

York Legal Record

A Record of Cases Argued and Determined in the Various Courts of York County

Vol. 134

YORK, PA, THURSDAY, APRIL 30, 2020

No. 5

EMERGENCY NOTICES

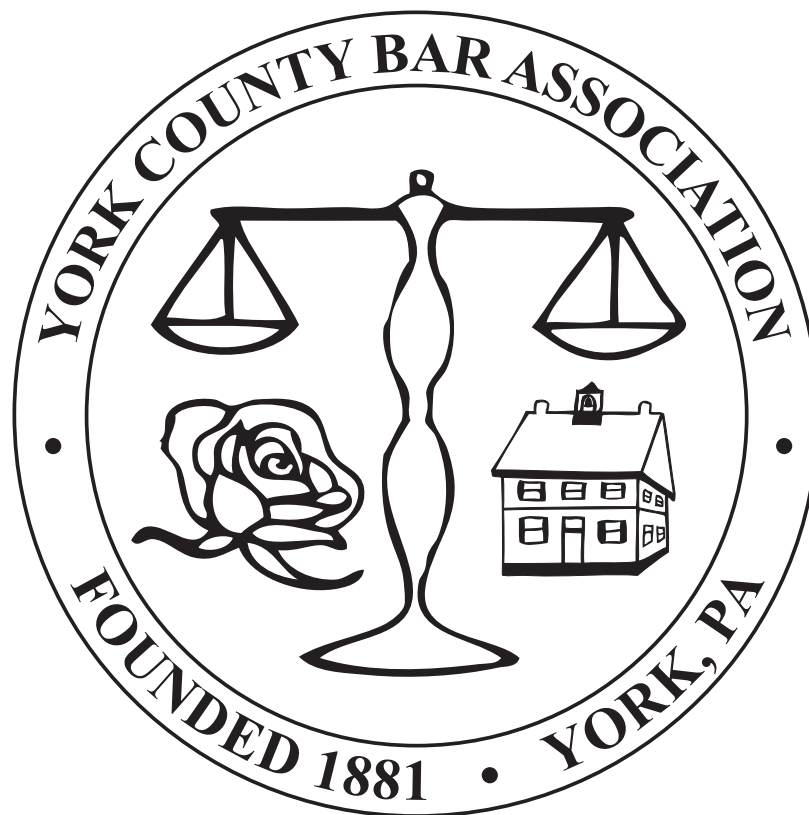
York County Court of Common Pleas Emergency Operations Schedule (effective April 28 – May 31)

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ARTICLE OF LEGAL INTEREST

The SECURE Act and its Impact on IRAs, 401(K)s and 529 Savings Accounts
by Frank H. Countess, Esquire – CGA Law Firm

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Dated Material Do Not Delay

**Lawyers Concerned
for Lawyers**

York Support Group
Meetings 2nd Thursday of
each month

May 14, 2020 next meeting

Strictly confidential program for
anyone dealing with alcohol or
drug issues, depression, bipolar
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locations of each meeting – Call
LCL 800-335-2572 or
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the York Bar Association

All information confidential

**York Bar Center
Operations Update**

**The YCBA/YCBF/York
Legal Record offices are
operating under regular
business hours (8:30 am-
4:30 pm). All business is
being conducted via
internet, telephone and
email. Please call 717-
854-8755 with any
questions or email
info@yorkbar.com
Admittance to and use
of the Bar Center is
limited to staff and key
leadership until further
notice.**

**The York Legal Record is
seeking articles**

on current legal topics such as
case law summaries, legislative
updates, or other issues that
may be of interest to
subscribers. Submissions should
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length and should be
educational, not promotional, in
nature. All submissions are
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approval of the Publication
Board.

Submitters are eligible for a
special offer of \$200 for a full-
page color advertisement to run
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Send submissions and inquiries
to Jennifer Mischke at
yorklegalrecord@yorkbar.com

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THE SECURE ACT AND ITS IMPACT ON IRAS, 401(K)S AND 529 SAVINGS ACCOUNTS**By Frank H. Countess, Esquire****Shareholder and Estate Planning & Administration Attorney at CGA Law Firm**

On December 20, 2019 Congress passed a comprehensive governmental spending package, which included provisions creating the Setting Every Community Up for Retirement Enhancement (SECURE) Act. Congress's intent with the legislation was to initiate long overdue revisions to make saving for retirement accessible for more Americans. Most provisions of this important retirement legislation go into effect on January 1, 2020 and affect individual retirement accounts, 401(k) plans and 529 college savings accounts. Below are a few of the highlights of the SECURE Act as set forth at 116 H.R. 1994:

- **Age for required minimum distributions (RMDs) raised to 72.** Americans will no longer be required to withdraw assets from IRAs and 401(k)s at age 70 ½. RMDs will now be required starting at age 72 for individuals that turn 70 ½ as of 2020.
- **Maximum age for IRA contributions raised to 72.** Americans will no longer be required to cease making IRA contributions beyond 70 1/2. As per the SECURE Act, contributions to a traditional IRA can now be made until age 72 as long as you are still working.
- **Stretch IRAs now limited to a 10 year distribution period.** Prior to the SECURE Act, with an inherited IRA or 401(k), it was easy to “stretch” your distribution and the corresponding tax liability over a beneficiary’s life expectancy. After the passage of the SECURE Act, IRAs and 401(k)s inherited from original owners who have passed away on or after January 1, 2020 require many beneficiaries to withdraw such inherited IRA or 401(k) assets within 10 years following the death of the original account owner. Exceptions to the 10 year distribution rule include assets such as 401(k)s and IRAs left to a surviving spouse, a child under the age of 18, and in some instances disabled or terminally ill beneficiaries.
- **401(k) plans must be made available to long term, part time workers.** Prior to the passage of the SECURE Act, if an employee worked less than 1000 hours per year, they were typically not able to participate in their company’s 401(k) Plan. After the passage of the SECURE Act, employers that maintain a 401(k) Plan are also required to allow for participation to all employees who have worked more than 1000 hours in a year or 500 hours per year over three consecutive years.
- **Tax credits for small business owners starting a retirement plan.** The SECURE Act creates a startup for retirement plan credit for small businesses equal to \$250 per non-highly compensated employee eligible to enroll in such an employer based retirement plan. The maximum credits that can be earned cannot exceed \$5,000. For purposes of the Act, small employers are defined as having up to 100 employees over a three year period beginning January 1, 2020. Lastly, if the retirement plan includes an automatic enrollment feature, \$500 worth of additional credits can be obtained.
- **Revisions to permissible withdraws from 401(k) plans and IRAs.** The SECURE Act permits withdraws of up to \$5,000 per parent penalty free from a 401(k) or IRA Plan as a result of a child being born or adopted.
- **Up to \$10,000 worth of 529 savings accounts funds can be used to pay for existing student loans.** If families have leftover funds in their section 529 savings plans after their beneficiaries graduate, up to \$10,000 worth of those funds may be utilized to pay down existing student loans during that students’ life time.

The aforementioned provisions of the SECURE Act represent a few of the most pertinent changes affecting IRA plans, 401(k) Plans and Section 529 savings accounts.

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ESTATE 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. All persons having claims or demands against said estates are required to make known the same, and all persons indebted to said estate are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF JUNE E. FRICK, DECEASED
Late of Springettsbury Twp., York County, PA.
Executor: Charles H. Frick, c/o William B. Anstine, Jr., Esquire, Anstine & Sparler, 117 East Market St., York, PA 17401
Attorney: William B. Anstine, Jr., Esquire, Anstine & Sparler, 117 East Market St., York, PA 17401 04.30-3t

ESTATE OF JOHN THOMAS GIBBS, DECEASED
Late of York City, York County, PA.
Administrator: Richard G. & Alison E. Gibbs, 537 Sunshine Way, Westminster, MD 21157
Attorney: Gilbert G. Malone, Esquire, 42 South Duke Street, York, PA 17401 04.30-3t

ESTATE OF MICHAEL R. KING, DECEASED
Late of West Manchester Twp., York County, PA.
Executor: Diana L. Riley, 2644 Chronister Farm Road, York, PA 17402
Attorney: Steven M. Carr, Esquire, Ream, Carr, Markey Woloshin & Hunter LLP, 119 E. Market Street, York, PA 17401 04.30-3t

ESTATE OF MARGOT PADILLA, DECEASED
Late of Fairview Twp., York County, PA.
Executor / Administrator: Helga Munoz, 313A Sharon Dr., York, PA 17070
Attorney: Laura C. Reyes Maloney, Esquire, Laguna Reyes Maloney, LLP, 1119 North Front Street, Harrisburg, PA 17102 04.30-3t

ESTATE OF DANE R. REID, DECEASED
Late of West Manchester Twp., York County, PA.
Executor: John W. Stitt, c/o John W. Stitt, Esquire, 1434 W. Market Street, York, PA 17404
Attorney: John W. Stitt, Esquire, 1434 W. Market Street, York, PA 17404 04.30-3t

SECOND PUBLICATION

ESTATE OF DORIS L. GIVENS, DECEASED
Late of Manchester Twp., York County, PA.
Executrix: Julia A. Givens, 1989 Karyl Lane, York, PA 17404
Attorney: Rand A. Feder, Esquire, Morris & Vedder, LLP, 32 N. Duke St., P.O. Box 149, York, PA 17405-0149 04.23-3t

ESTATE OF BETTY J. GUYER, DECEASED
Late of Springettsbury Twp., York County, PA.
Executors: Harry W. Sipe and Noreen Duppsstadt, c/o 340 Pine Grove Commons, York, PA 17403
Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403 04.23-3t

ESTATE OF MICHAEL L. HOKE, DECEASED
Late of York Twp., York County, PA.
Executor: Joni J. Blymire, c/o MPL LAW FIRM, LLP, 137 East Philadelphia Street, York, PA 17401-2424
Attorney: John D. Miller, Jr., Esquire, MPL LAW FIRM, LLP, 137 East Philadelphia Street, York, PA 17401-2424 04.23-3t

ESTATE OF STEVEN KELLEY, DECEASED
Late of East Hopewell Twp., York County, PA.
Co-Administrators: Brett Kelley and Brittany Kelley, 18145 Zeigler School Road, Stewartstown, PA 17363
Attorney: Clayton A. Lingg, Esquire, MOONEY LAW, 230 York Street, Hanover, PA 17331 04.23-3t

ESTATE OF MARY F. SENFT, DECEASED
Late of North Codorus Twp., York County, PA.
Executor: Cindy L. Terlazzo, c/o MPL LAW FIRM, LLP, 137 East Philadelphia Street, York, PA 17401-2424
Attorney: Christian R. Miller, Esquire, MPL LAW FIRM, LLP, 137 East Philadelphia Street, York, PA 17401-2424 04.23-3t

THIRD PUBLICATION

ESTATE OF MAE E. BROTHERS, DECEASED
Late of York Haven, York County, PA.
Administrator-Executor: Clint N. Leakway, c/o J. Diane Brannon-Nordtomme, Esq., 1450 Yocumtown Rd., Eppers, PA 17319
Attorney: J. Diane Brannon-Nordtomme, Esq., 1450 Yocumtown Rd., Eppers, PA 17319 04.16-3t

ESTATE OF BRIAN JOSEPH DOWNS a/k/a BRIAN J. DOWNS, DECEASED
Late of Dallastown Borough, York County, PA.
Administratrix: Teresa M. Zunic Downs, c/o Richard R. Reilly, Esquire, 54 North Duke Street, York, PA 17401-1210
Attorney: Richard R. Reilly, Esquire, 54 N. Duke Street, York, PA 17401 04.16-3t

ESTATE OF GLORIA ANN KNIPPLE, DECEASED
Late of West Manchester Twp., York County, PA.
Executor: Gregory H. Gettle, c/o Gettle Vaughn Law, LLC, 13 E. Market St., York, PA 17401
Attorney: Jeffrey A. Gettle, Esquire, GETTLE VAUGHN LAW, LLC, 13 E. Market St., York, PA 17401 04.16-3t

**ORPHAN'S COURT DIVISION
AUDITING NOTICE**

To All legatees creditors and person interested: Notice is hereby given that the following accounts have been filed in the office of the Clerk of Orphans' Court Division for confirmation and distribution of the balance therein shown to the creditors, legatees next to kin, heirs and others legally entitled thereto on **May 13, 2020 at 9:00 a.m.** and will be called in the order named for audit and distribution by said Court, in **Courtroom No. 6003, on the 6th floor of the York County Judicial Center at 45 North George St. in the City of York, Pennsylvania.**

1. MCKINNEY – The First and Final Account of Brenda Haschert, Administratrix of the Estate of Burkley Glenn McKinney, Late of Spring Grove Borough, York County, Pennsylvania, deceased, 6716-1319. (Alex E. Snyder, Esq.)

2. RUNKLE – The First and Final Account of Scott G. Runkle, Executor of the Last Will and Testament of Richard L. Runkle, Late of Chanceford Township, York County, Pennsylvania, deceased, 6719-0207. (David M. Laucks, Esq.)

FILED IN THE OFFICE OF THE CLERK OF ORPHANS' COURT DIVISION OF THE COMMON PLEAS COURT, YORK COUNTY, PENNSYLVANIA ON OR BEFORE APRIL 15, 2020.

BRYAN K. TATE
COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA, ORPHANS' COURT DIVISION

4.23-2t

CIVIL NOTICES

ACTION TO QUIET TITLE

SERVICE BY PUBLICATION

TO: Colonial Wayne Realty, Inc., and R. E. George, Wm. W. Wogan, and G. Elizabeth Black, as Incorporators 2400 Warwick Road, York, York County, Pennsylvania 17402

NOTICE is hereby given by this publication to COLONIAL WAYNE REALTY, INC., Defendant, and to R. E. George, Wm. W. Wogan, and G. Elizabeth Black, as the incorporators thereof, that UNIVERSITY PARK PLAZA CORPORATION, Plaintiff, filed an action to quiet title against you in the Snyder County Court of Common Pleas, captioned as follows:

IN THE COURT OF COMMON PLEAS OF THE 17TH JUDICIAL DISTRICT OF PENNSYLVANIA SNYDER COUNTY BRANCH CASE NO. CV - 468 - 019

CIVIL ACTION - LAW ACTION TO QUIET TITLE

UNIVERSITY PARK PLAZA CORPORATION, Plaintiff

vs.

COLONIAL WAYNE REALTY, INC., Defendant

Colonial Wayne Realty, Inc., Defendant, and R. E. George, Wm. W. Wogan, and G. Elizabeth Black, as the incorporators thereof, are notified that University Park Plaza Corporation seeks to quiet the title in and to a parcel of real property situated in Shamokin Dam Borough, Snyder County, Pennsylvania, designated as Snyder County Tax Map Parcel No. 16-04-28, more fully described in Snyder County Record Book 258 at Page 444, and as granted and conveyed unto University Park Plaza Corporation.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court within twenty (20) days after the date this notice is published. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Snyder County Court Administrator Snyder County Courthouse 9 West Market Street, P. O. Box 217 Middleburg, Pennsylvania 17842 Telephone No. 570-837-4344

Robert M. Cravitz, Esquire Pa. Attorney No. 32289 Cravitz Law Office Attorneys for Plaintiff University Park Plaza Corporation 503 North Market Street Selinsgrove, Pennsylvania 17870 Telephone No. 570-374-5070 Fax No. 570-374-4127 Email: clawoff@hotmail.com

04.30-1t Solicitor

CHANGE OF NAME

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NO. 2019-SU-003839

CIVIL ACTION-LAW

CHANGE OF NAME

IN RE: MICHAEL EMORY CROTTI A/K/A MICHAEL EMORY BIECHLER

NOTICE

NOTICE is hereby given that the Petition of Michael Emory Crotti a/k/a Michael Emory Biechler, was filed with the Court of Common Pleas of York County, Pennsylvania, praying for a decree to change his name from MICHAEL EMORY CROTTI a/k/a MICHAEL EMORY BIECHLER to MICHAEL EMORY ALBRIGHT.

The Court has fixed Thursday, May 28, 2020 at 10:00 AM in Courtroom No. 5003 of the York County Judicial Center at 45 North George Street, York, Pennsylvania, as the time and place for the hearing of said Petition, when and where all interested persons may appear and show cause, if any they have, why the prayer of the Petition should not be granted.

Scott A. Beaverson, Esquire

04.30-1t Solicitor

FICTITIOUS NAME

An application for registration of the fictitious name Skid Row Designs, 2199 Parklyn Dr., York, PA 17406 has been filed in the Department of State at Harrisburg, PA, File Date 02/21/2020 pursuant to the Fictitious Names Act, Act 1982-295. The names and address of the people who are a party to the registration are Elizabeth Gerber and Eric Gerber, 2199 Parklyn Dr., York, PA 17406.

04.30-1t Solicitor

NOTICE

PUBLIC NOTICE TO BRIANA KELLY FITZPATRICK AND UNKNOWN FATHER

In Re: Adoption of Jayden Edmund Fitzpatrick, A Minor

A petition has been filed asking the Court to put an end to all rights you have as a parent to your child, Jayden Edmund Fitzpatrick. A Termination of Parental Rights Hearing has been scheduled for May 29, 2020, at 10:00 a.m., in Court Room No. 6005, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Jayden Edmund Fitzpatrick (DOB: March 16, 2019), whose Father is unknown and whose Mother is Briana Kelly Fitzpatrick. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

ATTORNEY CONNECTION/ YCBA MODEST MEANS 137 East Market Street York, Pennsylvania 17401 717-854-8755 http://www.yorkbar.com/?page=YCBAFindEsq

If you cannot afford an attorney, an attorney may be appointed by the court at no cost to you if you qualify. Contact the following office for instructions and forms to complete and file.

Clerk of the Orphans' Court York County Judicial Center 45 North George Street York, Pennsylvania 17401

717-771-9288
<http://yorkcountypa.gov/component/jdownloads/send/100-adopt-forms/824-packet-for-court-appted-counsel-and-financial-affidavit.html>

Martin Miller, Esquire
Solicitor for York County Offices of
Children, Youth & Families

A prospective adoptive parent of a child may enter into an agreement with a birth relative of the child to permit continuing contact or communication between the child and the birth relative or between the adoptive parent and the birth relative. An agency or anyone representing the parties in an adoption shall provide notification to a prospective adoptive parent, a birth parent and a child who can be reasonably expected to understand that a prospective adoptive parent and a birth relative of a child have the option to enter into a voluntary agreement for the continuing contact or communication. See 23 Pa.C.S.A Section 2731, et seq.

04.16-3t Solicitor

45 North George Street
York, Pennsylvania 17401
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<http://yorkcountypa.gov/component/jdownloads/send/100-adopt-forms/824-packet-for-court-appted-counsel-and-financial-affidavit.html>

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04.16-3t Solicitor

**PUBLIC NOTICE TO
ALLIAH JANAY MEBANE AND
SHYHEEM JAMAL MILES**

**In Re: Adoption of Kartel Ruel Miles,
A Minor**

A petition has been filed asking the Court to put an end to all rights you have as a parent to your child, Kartel Ruel Miles. A Termination of Parental Rights Hearing has been scheduled for June 12, 2020, at 9:00 a.m., in Court Room No. 6005, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Kartel Ruel Miles (DOB: January 25, 2019), whose Father is Shyheem Jamal Miles and whose Mother is Alliah Janay Mebane. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

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If you cannot afford an attorney, an attorney may be appointed by the court at no cost to you if you qualify. Contact the following office for instructions and forms to complete and file.

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YORK COUNTY PENNSYLVANIA ROW OFFICERS**CLERK OF COURTS: Daniel J. Byrnes**

I am a York native and after graduating York Catholic High School, served as a U.S. Marine in Operation Iraqi Freedom prior to an honorable discharge as a decorated, combat veteran with the rank of Sgt. Following the Marines, Byrnes secured his college degree in Business Administration while employed full-time in the commercial real estate and structural steel industries. Contact 717-771-9612. York County Judicial Center, 45 N. George Street, York, PA 17401

CLERK OF ORPHANS' COURT and REGISTER OF WILLS: Bryan K. Tate

I am the newly elected Register of Wills & Clerk of Orphans' Court for York County. In this role, I am primarily responsible for the administration of estates and to act as an agent of the Commonwealth of Pennsylvania Department of Revenue in the collection of inheritance taxes. In addition, I oversee proceedings of the Orphans' Court including maintaining dockets and files for petitions of incapacitated persons, appointments of guardians, adoptions, and issuing marriage licenses. You can contact me by email at bktate@yorkcountypa.gov or by calling 717-771-9262. York County Judicial Center, 45 N. George Street, York, PA 17401

CONTROLLER: Gregory Bower

It has been my pleasure to serve the taxpayers of York County since January 2018. In addition to keeping the books, I also oversee the Defined Benefit Pension and Defined Contribution 457b programs. You can reach me at gfbower@yorkcountypa.gov or 717-771-9330. York County Administrative Center 28 E. Market Street, Room 232, York, PA 17401

CORONER: Pam Gay

Contact 717-840-7617

DISTRICT ATTORNEY: David W. Sunday, Jr.

Contact 717-771-9600. York County Judicial Center, 45 N. George Street, York, PA 17401

PROTHONOTARY: Allison Blew

I am the newly elected Prothonotary. I am thrilled to be serving York County in this capacity. Please do not hesitate to send me input on how to improve my office's service for you, the courthouse and the public. My door is always open. You can contact me by email at AJBlew@yorkcountypa.gov or by calling 717-771-9611. York County Judicial Center, 45 N. George Street, York, PA 17401

RECORDER OF DEEDS: Laura Shue

I was elected in 2017. My extensive background as a licensed Title Agent plus 32 years experience in the real estate title business supplies valuable knowledge for a smooth functioning department. You can contact me at lshue@yorkcountypa.gov or by calling 717-771-9608. York County Administrative Center 28 E. Market Street, Room 122, York, PA 17401

SHERIFF: Richard P. Keuerleber

It has been an honor to serve as the Sheriff of York County since the year of 2008. Contact by calling 717-771-9601. York County Judicial Center, York County Sheriffs' Office, 45 N. George Street, York, PA 17401

TREASURER: Barbara Bair

Contact 717-771-9603. York County Administrative Center 28 E. Market Street, Room 126 York, PA 17401

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