motion is **DENIED** and Plaintiff's Summary Judgment Motion against all Defendants is **GRANTED**.

BY THE COURT:

/s/ BRET M. BINDER, J.

¹ The Motion for Plaintiff included a footnote stating that Defendants: Wilkinson Roofing & Siding, LLC; Equitable Property Investments I, LLC; Kenneth Balagur; and Kimberly Reitz had not responded to the Complaint and requesting entry of judgment pursuant to Pa.R.C.P. No. 1037(d). Rule 1037 for default judgment is not applicable here as Plaintiff did not file a Motion for Default Judgment, nor did it comply with the requirements of the Rule, including filing a praceipe for default judgment is denied without prejudice; however, at this time it is moot as a result of summary judgment being granted for Plaintiff against all Defendants.

CHESTER COUNTY REPORTS [69 Ches. Co. Rep. Firstrust Bank vs. K. Balagur, 20 West Park, LLC, et al.

MEMORANDUM

This matter involves Plaintiff Firstrust Bank's mortgage lien on a property located at 20 West Park Street, Lebanon, NH (the "Property").² The Property is owned by 20 West Park, LLC (20 WP). Defendant Kenneth Balagur (KB) borrowed One Million Three Hundred Thousand Dollars from Plaintiff (the "Loan") and executed a note (the "Note") in the Plaintiff's favor on February 19, 2015. Defendant KB, at the time, held a forty-five percent (45%) membership interest in 20 WP. Plaintiff requested and 20 WP agreed to grant Plaintiff a mortgage (the "Mortgage"). 20 WP additionally executed an unconditional limited guarantee (the "Guarantee") of the Loan. Additional loan documents such as an assignment of rents, loan and security agreement, and fixture filing (the "Loan Documents") were executed by, inter alia, 20 WP and KB. Richard Balagur (RB) and 20 WP are the "Moving Defendants". Defendants KB, Kimberly Reitz, and Equitable Property Investments I, LLC, (collectively, the "Non-Moving Defendants") neither joined in the Moving Defendants' Motion for Summary Judgment nor responded to Plaintiff's Motion for Summary Judgment.

At the time of the Loan, the Property was encumbered by two mortgages held by Mascoma Savings Bank (MS Bank). Those mortgages were in the amounts of One Million Forty-Five Thousand Dollars (\$1,045,000.00) and Three Hundred Thousand Dollars (\$300,000.00) respectively. As such, the lien held by Plaintiff pursuant to the Mortgage sat in third position.

The above facts are undisputed. Also not in dispute is the key language of the Mortgage, namely, Paragraph 2.1(e) of the Mortgage, which provides:

The amount of this mortgage is \$1,300,000.00. Notwithstanding that, upon the sale of the Property the Mortgagee agrees to release its lien and to limit its interest in the Property to 45% of the proceeds received from the sale of the Property after the first lien to Mascoma Savings Bank in the original amount of \$1,045,000.00 and second lien to Mascoma Savings Bank in the original amount of \$300,000.00 (and maximum amount of \$450,000.00) are satisfied. The 45% represents Kenneth S. Balagur's membership interest in 20 West Park, LLC, which is the owner of the Property.

The loan and security agreement, part of the Loan Documents, described the mortgage by stating, "The amount of the Lender's mortgage on the New Hampshire Property is \$1,300,000.00." The second and third sentence exactly mirror that language of Paragraph 2.1(e) of the Mortgage, cited above.

² For thoroughness in the procedural history of this case, the instant action started in New Hampshire by way of a complaint filed by Defendants 20 WP and RB (docket # 215-2018-CV-00240). The Superior Court of the State of New Hampshire dismissed the action due to the forum selection clause in the Loan Documents.

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All moving and responding parties agree that no material facts are at issue and that the question at hand is one purely of law – namely, the interpretation of the second and third sentence of the mortgage. Plaintiff and Moving Defendants each ask for summary judgment based on their interpretation of the plain language of the Mortgage and related documents.

In order to prevail on a motion for summary judgment, the party seeking summary judgment must show that the record is clear, no genuine issue of material fact exists, and the moving party is entitled to judgment as a matter of law. Pa.R.C.P. No. 1035.2; <u>Sevast v. Kakouras</u>, 915 A.2d 1147 (Pa. 2007); <u>Laich v. Bracey</u>, 776 A.2d 1022 (Pa. Cmwlth. 2001). For a contract, the fundamental rule is to determine and give effect to the intention of the parties. <u>Lower Federick Township v. Clemmer</u>, 543 A.2d 502 (Pa. 1988). Moreover, the intent of the parties is contained in the express language of the contract and should be determined without reference to extrinsic evidence unless a term is ambiguous or susceptible of more than one reasonable interpretation. <u>Ameri-kohl Mining v. Mount Pleasant Tp.</u>, 727 A.2d 1179, 1182 (Pa. Cmwlth. 1999) (quoting Krizovensky v. Krizovensky, 624 A.2d 638, 642 (Pa. Super. 1993), <u>appeal denied</u>, 637 A.2d 287 (Pa. 1993)). Moreover, the parties to a contract are bound by their agreements regardless of their individual understanding of the terms. <u>Nicholas v. Hofmann</u>, 158 A.3d 675, 693 (Pa. Super. 2017).

During oral argument, both parties conceded that the second sentence of the relevant section is clear if it stood on its own: "Notwithstanding that, upon the sale of the Property the Mortgagee agrees to release its lien and to limit its interest in the Property to 45% of the proceeds received from the sale of the Property after the first lien to Mascoma Savings Bank in the original amount of \$1,045,000.00 and second lien to Mascoma Savings Bank in the original amount of \$300,000.00 (and maximum amount of \$450,000.00) are satisfied." Mortgage, ¶ 2.1(e). The dispute hinges on whether the clarity of that second sentence is muddied, or, as Moving Defendants argue, the meaning altered by the addition of the third sentence --"The 45% represents Kenneth S. Balagur's membership interest in 20 West Park, LLC, which is the owner of the Property." Id.

The Moving Defendants argue that KB could only pledge the value of his membership interest in the entity that owned the Property and could not and did not pledge the interest to the Property. Moreover, the Moving Defendants state that "45% of the proceeds received from the sale" should really read and be modified by the third sentence to give the effect of reading a pledge of 45% of the value of the membership interest of KB.

Such a reading flies in the face of the plain language of the various loan documents. The mortgage granted was for \$1,300,000.00 and, as noted by Moving Defendants, the mortgage and guaranty were necessarily executed by 20 WP as the owner of the Property. It is 20 WP that granted a security interest in the Property – not KB. Plaintiff did agree to release its lien after receipt of 45% of the proceeds after 20 WP satisfied the senior lienholders. It defies logic to suggest that the third sentence noting the reason for using 45% in the portion of the second sentence reading "45% of the

proceeds received from the sale of the Property" transforms that plain and unambiguous language into 45% **of the value of KB's membership interest**.³ Instead, the third sentence can be read in conjunction with the second sentence without need to changing wholesale the meaning of the second sentence – namely, that Plaintiff agreed to limit its lien on the Property to net proceeds in a percentage equal to that of the percentage of interest KB then owned in the 20 WP as owner of the Property.

Pledge agreements, convertible notes, and various other mechanisms exist by which the parties could have limited the amount of the lien to a value based on KB's membership interest. No such agreements were provided. There is no indicia of that being the intent of the parties within the Loan Documents as no pledge agreement exists, no restrictions or comments on the ability of KB to transfer or encumber his membership interest in 20 WP, no agreement to subordinate the bank's lien to any third parties (including Moving Defendants), no method of calculating a minority member's interest in a closely-held entity, or the like. Instead, the parties executed a straight-forward mortgage pledging an interest in real estate to secure a loan by one of the property owner's members.

To the extent that Moving Defendants (which notably does not include KB) object now to the fact that it guaranteed a loan to KB and pledged 45% of the net proceeds after payment of two senior liens from the sale of the Property as security and wish to limit it to the value of KB's membership interest in the entity,⁴ that objection is too late. Moving Defendants signed clear and unambiguous documents granting a security interest in property owned by 20 WP and gave a straight-forward and simple explanation of the amount required from a sale to release Plaintiff's lien on the Property.⁵

The Non-Moving Defendants did not respond to Plaintiff's Motion for Summary Judgment. Pursuant to Pa.R.C.P. No. 1035.3(d) ("Summary judgment may be entered against a party who does not respond."), summary judgment is granted for Plaintiff against the Non-Moving Defendants. For the reasons above, Plaintiff's Motion for Summary Judgment against Moving Defendants is granted and Moving Defendants' Motion for Summary Judgment against Plaintiff is denied.

³ In fact, the parties agreed that KB now only owns approximately 11% of the entity and the Moving Defendants suggest that such reduction means the language should be further modified to allow payment of only 11% of the value of KB's membership interest.

⁴ As Plaintiff notes in its reply to the Motion for Summary Judgment by Moving Defendants, it is unclear if the argument of Moving Defendants is that the security was an encumbrance on KB's membership interest or the value of KB's membership interest. The result is the same no matter the argument.

⁵ Moving Defendants also argue in their Motion that the language is clear and unambiguous in their favor but provide various parol evidence including emails, deposition testimony, and the like. As noted, the agreement is clear and unambiguous and, accordingly, parol evidence should not be considered. <u>Humberston v.</u> <u>Chebron U.S.A., Inc.</u>, 75 A.3d 504, 512 (Pa. Super. 2013). To the extent this Court read the parol evidence cited by Moving Defendants, this Court was not persuaded that the intent of any of the parties deviated from this court's reading of the plain language.

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NOTICES

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CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA CIVIL ACTION

LAW NO. 2021-05601-NC

NOTICE IS HEREBY GIVEN that the name change petition of Megan Leigh Goodwin Selinger was filed in the above-named court and will be heard on Monday, October 4, 2021, at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Monday, July 26, 2021 Name to be changed from: Megan Leigh Goodwin Selinger to: Megan Leigh Goodwin

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA CIVIL ACTION

LAW NO. 2021-04531-NC

NOTICE IS HEREBY GIVEN that the name change petition of Robert Brice McMahon was filed in the above-named court and will be heard on Monday, September 13, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Thursday, June 17, 2021 Name to be changed from: Robert Brice McMahon to: Robert Brice Wilde Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA

CIVIL ACTION

LAW NO. 2021-04532-NC

NOTICE IS HEREBY GIVEN that the name change petition of Isabelle Carina Schlick was filed in the above-named court and will be heard on Monday, September 13, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Thursday, June 17, 2021 Name to be changed from: Isabelle Carina Schlick to: Isabelle Carina Wilde

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA CIVIL ACTION

LAW NO. 2021-04841-NC

NOTICE IS HEREBY GIVEN that the name change petition of Jennifer Collins Brand was filed in the above-named court and will be heard on Monday, September 20, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, June 25, 2021 Name to be changed from: Jennifer Collins Brand to: Jenni Megan Brand

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA

CIVILACTION

LAW NO. 2021-05784-NC

NOTICE IS HEREBY GIVEN that the name change petition of Ashlee Danielle Hanley was filed in the above-named court and will be heard on Monday, October 18, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Thursday, July 22, 2021 Name to be changed from: Ashlee Danielle Hanley to: Ashlee Danielle McIlrath

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

Tiffany A. Shoemaker, Esquire, Attorney for the Petitioner

Potts Shoemaker & Grossman, LLC 140 West Gay Street

West Chester, PA 19380

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA CIVIL ACTION

LAW NO. 2021-05798-NC

NOTICE IS HEREBY GIVEN that the name change petition of Kelly Elizabeth Zangari was filed in the above-named court and will be heard on Monday, October 25, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, July 23, 2021 Name to be changed from: Kelly Elizabeth Zangari to: Kelly Elizabeth Briscoe

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

Michelle C. Power, Esq., Attorney for the Petitioner The Charleston Firm 60 W. Boot Road West Chester, PA 19380

CHANGE OF NAME NOTICE

IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA

CIVIL ACTION

LAW NO. 2021-03568-NC

NOTICE IS HEREBY GIVEN that the name change petition of Gregory John Forte on behalf of minor child Michaela Viviana Forte was filed in the abovenamed court and will be heard on Monday, August 30, 2021 at 2:00 PM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Tuesday, May 25, 2021 Name to be changed from: Michaela Viviana Forte to: Ailill Evren Forte

Any person interested may appear and show cause,

if any they have, why the prayer of the said petitioner should not be granted. Linda Berman, Esq. Linda F. Berman Attroney at Law 630 Freedom Business Center Dr 3rd Fl. King of Prussia, PA 19406

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA CIVIL ACTION

LAW NO. 2021-05620-NC

NOTICE IS HEREBY GIVEN that the name change petition of Michael J Ketima on behalf of minor child Michael Josiah Ketima Bangura was filed in the above-named court and will be heard on Monday, October 4, 2021 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania. Date of filing the Petition: Monday, July 19, 2021 Name to be changed from: Michael Josiah Ketima Bangura to: Michael Bangura Ketima Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CHANGE OF NAME NOTICE IN THE COURT OF COMMON PLEAS CHES-TER COUNTY, PENNSYLVANIA CIVIL ACTION

LAW NO. 2021-05819-NC

NOTICE IS HEREBY GIVEN that the name change petition of Kathleen Nebin DeTuro on behalf of minor child Aspen James Faus was filed in the above-named court and will be heard on Friday, July 23, 2021 at 2:00 PM, in Courtroom 15 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, July 23, 2021 Name to be changed from: Aspen James Faus to: Aspen James Faus DeTuro

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CORPORATION NOTICE

Notice is hereby given that Articles of Incorporation have been filed with the Department of the Commonwealth of Pennsylvania on 7/23/2021 under the Domestic Business Corporation Law, for **Ajax Holdings Corporation**, and the addr. of the registered office is 606 Longchamps Dr., Devon, PA 19333

ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

ALLEGRETTO, Donald Peter, late of New Garden Township. Pamela Allegretto, care of ANTHO-NY MORRIS, Esquire, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, Executrix. AN-THONY MORRIS, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, atty.

BRUCE, Jane V., late of Valley Township. Charles E. Bruce, 925 West Chestnut Street, Coatesville, PA 19320, Executor. ALAN J. JARVIS, Esquire, 101 Birch Drive, Downingtown, PA 19335, atty.

CELLINI, Dorothy R., a/k/a Dorothy S. Cellini, late of West Grove. Bresci J. Cellini, care of JU-LIEANNE E. STEINBACHER, Esquire, 413 Washington Boulevard, Williamsport, PA 17701, Executor. JULIEANNE E. STEINBACHER, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701, atty.

CHESNET, Harry O., late of Valley Township. Clarissa A. Taylor, 490 Kirks Mill Rd., Nottingham, PA 19362, Executor. KATHLEEN K. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

ERVIN, Ellen Williams, a/k/a Ellen W. Ervin and Ellen Ervin, late of Pennsbury Township. Anthony B. Dardis, care of GREGORY G. ALEXANDER, Esquire, 1608 Walnut St., Ste. 900, Philadelphia, PA 19103, Executor. GREGORY G. ALEXANDER, Esquire, Alexander & Pelli, LLC, 1608 Walnut St., Ste. 900, Philadelphia, PA 19103, atty.

FROEHLICH, Curtis Donald, late of Kennett Township. Kendra C. Froehlich, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

JACKSON, Paul Martin, late of West Chester. Donna M. Baker, care of KEVIN J. RYAN, Esquire, 220 West Gay Street, West Chester, PA 19380, Executrix. KEVIN J. RYAN, Esquire, Ryan, Morton & Imms, LLC, 220 West Gay Street, West Chester, PA 19380, atty.

JACOBY, William, late of Sadsbury Township. Donna M. Weaver, 495 N. Octorara Trail, Parkesburg, PA 19365, Executor. JERRY L. JOHNSON, Esquire, 211 Folin Street, Coatesville, PA 19320, atty.

KINDERMAN, Jean D., late of East Goshen Township. Karen K. Fad and Thomas G. Kinderman, care of CARRIE A.S. KENNEDY, Esquire, 171 W. Lancaster Ave., Paoli, PA 19301-1775, Executors. CARRIE A.S. KENNEDY, Esquire, Connor, Weber & Oberlies, 171 W. Lancaster Ave., Paoli, PA 19301-1775, atty.

NYANHONGO, Rezen Genyo, a/k/a Rezen Ganyo, late of Valley Township. Anna Muzirwa, 521 Colfax Street, Coatesville, PA 19320, Administratrix. DANIEL F. MONAHAN, Esquire, Monahan Law Practice, PC, 64 E Uwchlan Avenue, Exton, PA 19341, atty.

PERRIN, Barbara H., late of East Whiteland Township. Bruce P Hutchins, care of G. ELIAS GANIM, Esquire, P.O. Box 494, Paoli, PA 19301, Executor. G. ELIAS GANIM, Esquire, McLaughlin Ganim, Ltd., P.O. Box 494, Paoli, PA 19301, atty.

PICKERING, George Diaz, late of Coatesville. Jennifer Diaz Pellot, 5 Bennington Lane, Easthampton, NJ 08060, Administrator.

RAWSON, John J., late of East Goshen Township. Frances C. Rawson, care of KEVIN J. RYAN, Esquire, 220 W Gay St., West Chester, PA 19380-2917, Executrix. KEVIN J. RYAN, Esquire, Ryan, Morton & Imms LLC, 220 W Gay St., West Chester, PA 19380-2917, atty.

REYNOLDS, Arnold Gene, late of West Chester. Scott Reynolds, 6 Dovecote Lane, Malvern, PA 19355, Executor.

SCRIVNER, Jill H., late of Honey Brook Township. Everette Scott Scrivner, care of JOSEPH A. BELLINGHIERI, Esquire, 17 W. Miner St., West Chester, PA 19382, Executor. JOSEPH A. BELL-INGHIERI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

SMUTNY, Marilyn J., late of Caln Township. Patrick J. Kysela, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, atty.

STINE, David C., late of Upper Uwchlan Township. Kara L. Stine, care of JAMES J. MUNNIS, Esquire, 1515 McDaniel Dr., West Chester, PA 19380, Administratrix. JAMES J. MUNNIS, Esquire, Munnis Law, 1515 McDaniel Dr., West Chester, PA 19380, atty.

VEINTIMILLA, Edna C., late of Parkesburg. Jose S. Veintimilla, 302 4th Avenue, Parkesburg, PA 19365, Executor. AARON B. GORODETZER, Esquire, Sbarbaro Law Offices, LLC, 705 Gordon Drive, Exton, PA 19341, atty.

WALKER, Elizabeth Vaunita Barrick, late of Downingtown Township. Louis J. Walker, care of SEAMUS M. LAVIN, Esquire, 122 S. Church St., West Chester, PA 19382, Administrator. SEAMUS M. LAVIN, Esquire, Wetzel Gagliardi Fetter & Lavin LLC, 122 S. Church St., West Chester, PA 19382, atty.

WATERS, Rodney Topping, late of Kennett Square. Paula Jane Waters, care of JOHN R. TWOMBLY, JR., Esquire, 224 East Street Road, Suite 1, Kennett Square, PA 19348, Executor. JOHN R. TWOMBLY, JR., Esquire, 224 East Street Road, Suite 1, Kennett Square, PA 19348, atty.

YOUNGBLOOD, Vincent Earl, late of Glenmoore. Sherman C. Toppin, 1801 Market Street, Suite 300, Philadelphia, PA 19103, Administrator. SHERMAN C. TOPPIN, Esquire, Sherman Toppin Law Firm, LLC, 1800 John F. Kennedy Blvd., Suite 300, Philadelphia, PA 19103, atty.

2nd Publication

BARKER, Mary Lee, late of Pennsbury Township. Andrea Upton Mungo, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

BERNAUER, Jeffery J., late of East Bradford Township. Jacqueline A White, 717 Berry Road, Wilmington, DE 19810, Administrator.

BINGHAM, Elena M., late of Kennett Township. Miles A. Bingham, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

DeANGELO, Salvatore P., late of West Chester. Stephen C. DeAngelo & Lynn M. DeAngelo, care of JAMES F. CARNEY, Esquire, 610 W. Germantown Pike, Suite 400, Plymouth Meeting, PA 19462, Executors. JAMES F. CARNEY, Esquire, Law Offices of James F. Carney, 610 W. Germantown Pike, Suite 400, Plymouth Meeting, PA 19462, atty.

EAST, Judith A., late of Exton. Mark East, 2329 South Stone Street, Albion, IN 46701, Administrator.

GEORGE, JR., David L., a/k/a David Lloyd George, Jr., late of Birmingham Township. David Lloyd George, III, care of LOUIS N. TETI, Esquire, P.O. Box 660, West Chester, PA 19381-0660, Executor. LOUIS N. TETI, Esquire, MacElree Harvey, LTD., P.O. Box 660, West Chester, PA 19381-0660, atty.

HARTMAN, Keith Paul, late of East Whiteland Township. Anna K. Schaeffer, care of WHITNEY P. O'REILLY, Esquire, 1600 Market Street, Fl 32, Philadelphia, PA 19103, Administrator. WHITNEY P. O'REILLY, Esquire, Cohen Seglias Pallas Greenhall & Furman, PC, 1600 Market Street, Fl 32, Philadelphia, PA 19103, atty.

HARTMAN, JR., Thomas O., late of Kennett Square Borough. Alan J. Jarvis, 101 Birch Drive, Downingtown, PA 19335 or Stacy S. Mogul, Heiligman and Mogul, P.C., Suite 200, 135 S. 19th Street, Philadelphia, PA 19103-4907, Co-Administrators.

HORST, Ronald T., a/k/a Ronald Theodore Horst, late of Caln Township. Timothy B. Horst, care of LINDA KLING, Esquire, 131 W. Main Street, New Holland, PA 17557, Executor. LINDA KLING, Esquire, Kling & Deibler, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

KELLER, Charles, a/k/a Charles Keller III, late of Spring City. Karen A. Keller, 8 Whitehorse Lane, Spring City, PA 19475, Executrix. JOHN LASAK, Esquire, Kania, Lindner, Lasak and Feeney, 560 East Lancaster Avenue, Suite 108, St. Davids, PA 19087, atty.

KIDON, Verna H., late of North Coventry Township. Kathleen A. Bryan, 3126 Woodlea Rd., Oreland, PA 18069, Executrix. DAVID A. MEGAY, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

LACKMAN, Adrienne Diane, late of Parkesburg. Deborah I. Casagrande, 700 West 1st Avenue, Parkesburg, PA 19365, Administrator. SAMUEL A. GOODLEY, III, Esquire, Sam Goodley Law LLC, 434 West 4th Street, Quarryville, PA 17566, atty.

LAFFEY, Elmer F., a/k/a Elmer Francis Laffey, late of West Fallowfield Township. John Laffey and Robert Laffey, care of WINIFRED MORAN SE-BASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, Executors. WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, atty.

LEGG, Frances Ann, late of Tredyffrin Township. Janice A. Legg and Jo Anne L. Johns, care of RYAN M. BORNSTEIN, Esquire, 800 Lancaster Ave, Suite T-2, Berwyn, PA 19312, Executors. RYAN M. BORNSTEIN, Esquire, Harvey Ballard and Bornstein, LLC, 800 Lancaster Ave, Suite T-2, Berwyn, PA 19312, atty.

MAPES, Thomas J.R., late of Coatesville. Thomas J.R. Mapes, Jr., 1066 Pontiac Rd., Drexel Hill, PA 19026, Executor. MICHAEL J. CUNNINGHAM, JR., Esquire, 1066 Pontiac Rd., Drexel Hill, PA 19026, atty.

MOZZANI, Mario Anthony, late of West Goshen Township. Laureen Hamblin & Mario Mozzani, Jr., care of KEVIN T. VITELLI, Esquire, 813 S New Street, West Chester, PA 19382, Personal Representative. KEVIN T. VITELLI, Esquire, 813 S New Street, West Chester, PA 19382, atty.

SHANER, Doris D., late of Easttown Township. Melissa Y. Shaner, 229 Waterloo Ave., Berwyn, PA 19312, Executrix. DONALD B. CHEETHAM 3rd, Esquire, 229 Waterloo Ave., Berwyn, PA 19312, atty.

STEINBRONN, Emiline, late of East Pikeland. Suzanne Bender, Esq., 216 Bridge Street, Phoenixville, PA 19460, Executor. SUZANNE BENDER, Esquire, 216 Bridge Street, Phoenixville, PA 19460, atty.

SULLIVAN, SR., Francis Joseph, late of East Goshen Township. Patricia Ann Sullivan, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Executor. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

ZABER, Bernard L., late of West Chester. Bernard W. Zaber, 161 Adas Way, Glenmoore, PA 19343, Executor. KEVIN J. RYAN, Esquire, RMI Law, 220 West Gay Street, West Chester, PA 19380, atty.

3rd Publication

BERTOLINI, Dominic J., late of Kennett Town-

ship. Ninetta Gonnelli-Bertolini, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

BISIGNANI, Susan J., late of West Goshen Township. Lisa DeLaurentis & Anita M. Brady, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Co-Executrices. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

BLACK, Helen J., a/k/a Helen Jones Black, late of East Goshen Township. Janet H. Svoboda, care of KRISTEN R. MATTHEWS, Esquire, 17 West Miner Street, West Chester, PA 19382, Executrix. KRIS-TEN R. MATTHEWS, Esquire, MacElree Harvey, LTD., 17 West Miner Street, West Chester, PA 19382, atty.

CARRASQUILLO, Maria A., late of Coatesville. Orlando Carrasquillo, 370 Valley Road, Coatesville, PA 19320, Executor. DEIRDRE A. AGNEW, Esquire, Law Offices of Deirdre A. Agnew, 1450 East Boot Road, Bldg 400A, West Chester, PA 19380, atty.

CASE, SR., Charles L., late of West Brandywine. Jeffrey Charles Case, 2904 Cotswold Road, Sinking Spring, PA 19608, Executor. SOCRATES J. GEORGEADIS, Esquire, Georgeadis Setley, 4 Park Plaza, 2nd Floor, Wyomissing, PA 19610, atty.

CLINGMAN, Evan E., late of Pennsbury Township. Nan B. Clingman, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

DOUGLAS, Joyce M., late of West Vincent Township. Neal Douglas, Iain Douglas and Alan Douglas, care of STEPHEN OLSEN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Co-Executors. STEPHEN OL-SEN, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

FASANO, Patrick J., late of Elk Township. Angela Maria Norman, care of JOHN A. GAGLIARDI, Esquire, 122 South Church Street, West Chester, PA 19382, Executrix. JOHN A. GAGLIARDI, Esquire, Wetzel, Gagliardi Fetter & Lavin LLC, 122 South Church Street, West Chester, PA 19382, atty.

GRIMES, Ellen R., late of Berwyn. Thomas Rodenhiser, care of DOUGLAS W. OLSHIN, Esquire, 442 North High Street, West Chester, PA 19380, Executor. DOUGLAS W. OLSHIN, Esquire, 442 North High Street, West Chester, PA 19380, atty.

GROHOSKI, JR., John, late of Schuylkill Township. John Grohoski, III, care of ELLIOTT GOLD-BERG, Esquire, 1231 Lancaster Avenue, Berwyn, PA 19312, Executors. ELLIOTT GOLDBERG, Esquire, 1231 Lancaster Avenue, Berwyn, PA 19312, atty.

HABECKER, Bruce A., late of West Brandywine. Larry Habecker, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Administrator. VIN-CENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

HEYLMUN, Sarah, a/k/a Sarah S. Heylmun, late of North Coventry Township. Howard S. Heylmun, care of DAVID L. ALLEBACH, JR., Esquire, 1129 East High Street, P.O. Box 776, Pottstown, PA 19464-0776, Executor. DAVID L. ALLEBACH, JR., Esquire, 1129 East High Street, P.O. Box 776, Pottstown, PA 19464-0776, atty.

HEYLMUN, JR., Richard F., late of North Coventry Township. Howard S. Heylmun, care of DA-VID L. ALLEBACH, JR., Esquire, 1129 East High Street, P.O. Box 776, Pottstown, PA 19464-0776, Executor. DAVID L. ALLEBACH, JR., Esquire, 1129 East High Street, P.O. Box 776, Pottstown, PA 19464-0776, atty.

JONES, James D., late of East Coventry Township. Theodore Andrew Jones, 507 Wood Avenue, North Brunswick, NJ 08902, Executor. DIANE M. ZABOWSKI, Esquire, Zabowski Law, LLC, 100 Springhouse Drive, Suite 205E, Collegeville, PA 19426, atty.

LAHUSEN, Kay, a/k/a Kay Tobin Lahusen and Katherine Lahusen, late of Kennett Township. Judith Armstrong, care of TRAVIS G. MAURER, Esquire, Rodney Square, 1000 North King Street, Wilmington, DE 19801, Executrix. TRAVIS G. MAURER, Esquire, Young Conaway Stargatt & Taylor, LLP, Rodney Square, 1000 North King Street, Wilmington, DE 19801, atty.

MARSHALL, JR., Edward Moses, late of Pocopson. Holly M. Hopkins, 170 Northbrook Rd., West Chester, PA 19382, Executor.

MEDKEFF, John R., late of Tredyffrin Township. Deborah J. Medkeff, care of JAMES J. RUGGIERO, JR., Esquire, 16 Industrial Boulevard, Suite 211, Paoli, PA 19301, Administratrix. JAMES J. RUG-GIERO, JR., Esquire, Ruggiero Law Offices, LLC, 16 Industrial Boulevard, Suite 211, Paoli, PA 19301, atty.

MONTGOMERY, Mary Jane, late of East Vincent Township. William P. Montgomery, care of SHAWN M. PIERSON, Esquire, 105 East Oregon Road, Lititz, PA 17543, Executor. SHAWN M. PIER-SON, Esquire, Law Office of Shawn M. Pierson, 105 East Oregon Road, Lititz, PA 17543, atty.

NEIDLINGER, Allen H., a/k/a Allen Neidlinger, late of Honey Brook. James Neidlinger, 615 Woodstock Ave, Schuylkill Haven, PA 17972, Executor. SHELBY G. HOSTETTER, Esquire, 75 Memorial Drive, Schuylkill Haven, PA 17972, atty.

NIXON, Gerard James, late of East Goshen Township. Mark Nixon, 390 Shelbourne Lane, Phoenixville, PA 19460, Administrator. KEVIN J. CON-RAD, Esquire, Lamb McErlane PC, 24 E. Market Street, West Chester, PA 19381, atty.

NIXON, Kathryn, late of East Goshen Township. Mark Nixon, 390 Shelbourne Lane, Phoenixville, PA 19460, Administrator. KEVIN J. CONRAD, Esquire, Lamb McErlane PC, 24 E. Market Street, West Chester, PA 19381, atty.

OCHS, Terry Kent, late of Exton. William Dougherty, 963 May Post Office Rd., Strasburg, PA 17579, Executor.

SCHUTT, JR., Charles P., a/k/a Charles Porter Schutt, Jr., late of Chadds Ford Township. C. Porter Schutt, III, care of TRAVIS G. MAURER, Esquire, Rodney Square, 1000 North King Street, Wilmington, DE 19801, Executor. TRAVIS G. MAURER, Esquire, Young Conaway Stargatt & Taylor, LLP, Rodney Square, 1000 North King Street, Wilmington, DE 19801, atty.

SEGUIN, Helen M., late of Spring City Borough. Dwayne Logie, care of ROBERT M. SLUTSKY, Esquire, 600 W. Germantown Pike, Ste. 400, Plymouth Meeting, PA 19462, Executor. ROBERT M. SLUTSKY, Esquire, Slutsky Elder Law, 600 W. Germantown Pike, Ste. 400, Plymouth Meeting, PA 19462, atty.

SMITH, Vera, late of West Chester. Michael C. Smith, 11433 Nathaniel Drive, Orlando, FL 32825, Personal Representative.

FICTITIOUS NAME

NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of

Notice is hereby given, pursuant to the provisions of Act of Assembly, No. 295, effective March 16, 1983, of the filing on 5/21/20, in the office of the Dept. of State, of the Commonwealth of PA, at Harrisburg, PA for an Application for the conduct of business in Chester County, PA, under the assumed or fictitious name, style or designation of **WESTERN MAIN LINE JDOG**, with the principal place of business at 680 Clovelly Ln., Devon, PA 19333. The name and address of the entity interested in said business is JRTM Enterprises, LLC, 680 Clovelly Ln., Devon, PA 19333. TROUTMAN PEPPER HAMILTON SANDERS LLP, Solicitors, 400 Berwyn Park, 899 Cassatt Rd., Berwyn, PA 19312-1183

FOREIGN REGISTRATION STATEMENT

Notice is hereby given that CERECOR INC. a foreign corporation formed under the laws of the State of DE, where its principal office is located at 1500 Liberty Ridge Dr., Ste. 321, Wayne, PA 19087, has or will register to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 5/4/2021, under the provisions of the PA Business Corporation Law of 1988. The registered office in Pennsylvania is located at 1500 Liberty Ridge Dr., Ste. 321, Wayne, PA 19087. TROUTMAN PEPPER HAMILTON SANDERS LLP, Solicitors, 400 Berwyn Park, 899 Cassatt Rd., Berwyn, PA 19312-1183.

NONPROFIT CORPORATION NOTICE

Notice is hereby given that Articles of Incorporation – Nonprofit have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about July 7, 2021, for: Hope & Door 950 West Valley Road, Suite 2500 Wayne, PA 19087 The corporation has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended.

Sheriff Sale of Real Estate

By virtue of the within mentioned writs directed to Sheriff Fredda L. Maddox, the herein-described real estate will be sold at public sale in the Chester County Justice Center at 201 W Market Street, 3rd Floor, Room 3300, West Chester, Pennsylvania, as announced on **Thursday, August 19th, 2021** at **11AM**.

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff's Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Monday**, **September 20th, 2021**. Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff's Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time and place of sale. <u>Payment must be paid</u> in cash, certified check or money order made payable to the purchaser or "Sheriff of Chester County". The balance must be made payable to "Sheriff of Chester County". within twenty-one (21) days from the date of sale by 4PM.

FREDDA L. MADDOX, SHERIFF

2nd Publication

SALE NO. 21-8-82 Writ of Execution No. 2013-03541 DEBT \$12,667.59

ALL THAT CERTAIN lot or piece of ground situate in the Township of Schuylkill, County of Chester, Commonwealth of Pennsylvania, and described according to Section No. 1 of " Brookwood Homes," said Plan made by Yerkes Engineering Company, Registered Professional Engineers, dated February 2, 1962, and last revised February 14, 1962, as follows, to wit:

BEGINNING at a point in the Westerly side of Edwin Drive (50 feet wide), said point being measured by the three (3) following courses and distances form a point of curve on the Northwesterly side of Brookwood Drive (50 feet wide): (1) leaving Brookwood Drive on the arc of a circle curving to the left, having a radius of 13.50 feet, the arc distance of 19.50 feet to a point of compound curve on the Southwesterly side of Edwin Drive (variable widths); thence (2) Northwestwardly along the said side of Edwin Drive on the arc of a circle curving to the left, having a radius of 200 feet, the arc distance of 20.63 feet to a point of tangent on the Southwesterly side of Edwin Drive (50 feet wide); thence, (3) North 44° 08' West, along the said side of Edwin Drive (50 feet wide) 76.93 feet to the point of beginning.

CONTAINING in the front or breadth Northwestwardly along the said side of Edwin Drive, 100.00 feet and extending of that width in length or depth Southwardly between parallel lines at right angles to Edwin Drive, 170 feet. BEING Lot No. 7 as shown on the above mentioned plan.

Tax Parcel: 27-5B-27

PLAINTIFF: Valley Forge Sewer Authority

VS

DEFENDANT: John Benditt

SALE ADDRESS: 1040 Edwin Drive, Phoenixville, PA 19460

PLAINTIFF ATTORNEY: LAMB McERLANE PC 610-430-8000

SALE NO. 21-8-83 Writ of Execution No. 2016-06080 DEBT \$12,955.52

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, SITUATE in the Township of Schuylkill, County of Chester, Commonwealth of Pennsylvania, and described according to a plan of property of Brookhaven Homes, Inc., said plan made by Chester Valley Engineers, Inc., Consulting Engineers, dated 4/2/1959 and last revised 3/7/1960, as follows, to wit:

BEGINNING at a point on the Northwesterly side of Rossiter Avenue (variable widths) said point measured by the 13 courses and distances from a point of curve on the Northwesterly side of Vincent Road (40 feet wide); (1) leaving Vincent Road on the arc of a circle curving to the right having a radius of 50 feet the arc distance of 78.54 feet to a point of tangent on the Northeasterly side of Rossiter Avenue (40 feet wide); (2) North 45 degrees, 41 minutes, 50 seconds West, measured along the Northeasterly side of Rossiter Avenue, 78.38 feet to a point of curve in the same; (3)Northwestwardly and Northeastwardly measured partly along the Northeasterly and partly along the Southeasterly sides of Rossiter Avenue on the arc of a circle curving to the right having a radius of 122.81 feet the arc distance of 150.04 feet to a point of tangent on the Southeasterly side of Rossiter Avenue; (4) North 24 degrees, 8 minutes, 10 seconds East, measured along the Southeasterly side of Rossiter Avenue, 230.70 feet to a point of curve in the same; (5)Northeastwardly measured still along the Southeasterly side of Rossiter Avenue on the arc of a circle curving to the right having a radius of 263.56 feet the arc distance of 92 feet to a point of tangent in the same; (6) North 44 degrees,

18 minutes, 10 seconds East, measured still along the Southeasterly side of Rossiter Avenue, 345 feet to a point of curve in the same; (7) Northeastwardly and Eastwardly measured partly along the Southeasterly and partly along the Southerly side of Rossiter Avenue on the arc of a circle curving to the right having a radius of 25 feet the arc distance of 48.15 feet to a point of reverse curve on the Southerly side of Rossiter Avenue; (8) Eastwardly, Northwardly and Westwardly measured partly along the Southerly, partly along the Easterly and partly along the Northerly sides of Rossiter Avenue on the arc of a circle curving to the left having a radius of 50 feet the arc distance of 171.57 feet to a point of reverse curve on the Northerly side of Rossiter Avenue; (9) Westwardly and Northwestwardly measured partly along the Northerly and partly along the Northeastwardly sides of Rossiter Avenue on the arc of a circle curving to the right having a radius of 25 feet the arc distance of 23.18 feet to a point of tangent on the Northeasterly side of Rossiter Avenue; (10) North 46 degrees, 3 minutes, 10 seconds West, measured along the Northeasterly side of Rossiter Avenue, 192.96 feet to a point of curve in the same; (11) Northwestwardly measured still along the Northeasterly side of Rossiter Avenue on the arc of a circle curving to the right having a radius of 70 feet the arc distance of 33.31 feet to a point of reverse curve in the same; (12) Northwestwardly and Southwestwardly measured partly along the Northeasterly and partly along the Northwesterly sides of Rossiter Avenue on the arc of a circle curving to the left having a radius of 110 feet the arc distance of 277.48 feet to a point of reverse curve in the Northwesterly side of Rossiter Avenue; and (13) Southwestwardly measured along the Northwesterly side of Rossiter Avenue on the arc of a circle curving to the right having a radius of 70 feet the arc distance of 19.34 feet to the point of beginning; thence extending from said point of beginning measured along the Northwesterly side of Rossiter Avenue (variable widths) on the arc of a circle curving to the right having a radius of 70 feet the arc distance of 13.97 feet (the chord of said arc bearing South 38 degrees, 13 minutes, 50 seconds West, 13.95 feet) to a point of tangent on the Northwesterly side of Rossiter Avenue (40 feet wide); thence extending South 43 degrees, 56 minutes, 50 seconds West, measured along the said side of Rossiter Avenue (40 feet wide), 96.04 feet to a point; thence extending North 46 degrees, 3 minutes, 10 seconds West, 180 feet to a point on a line dividing the Township of Schuylkill and the Borough of Phoenixville; thence extending along said dividing line, North 43 degrees, 56 minutes, 50 seconds East, 133 feet to a point; thence extending South 38 degrees, 41 minutes, 10 seconds East, 180.11 feet to the first mentioned point and place of beginning.

BEING Lot No. 11 as shown on the above mentioned plan.

Tax Parcel: 27-3N-23

PLAINTIFF: Valley Forge Sewer Authority

VS

DEFENDANT: Mary A. Greto

SALE ADDRESS: 42 Rossiter Avenue, Phoenixville, PA 19460

PLAINTIFF ATTORNEY: LAMB McERLANE PC 610-430-8000

SALE NO. 21-8-85 Writ of Execution No. 2014-10490 DEBT \$9,106.33

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, Situate in the Township of Schuylkill, County of Chester andCommonwealth of Pennsylvania, described according to a survey and plan made by "Evergreen Acres" by Earl R. Ewing, Registered Surveyor, on the 13th day of December, A.D. 1961, as follows, to wit:

BEGINNING at a point of tangent on the Northeasterly side of South Evergreen Drive (50 feet wide) at the arc distance of 139.20 feet measured on the arc of a curve curving to the Right having a radius of 88.50 feet, from a point of curve on the Northwesterly side of East Evergreen Drive (50 feet wide); thence from said point of beginning along the said side of South Evergreen Drive North 47 degrees 57 minutes West 61.78 feet to a point, a corner of Lot No. 66 as shown on said plan; thence along the same North 42 degrees 3 minutes East 220.13 feet to a point; thence South 48 degrees 4 minutes East 150 feet to a point in the Northwesterly side of Evergreen Drive; thence along the same South 41 degrees 56 minutes West 131.76 feet to a point of curve therein: thence on the arc of a curve curving to the Right having a radius of 88.50 feet the arc distance of 19.20 feet to the point and place of beginning.

BEING Lot No. 67 as said plan.

BEING the same premises which Joseph J. Santoro and Sheila R. Santoro, husband and wife by their Indenture bearing date the 22nd day of December, A.D. 1977 and recorded in the Office for the Recording of Deeds in and for the County of Chester, at West Chester, PA in Deed Book G-52 page 341 granted and conveyed unto Robert G. Feulner and Carole A. Feulner, husband and wife, in fee.

BEING County Tax Parcel No. 27-5A-5

PLAINTIFF: Valley Forge Sewer Authority

VS

DEFENDANT: Oliver Dale Sims & Barbara J. Sims

SALE ADDRESS: 1173 South Evergreen Drive, Phoenixville, PA 19460

PLAINTIFF ATTORNEY: LAMB McERLANE PC 610-430-8000

SALE NO. 21-8-86 Writ of Execution No. 2012-04196 DEBT \$14,746.34

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected. SITUATE in the Township of East Pikeland, County of Chester and Commonwealth of Pennsylvania, bounded and described according to a "Revised Plan of Eva an Ida S. Zoller Property" drawn by Earl R. Ewing, Registered Surveyor, Phoenixville, Pennsylvania, dated 5/6/1959 and recorded in the Office for the Recording of Deeds, in and for the County of Chester in Plan Book 10 page 11, as follows, to wit:

BEGINNING at a point on the Southwest side of a proposed road (40 feet wide) now called Emery Lane, a corner of Lot No. 54 on said plan, said point being measured the 2 following courses and distances from a point of curve on the Southeast side of Zoller Drive (40 feet wide); (1) on the arc of a circle carving to the right having a radius of 25 feet the arc distance of 33.60 feet to a point of tangent on the Southwest side of Emery Lane; (2) South 62 degrees 15 minutes East 196.66 feet; thence extending from said point of beginning and continuing along said side of Emery Lane South 62 degrees 15 minutes East 100 feet to a point, a corner of Lot No. 55-A on said plan; thence extending along the same South 27 degrees 45 minutes West 200 feet to a point a corner of Camp Council; thence along the same North

62 degrees 15 minutes West 100 feet to a point, a corner of Lot No. 54 aforesaid; thence extending along the same North 27 degrees 45 minutes East 200 feet to the point and place of beginning.

BEING Lot No. 55 as said plan.

Tax Parcel: 26-3E-22.3

PLAINTIFF: Valley Forge Sewer Authority

VS

DEFENDANT: Julius Marosfalvi, Jr.

SALE ADDRESS: 5 Emery Lane, Phoenixville, PA 19460

PLAINTIFF ATTORNEY: LAMB McERLANE PC 610-430-8000

SALE NO. 21-8-87 Writ of Execution No. 2016-06080 DEBT \$10,278.31

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in Charlestown Township, CHESTER County, Pennsylvania, bounded and described according to a Plan of Charlestown Oaks, made by Pennoni Associates, Philadelphia, PA, dated 2/3/1992, last revised 4/1999 and recorded in 12/21/991, as Plan # 15204, as follows, to wit:

BEGINNING at a point on the Southerly side of Yorktown Road, said point being a corner of Lot #72; thence extending from said beginning point along Yorktown Road, North 40 degrees 39 minutes 50 seconds East, 24 feet to a point, a corner of Lot #70; thence extending along same, South 49 degrees 20 minutes 10 seconds East, 120 feet to a point in line of Lot A; thence extending along same, South 40 degrees 39 minutes 50 seconds West, 24 feet to a point, a corner of Lot #72; thence extending along

same, North 49 degrees 20 minutes 10 seconds West, 120 feet to the first mentioned point and place of beginning.

BEING Lot #71 as shown on said Plan.

CONTAINING 2,880 square feet of land be the same more or less.

BEING THE SAME PREMISES which Gerald T. Kelly and Audrey C. Kelly, Husband & Wife, by deed dated 7/24/2020 and recorded 7/29/2020 in CHESTER County Recorder of Deeds Book 5340, page 2303, granted and conveyed to Audrey C. Kelly, in fee.

BEING TAX UPI #35-3-204

PLAINTIFF: Valley Forge Sewer Authority

VS

DEFENDANT: Audrey C. Nass

SALE ADDRESS: 103 Yorktown Court, Malvern, PA 19355

PLAINTIFF ATTORNEY: LAMB McERLANE PC 610-430-8000

SALE NO. 21-8-89 Writ of Execution No. 2008-03252 DEBT \$167,417.10

ALL THAT CERTAIN lot or parcel of land situated in the Township of East Nottingham, County of Chester, Commonwealth of Pennsylvania, being more fully described in Deed dated August 27, 2019 and recorded in the Office of the Chester County Recorder of Deeds on August 29, 2019, in Deed Book Volume 9989 at Page 2087, Instrument NO. 11685061.

Tax Parcel No. 69-7-106

PLAINTIFF: Lumis Investments, LLC VS

DEFENDANT: Howard C. Fisher, Sandra S. Fisher and Their Heirs, Executors, Adminstrators and Assigns and James D. Price and Johnny Gillinger, Jr., Terre-Tenants

SALE ADDRESS: 305 Media Road, Oxford, PA 19363

PLAINTIFF ATTORNEY: HLADIK, ONORATO & FEDERMAN, LLP 215-855-9521

SALE NO. 21-8-90 Writ of Execution No. 2017-05102 DEBT \$250,902.81

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF DOWNINGTOWN, COUNTY OF CHESTER AND COM-MONWEALTH OF PENNSYLVANIA.

UPI # 41-4-5.14

PLAINTIFF: Dwellings Properties IV, LLC

VS

DEFENDANT: Sierra L. McMonagle aka Sierra Lessing McMonagle & James McMonagle

SALE ADDRESS: 418 Oakland Drive, Downingtown, PA 19335

PLAINTIFF ATTORNEY: RICHARD M. SQUIRE & ASSOCIATES, LLC 215-886-8790

SALE NO. 21-8-91 Writ of Execution No. 2020-02673 DEBT \$465,735.86

PROPERTY SITUATE IN TOWNSHIP OF EAST BRANDYWINE

TAX PARCEL 30-06-0132

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: U.S. BANK NATION-

AL ASSOCIATION, AS INDENTURE TRUSTEE, FOR THE HOLDERS OF THE CIM TRUST 2017-3, MORT-GAGE-BACKED NOTES, SERIES 2017-3

VS

DEFENDANT: Judy Ann Nelsen

SALE ADDRESS: 5 Blakely Road, Downingtown, PA 19335

PLAINTIFF ATTORNEY: KML LAW GROUP, P.C. 215-627-1322

SALE NO. 21-8-92

Writ of Execution No. 2020-02236 DEBT \$100,479.00

PROPERTY SITUATE IN CITY OF COATESVILLE

TAX PARCEL 16-02-0188

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: Bayview Loan Servicing, LLC

VS

DEFENDANT: Estella Mack Chambers aka Estella M. Chambers

SALE ADDRESS: 639 Merchant Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: KML LAW GROUP, P.C. 215-627-1322

SALE NO. 21-8-93 Writ of Execution No. 2017-03877 DEBT \$238,676.81

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE TOWNSHIP OF WEST PIKELAND, COUNTY OF CHES-TER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS

FOLLOWS, TO WIT:

All that certain lot or tract of land, with the hereditaments and appurtenances thereon; situate on the Southwesterly side of the Conestoga Pike (PA State Highway Route No. 401) in West Pikeland Township, Chester County, Pennsylvania bounded and described inaccordance with a survey thereof made in June 1954 by Earl R. Ewing, Registered Surveyors, as follows, to wit:

Beginning at a point in the aforesaid Conestoga Pike, said point of beginning being a corner of remaining lands of the grantors, which point of beginning is South 57 degrees, 39 minutes East 240.00 feet from a corner of lands of the St. Matthews Reformed Church parsonage; thence from said point of beginning along said Conestoga Pike at or near the center line thereof South 57 degrees, 38 minutes East, near the center line thereof South 57 degrees, 30 minutes East 141.85 feet to a point; thence continuing in and along said Conestoga Pike and at or near the center line thereof South 58 degrees 00 minutes East 58.15 feet to a point, a corner of remaining lands of Elmer H. White and others thence leaving said Conestoga Pike and extending along remaining lands of Elmer H. White, and wife the 3 following courses and distances, crossing an iron pipe on line and 23.30 feet distant; (1) South 32 degrees 22 minutes West 200.37 feet to an iron pipe and (2) North 57 degrees, 38 minutes West 200.00 feet to an iron pipe, and (3) North 2 degrees, 22 minutes East 200.00 feet to the first mentioned point and place of beginning.

BEING THE SAME PROPERTY CONVEYED TO JASON TORRES AND DAMIS GONZALEZ WHO ACQUIRED TITLE, WITH RIGHTS OF SURVIVORSHIP, BY VIRTUE OF A DEED FROM CHRISTOPHER WURTS, DATED DECEMBER 8, 2006, RECORDED DECEMBER 15,

08/05/21

2006, AT DOCUMENT ID 10713198, AND RECORDED IN BOOK 7034, PAGE 1166, OFFICE OF THE RE-CORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

BEING UPI NUMBER 34-4-0033

PLAINTIFF: Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Pretium Mortgage Acquisition Trust

VS

DEFENDANT: Jason Torres; Damis Gonzalez, AKA Damis Ramirez

SALE ADDRESS: 1620 Conestoga Road, Chester Springs, PA 19425

PLAINTIFF ATTORNEY: MANLEY DEAS KOCHALSKI LLC 614-220-5611

SALE NO. 21-8-94 Writ of Execution No. 2019-05133 DEBT \$176,218.83

Property situated in City of Coatesville

Tax Parcel # 16-7-37

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: ATL Ventures LLC

VS

DEFENDANT: Edwin Segarra & Jannette I. Vasquez

SALE ADDRESS: 1127 Olive Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: LACHALL COHEN & SAGNOR LLP 610-436-9300

SALE NO. 21-8-96

Writ of Execution No. 2020-00232 DEBT \$336,088.72 THE LAND REFERRED TO HERE- IN BELOW IS SITUATED IN THE COUNTY OF CHESTER, CITY OF LINCOLN UNIVERSITY, STATE OF PENNSYLVANIA, AND DIS DE-SCRIBED AS FOLLOWS:

ALL THAT CERTAIN TRACT OF LAND, SITUATE IN NEW LONDON TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED MORE PARTICULAR-LY ACCORDING TO SUBDIVISION PLAN FOR LOCUST RIDGE MADE BY REGESTER ASSOCIATES, INC., REGISTERED SURVEYORS, DAT-ED 10/17/1998 AND LAST REVISED 3/31/1989 AND RECORDED AS PLAN NO. 9196-9199, AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY SIDE OF MOUNT HOPE ROAD (T-346), SAID POINT OF BEGINNING BEING THE NORTH-EASTERLY CORNER OF LOT NO. 35 AS SHOWN ON SAID PLAN, AND THE SOUTHEASTERLY CORNER OF THE ABOUT TO BE DESCRIBED LOT; THENCE FROM SAID POINT OF BEGINNING AND EXTENDING ALONG SAID LOT NO. 35, NORTH 86 DEGREES 20 MINUTES 40 SEC-ONDS WEST 433.10 FEET TO A POINT ON THE EASTERLY SIDE OF CLEARVIEW LANE; THENCE EXTENDING ALONG SAID CLEAR-VIEW LANE AND THE CUL-DE-SAC AT ITS TERMINUS THE THREE FOLLOWING COURSES AND DIS-TANCES (1) NORTH 3 DEGREES 35 MINUTES 20 SECONDS EAST 46.93 FEET TO A POINT OF CURVE: (2) THENCE ALONG THE CURVE OF A CIRCLE HAVING A RADIUS OF 25 FEET, THE ARC DISTANCE OF 21.03 FEET TOA POINT OF REVERSE CURVE; (3) THENCE ALONG THE CURVE OF A CIRCLE HAVING A RADIUS OF 50 FEET, THENCE DIS-TANCE OF 42.05 FEET OT A POINT A CORNER OF LOT NO 33: THENCE

EXTENDING ALONG SAID LOT NO. 33 NORTH 72 DEGREES 32MIN-UTES 21 SECONDS EAST 372.37 FEET TO A POINT ON THE SIDE OF THE AFOREMENTIONED MOUNT HOPE ROAD; THENCE EXTENDING ALONG THE SIDE OF SAID ROAD, THE TWO FOLLOWING COURS-ES AND DISTANCES: (1) ALONG THE CURVE OF A CIRCLE HAV-ING A RADIUS OF 500 FEET, THE ARC DISTANCE OF 46.11 FEET: (2) SOUTH 11 DEGREES 11 MINUTES 46 SECONDS EAST 199.59 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

CONTAINING 1.556 ACRES, BE THE SAME MORE OR LESS.

BEING LOT NO. 34 ON SAID PLAN.

Fee Simple Title Vested in NATHAN-IEL SMITH AND MICHELE SMITH, HUSBAND AND WIFE AS TENANTS BY THE ENTIRETIES by deed from LEWIS W. WRIGHT AND SUSAN G. WRIGHT, HUSBAND AND WIFE, dated 06/20/2005, recorded 07/27/2005, in the Chester County Clerk's Office in Deed Book 6563, Page 156.

BEING UPI # 71-1.24.36

PLAINTIFF: AmeriHome Mortgage Company, LLC

VS

DEFENDANT: Nathaniel Smith a/k/a Nathaniel D. Smith & Michele Smith a/k/a Michele A. Nazzaro f/k/a Michele Ann Smith

SALE ADDRESS: 213 Clearview Lane, Lincoln University, PA 19352

PLAINTIFF ATTORNEY: **STERN & EISENBERG 215-572-8111**

SALE NO. 21-8-97 Writ of Execution No. 2018-06146 DEBT \$192,260.09

ALL THAT CERTAIN lot or piece of land with the buildings and improvements thereon erected.

SITUATE in the Township of Elk, County of Chester and Commonwealth of Pennsylvania, described according to a Plan of Property made for Richard L. Speer & Robert L. Hetherinton, by George F. Regester Jr., & Sons., C.F. Kennett Square, Pennsylvania dated 1/8/1974, last revised 2/25/1974, recorded at West Chester in the Office of the Recorder of Deeds in Plan Books 58 page 16, as follows:

BEGINNING at a point in the title line in the Red Public Road L.R. No. 15162 known as "Media Road", said point being measured North 70 degrees 25 minutes 22 seconds East, 350.00 feet from a point at the intersection of said Media Road with Hilltop Road; thence extending from said beginning point and along said Media Road, North 70 degrees 25 minutes 22 seconds East, 160.00 feet to a point, a corner of Lot No. 16, thence leaving the road and extending along line of Lot No. 16 South 17 degrees 30 minutes 17 seconds East, 336.91 feet to a point in line of Lot No. 15; thence extending along same South 69 degrees 05 minutes 57 seconds West 140.00 feet to appoint in line of Lot No. 12; thence extending along same and Lots 11 and 10, North 20 degrees 54 minutes 03 seconds West, 340.00 feet to the first mentioned point and place of beginning.

BEING Lot No. 17 on said plan.

BEING the same premises in which Wendy L. Cook a/k/a Wendy L. Cook Battaglini, by deed dated 03/27/2006 and recorded 03/29/2006 in the office of the Recorder of Deeds, in and for the County of Chester, Commonwealth of

Pennsylvania in Deed Book 6801, Page 46 and at Instrument No. 10636140, granted and conveyed unto Charles Chambers and Tracey Chambers, Husband and wife.

UPI # 70-1-62

PLAINTIFF: Elkhorn Depositor LLC

VS

DEFENDANT: Tracey Chambers & Charles Chambers

SALE ADDRESS: 101 Media Road, Oxford, PA 19363

PLAINTIFF ATTORNEY: LOGS LE-GAL GROUP LLP 610-278-6800

SALE NO. 21-8-98 Writ of Execution No. 2018-12948 DEBT \$179,624.25

ALL THAT CERTAIN lot or parcel of land with the buildings and improvements, hereditaments and appurtenances, SITUATE in the Township of Valley, County of Chester and State of Pennsylvania, bounded and described according to a Plan of Country Club Valley by Drake Waddington, Inc., Surveyors, Engineers and Planners, Kennett Square, PA dated 9/22/1987, last revised 12/13/1998 and recorded 6/13/1989 as Plan #9423-9425, as follows, to wit:

BEGINNING at a point on the Northwesterly side of Pine Valley Drive (50 feet wide), said point being a corner of Lot #144 (as shown on said Plan); thence from said point of beginning extending along Pine Valley Drive the 2 following courses and distances: (1) South 77 degrees 05 minutes 39 seconds West 61.00 feet to a point of curve, thence (2) on a line curving to the left having a radius of 305.00 feet to an arc distance of 33.23 feet to a point of tangent, said point being a corner of Lot #146; thence leaving Pine Valley Drive extending along Lot #146 and crossing the Southerly side of a Transco Pipe Line Easement North 19 degrees 08 minutes 52 seconds West 154.33 feet to a point within said easement and in line of Open Space, said point being another corner of Lot #146; thence extending along said Open Space and through said easement North 74 degrees 38 minutes 24 seconds East 111.00 feet to a point still within said easement, said point being another corner of Lot #144 aforesaid; thence leaving said Open Space, recrossing the aforesaid side of said easement and extending along Lot #144 South 12 degrees 55 minutes 23 seconds East 156.32 feet to the first mentioned point and place of beginning.

CONTAINING 15,842 square feet of land more or less.

BEING Lot #145 on the above mentioned Plan.

UNDER AND SUBJECT to a Transco Pipe Line Easement through the rear of premises. Lot owners shall be restricted against placement of any structures with the easement areas.

BEING THE SAME PREMISES which Alfred Harden Ervin, Jr. (erroneously recorded as Alfred Harden Irvin, Jr.) and Aldelgunde N. Ervin (erroneously recorded as Aldegunde Irvin) by Deed dated October 9, 2009 and recorded December 21, 2009 in the Office of the Recorder of Deeds in and for Chester County in Deed Book 7833, Page 922, granted and conveyed unto ALFRED HARDEN ERVIN, JR. and ALDEL-GUNDE N. ERVIN, as tenants by the entirety.

Parcel Number 38-2L-82

IMPROVEMENTS thereon: Residential Property

PLAINTIFF: U.S. BANK TRUST NA-TIONAL ASSOCIATION, AS TRUST-EE OF THE CHALET SERIES IV TRUST

VS

VS

DEFENDANT: Alfred Harden Ervin, Jr. a/k/a Alfred H. Ervin & Adelgunde N. Ervin a/k/a Aldelgunde N. Ervin

SALE ADDRESS: 203 Pine Valley Drive, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **POWERS KIRN, LLC 215-942-2090**

SALE NO. 21-8-99 Writ of Execution No. 2020-02213 DEBT \$124,554.69

ALL THAT CERTAIN lot or piece of ground with improvements thereon, situate in the township of Upper Oxford, Chester County, Pennsylvania, bounded and described according to the plan of property made by Regester Associates, Inc., dated September 12, 1988, and revised September 23, 1988, and on file as Plan No. 8612,to wit:

BEGINNING at a point in Public Road T-353, known as Street Road, acorner of land now or late of Nathan P. and Sondra E. Morgan, thence along the same North 19 degrees 59 minutes 05 seconds East 415.52 feet to a point in Parcel "B" on aforesaid plan; thence along the same South 74 degrees 12 minutes 25 seconds East 243.38feet to a point in line of land now or late of J. Stevenson; thence along the same South 19 degrees 39 minutes 05seconds 359.27 feet to a point in the center of aforesaid road; thence along the same South 87 degrees 55 minutes 55 seconds West 255 feet to the point and place of beginning.

CONTAINING 2.146 acres more or less.

BEING Chester County Tax Parcel 57-3-31.1

BEING known as 174 Collamer

PLAINTIFF: Sun East Federal Credit Union

DEFENDANT: Charles D. Bennethum Jr.

SALE ADDRESS: 174 Collamer Road, Oxford, PA 19363

PLAINTIFF ATTORNEY: WILSON LAW FIRM 610-566-7080

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