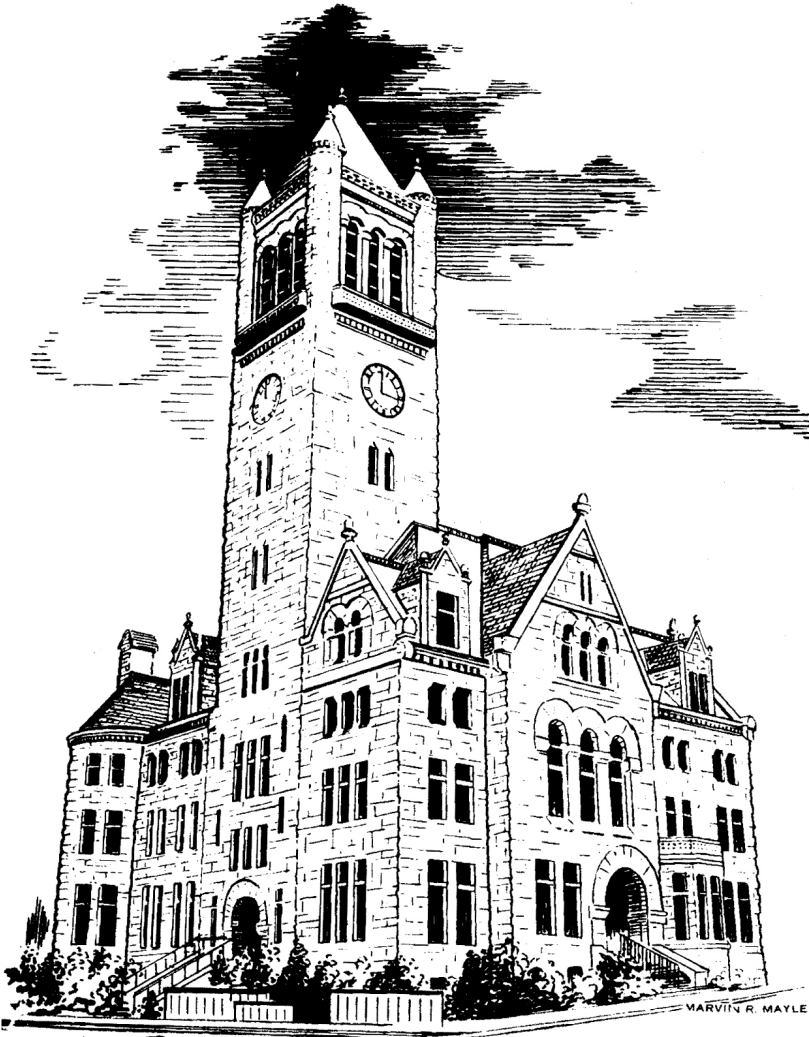


# FAYETTE LEGAL JOURNAL

VOL. 79

SEPTEMBER 3, 2016

NO. 36



## FAYETTE LEGAL JOURNAL

The FAYETTE LEGAL JOURNAL is published weekly by the Fayette County Bar Association, 2 West Main Street, Suite 711, Uniontown, Pennsylvania 15401, 724-437-7994. Legal advertisements should be submitted online at [www.fcbar.org](http://www.fcbar.org) no later than 12:00 noon on Friday for publication the following Saturday. No date of publication is promised, however. Legal notices are published exactly as submitted by the advertiser. Copyright 2001 Fayette County Bar Association. All rights reserved.

**Co-Editors:** Garnet L. Crossland and Melinda Deal Dellarose

**Associate Editor:** Emilie J. Cupp

*Cover Design by Marvin R. Mayle, 207 Lick Hollow Road, Hopwood, PA*

## FAYETTE COUNTY BAR ASSOCIATION Board of Directors

**President:** Anne N. John

**President Elect:** John M. Purcell

**Vice-President:** Gary N. Altman

**Secretary:** Bernard C. John

**Treasurer:** Vincent J. Roskovensky, II

**Past President:** Ewing D. Newcomer

**Executive Director:** Marianne Miele

### *Directors*

Joseph I. Brodak

Davina D. Burd

Melinda D. Dellarose

Robert R. Harper, Jr.

James Higinbotham, Jr.

Carolyn W. Maricondi

William M. Martin

Wendy L. O'Brien

Ellen R. Terry

## ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

### Third Publication

**IRENE L. CHABANIK**, late of Georges Township, Fayette County, PA (3)  
*Co-Executors:* William J. Chabanik and Max R. Chabanik  
 c/o JSDC Law Offices  
 134 Sipe Avenue  
 Hummelstown, PA 17036  
*Attorney:* Gary L. James

**ELSIE MARIE DEAL, A/K/A ELSIE M. DEAL**, late of Henry Clay Township, Fayette County, PA (3)  
*Executor:* Brad George Marchezak  
 c/o Hajduk & Associates  
 Old Trail Inn  
 5340 National Pike  
 Markleysburg, PA 15459  
*Attorney:* Mary Lenora Hajduk

**DOROTHY DUGGER**, late of Upper Tyrone Township, Fayette County, PA (3)  
*Executrix:* Jack Keith Dugger  
 1308 Race Street  
 Scottdale, PA 15683  
 c/o Petrillo Jones LLC  
 412 Main Street  
 Irwin, PA 15642  
*Attorney:* Tyler J. Jones

**RICHARD HARBAUGH, A/K/A RICHARD P. HARBAUGH**, late of Bullsken Township, Fayette County, PA (3)  
*Executrix:* Mia L. Garrow  
 1133 Moccasin Drive  
 McMurray, PA 15317  
 c/o 315 Cavitt Avenue

Trafford, PA 15085  
*Attorney:* Robert J. Specht

**HELEN OLINZOCK**, late of South Connellsville, Fayette County, PA (3)  
*Executor:* Michael A. Olinzock  
 c/o Zebley Mehalov & White, P.C.  
 18 Mill Street Square  
 P.O. Box 2123  
 Uniontown, PA 15401  
*Attorney:* Zebley Mehalov & White

**NORMA SACKETT, A/K/A NORMA JEAN SACKETT**, late of Nicholson, Fayette County, PA (3)  
*Co-Executors:* Michal Todd Sackett and Gregory W. Sackett  
 c/o 164 West Crawford Avenue  
 Connellsville, PA 15425  
*Attorney:* David B. Reiss

**CLARENCE SUTTON, A/K/A CLARENCE WILLIAM SUTTON**, late of Fairchance, Fayette County, PA (3)  
*Administrator:* Ryan G. Sutton  
 c/o John A. Kopas III, Esquire  
 556 Morgantown Road  
 Uniontown, PA 15401  
*Attorney:* John A. Kopas

**SARAH J. WALTERS**, late of Uniontown, Fayette County, PA (3)  
*Executor:* Lawrence T. Walters  
 c/o Fitzsimmons and Barclay  
 55 East Church Street, Suite 102  
 Uniontown, PA 15401  
*Attorney:* James N. Fitzsimmons, Jr.

### Second Publication

**DAVID L. AGLIO**, late of Washington Township, Fayette County, PA (2)  
*Executor:* David R. Aglio  
 1021 Holly Lynne Drive  
 Pittsburgh, PA 15236  
 c/o 506 Circle Drive  
 Belle Vernon, PA 15012  
*Attorney:* Richard R. Victoria

**BARBARA BUKOVITZ, A/K/A BARBARA F. BUKOVITZ**, late of German Township, Fayette County, PA (2)

*Personal Representative:* Gerald W. Bukovitz  
c/o George Port & George  
92 East Main Street  
Uniontown, PA 15401  
*Attorney:* Joseph M. George

**RITA CARNES, A/K/A RITA M. CARNES, A/K/A RITA MARIE CARNES**, late of Upper Tyrone Township, Fayette County, PA (2)

*Co-Executors:*  
Richard W. Carnes  
179 Montgomery Road  
Scottsdale, PA 15683 and  
Willa Jean Brown  
919 W. Main Street, Apt. 201  
Independence Apartments  
Mt. Pleasant, PA 15666  
c/o 314C Porter Avenue  
Scottsdale, PA 15683  
*Attorney:* David G. Petonic

**DILAWAR M. EDWARDS, A/K/A DILAWAR EDWARDS**, late of Uniontown, Fayette County, PA (2)

*Executor:* Delawar Mark Edwards  
c/o Wester & Webster  
51 East South Street  
Uniontown, PA 15401  
*Attorney:* Robert L. Webster, Jr.

**DANIEL BRIAN FERGUSON**, late of Uniontown, Fayette County, PA (2)

*Administratrix:* Cheryl Pritcher  
c/o Eddy Law Offices  
80 East Main Street  
*Attorney:* J.W. Eddy

**HELEN MARLEN MYDEN, A/K/A H. MARLENE MYDEN, A/K/A MARLENE MYDEN**, late of Uniontown, Fayette County, PA (2)

*Administratrix:* Wendy Sue Myden  
c/o Fitzsimmons and Barclay  
55 East Church Street, Suite 102  
Uniontown, PA 15401  
*Attorney:* Ralph K. Barclay, Jr.

**MARY J. PEGGE**, late of Uniontown, Fayette County, PA (2)

*Personal Representative:* Nancy Lee Pegge  
c/o Davis & Davis  
107 East Main Street  
Uniontown, PA 15401  
*Attorney:* Gary J. Frankhouser

**MARY ELIZABETH SANTILLI**, late of Uniontown, Fayette County, PA (2)

*Personal Representative:* Susan Santilli  
c/o 2 West Main Street, Suite 110  
Uniontown, PA 15401  
*Attorney:* Ricardo J. Cicconi

## First Publication

**HUGH BAKER, A/K/A HUGH E. BAKER, A/K/A HUGH ELMER BAKER**, late of South Union Township, Fayette County, PA (1)

*Executrix:* Nikki Machelle Baker  
c/o 45 East Main Street, Suite 500  
Uniontown, PA 15401  
*Attorney:* James E. Higinbotham, Jr.

**JOSEPH JURIGA, A/K/A JOSEPH J. JURIGA**, late of South Union Township, Fayette County, PA (1)

*Executrix:* Paula M. Brewer  
c/o 556 Morgantown Road  
Uniontown, PA 15401  
*Attorney:* John A. Kopas, III

**THEODORE RAY KOLLAR, JR., A/K/A THEODORE R. KOLLAR, JR.**, late of Luzerne Township, Fayette County, PA (1)

*Executrix:* Wendi J. Kollar  
c/o Webster & Webster  
51 East South Street  
Uniontown, PA 15401  
*Attorney:* Robert L. Wester, Jr.

**DANIEL E. SELLONG**, late of Lemont Furnace, Fayette County, PA (1)

*Executrix:* Shirley A. Sellong  
144 North Beeson Avenue, Apt 404  
Uniontown, PA 15401  
c/o Spells Law Office  
1533 Bidwell Street,  
Pittsburgh, PA 15233-1315  
*Attorney:* Thelma C. Spells

## LEGAL NOTICES

IN THE COURT OF COMMON PLEAS  
CIVIL DIVISION  
FAYETTE COUNTY, PENNSYLVANIA  
NO: 592 OF 2015 GD

**U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2007-HE3,**  
**Plaintiff,**

vs.

**Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or Under Robert K. Basinger, deceased, Jennifer Basinger, Known Heir of Robert K. Basinger, deceased and Michael Jay Basinger, Known Heir of Robert K. Basinger, deceased,**  
**Defendants.**

### NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under Robert K. Basinger, Deceased, Defendant(s), whose last known address is 917 Rockridge Road, Connellsville, PA 15425.

Your house (real estate) at: 917 Rockridge Road, Connellsville, PA 15425, 06-08-0013, is scheduled to be sold at Sheriff's Sale on October 13, 2016, at 10:30AM, at Office of the Fayette County Sheriff's Office, 61 E. Main St., Ste. 1B, Uniontown, PA 15401, to enforce the court judgment of \$131,219.46, obtained by U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2007-HE3 (the mortgage) against you. - NOTICE OF OWNER'S RIGHTS - YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE - To prevent this Sheriff's

Sale you must take immediate action: 1. The sale will be cancelled if you pay back to U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for Merrill Lynch Mortgage Investors Trust, Mortgage Loan Asset-Backed Certificates, Series 2007-HE3, the amount of the judgment plus costs or the back payments, late charges, costs, and reasonable attorneys fees due. To find out how much you must pay, you may call : (610)278-6800. 2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause. 3. You may be able to stop the sale through other legal proceedings. 4. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice below on how to obtain an attorney.) YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE 5. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling (610)278-6800. 6. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property. 7. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened you may call (724)430-4030. 8. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened. 9. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you. 10. You may be entitled to a share of the money, which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff no later than thirty days after the Sheriff Sale. This schedule will state who will be receiving the money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the date of filing of said schedule. 11. You may also have other rights and defenses or ways

of getting your house back, if you act immediately after the sale. 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 LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Fayette County. Local Counsel/PA Lawyer  
Referral Service, PA Bar Assn., 100 South St.,  
P.O. Box 186, Harrisburg, PA 17108,  
800.692.7375.

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT YOU ARE ADVISED THAT THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Christopher A. DeNardo, Kristen Little, Kevin S. Frankel, Regina Holloway, Sarah K. McCaffery, Leslie J. Rase, Alison H. Tulio & Katherine M. Wolf, Attys. for Plaintiff  
SHAPIRO & DeNARDO, LLC  
3600 Horizon Dr., Ste. 150  
King of Prussia, PA 19406  
610.278.6800

---

IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
CIVIL DIVISION  
No. 1072 of 2016, G.D.

**KLONDIKE BLOCK AND MASONRY  
SUPPLY, INC., a Pennsylvania for profit  
corporation,  
Plaintiff,  
vs.**

**UNIONTOWN BLOCK COMPANY, INC., a  
Pennsylvania Corporation, and SOUTHERN  
INVESTMENTS, LTD, a Florida Limited  
Partnership, registered to do business in the  
Commonwealth of Pennsylvania, their  
successors and assigns, generally,  
Defendants.**

TO: UNIONTOWN BLOCK COMPANY,  
INC., a Pennsylvania Corporation, and  
SOUTHERN INVESTMENTS, LTD, a Florida  
Limited Partnership, registered to do business in  
the Commonwealth of Pennsylvania, their  
successors and assigns, generally,

You are hereby notified that Klondike Block and Masonry Supply, Inc., a Pennsylvania for profit corporation, has filed its Complaint at the above number and term in the above mentioned court in an Action to Quiet Title, where it is alleged that the Plaintiff is the owner in fee and in possession of all rights, title and interest in and to that certain tract of land situate in North Union Township, Fayette County, Pennsylvania, having a Tax Parcel Number of 25-46-0239 and more particularly bounded and described in the Deed from Southern Investments, Ltd. to Plaintiff, dated May 25, 1989, and recorded in the Office of the Recorder of Deeds, Fayette County, Pennsylvania at Record Book Volume 581, page 145. It is further alleged in said Complaint that at the above number and term in the above mentioned Court that the Defendants Uniontown Block Company as Mortgagor and Southern Investments, Ltd, as Mortgagee entered into a Mortgage dated May 7, 1985 and recorded in the Office of the Recorder of Deeds, Fayette County, Pennsylvania at Record Book Volume 49, page 222, in the amount of \$100,000.00. It is alleged that the said mortgage was improperly executed and was improperly indexed in the land records of Fayette County, Pennsylvania. It is further alleged that the Defendants have not taken any action to enforce the said Mortgage.

Said Complaint sets forth that Plaintiff Klondike Block is the owner in fee simple of the above-described premises. This Complaint was filed for the purpose of barring all of your right, title and interest, or claim in and to said premises and to direct the Recorder of Deeds of Fayette County, Pennsylvania to record, cancel, surrender or satisfy the said Mortgage recorded at Record Book Volume 49, Page 222.

**NOTICE TO DEFEND**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the

Plaintiffs. 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

**PENNSYLVANIA LAWYER REFERRAL SERVICE**

PENNSYLVANIA BAR ASSOCIATION  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108  
(800) 692-7375

SOUTHWESTERN PENNSYLVANIA  
LEGAL AID SERVICES  
10 W. Cherry St.  
Washington, PA 15301

WASHINGTON COUNTY BAR  
ASSOCIATION  
119 S. College St.  
Washington, PA 15301

George, Port & George  
By: Wayne H. Port, Esq.  
92 East Main Street  
Uniontown, PA 15401  
(724) 438-2544  
Attorneys for Plaintiff

**NOTICE OF ACTION IN MORTGAGE FORECLOSURE IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA CIVIL ACTION – LAW**

COURT OF COMMON PLEAS  
CIVIL DIVISION FAYETTE COUNTY  
NO. 556 OF 2016 GD

**WELLS FARGO BANK, NA,  
Plaintiff,  
VS.  
HOLLY M. MURRAY A/K/A HOLLY  
MURRAY,  
Defendant.**

**NOTICE**

TO HOLLY M. MURRAY A/K/A  
HOLLY MURRAY

You are hereby notified that on March 21, 2016, Plaintiff, WELLS FARGO BANK, NA, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of FAYETTE County Pennsylvania, docketed to No. 556 OF 2016 GD. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 201 NORTH HIGHLAND AVENUE, POINT MARION, PA 15474-1024 whereupon your property would be sold by the Sheriff of FAYETTE County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

**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. 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 NOTICE 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.**

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street.  
P.O. Box 186  
Harrisburg, PA 17108  
Telephone (800) 692-7375







## MALPRACTICE AVOIDANCE SEMINAR

The annual PBA Malpractice Avoidance Seminar will be held at the Penn State Fayette Campus Eberly Building on **October 25, 2016 at 2:00 p.m.**

With the Pennsylvania Bar Association Insurance Program, advised and administered by USI Affinity, you have the ability to gain valuable malpractice avoidance information and earn up to a 7.5% discount on your malpractice insurance. The Malpractice Avoidance Seminar, sponsored by the Pennsylvania Bar Association Insurance Program and the Pennsylvania Bar Institute, has been approved by the Pennsylvania Continuing Legal Education Board for 1.5 hours of ethics, professionalism, or substance abuse CLE credit. The 7.5% credit will be pro-rated based on the number of attorneys in the firm who attend the seminar. The discount does not apply to part-time policies.

-----

For more information call  
Gabriele Miller-Wagner at 1-800-932-0311, ext. 2240  
REGISTRATION FEE IS \$30 PER ATTORNEY

Online prepayment and preregistration are  
highly recommended.  
[www.pabar.org/public/localbar/countybarprograms.asp](http://www.pabar.org/public/localbar/countybarprograms.asp)

**NOTICE**

To Members of the Bar:

Please take note that, effective September 1, 2016, the Fayette County Register of Wills Office will no longer accept for filing any document that is not in conformity with the Orphans Court Rules adopted by the Pennsylvania Supreme Court.

The Fayette County Bar Association is planning a Learning Series session; details will follow.

*Quality... Experience... Results...  
It's what your clients deserve.*

***Medical Malpractice • Auto Accidents • Personal Injury***



# GISMONDI

& ASSOCIATES

412-281-2200

[www.gislaw.com](http://www.gislaw.com)

700 Grant Bldg., 310 Grant St., Pgh., PA 15219