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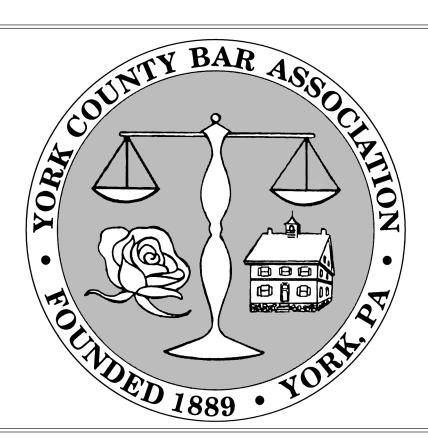
CASES REPORTED

REST HAVEN YORK, Plaintiff v. CAROL A. DEITZ, Defendant

No. 2012-SU-004797-86

Motion for Summary Judgment

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REST HAVEN YORK, Plaintiff v. CAROL A. DEITZ, Defendant

No. 2012-SU-004797-86

Motion for Summary Judgment

- Plaintiff alleged five counts: Count I- Breach of Contract; Count II- Breach of Implied Contract; Count III- Unjust Enrichment; Count IV- Fraud; and Count V- Breach of Duty to Support. Defendant answered on December 24, 2012.
- 2. On September 11, 2013, Defendant filed a Motion for Summary Judgment and a brief in support, requesting that the Complaint be dismissed in its entirety.
- 3. The Court reviewed the alleged contract, in which Defendant signed as a Power of Attorney and found that the facts pled were not sufficient to create causes of action for breach of contract or breach of contract implied-in-fact. Because, according to the record, Defendant did not receive any benefit, the elements of unjust enrichment cannot be satisfied and there is no issue to be decided. Furthermore, Plaintiff failed to point to adduced evidence that demonstrates Defendant engaged in fraud.
- 4. Therefore, the Court found that summary judgment was appropriate on all counts and dismissed the Complaint with prejudice.

In the Court of Common Pleas of York County, Pennsylvania, Civil Division; REST HAVEN YORK, Plaintiff v. CAROL A. DEITZ, Defendant; Motion for Summary Judgment

APPEARANCES:

BRIAN K. ZELLNER, Esquire For Plaintiff

L.C. HEIM, Esquire For Defendant

MEMORANDUM OPINION

This matter comes before the Court on the Motion for Summary Judgment of Defendant Carol A. Deitz (hereinafter "Defendant"). Plaintiff in this matter is Rest Haven York (hereinafter "Plaintiff"). For the reasons discussed herein, the Motion for Summary Judgment of Defendant Carol A. Deitz is **GRANTED** and this matter is **DISMISSED WITH PREJUDICE**.

BACKGROUND

A Complaint in this matter was filed by Plaintiff on November 30, 2012. In the Complaint, Plaintiff alleged five counts: Count I- Breach of Contract; Count II- Breach of Implied Contract; Count III- Unjust Enrichment; Count IV- Fraud; and Count V- Breach of Duty to Support. Defendant answered on December 24, 2012.

On September 11, 2013, Defendant filed a Motion for Summary Judgment and a brief in support, requesting that the Complaint be dismissed in its entirety. Plaintiff responded with a brief in opposition on October 4, 2013. Defendant filed a Praecipe to List Case for One-Judge Disposition on October 28, 2013 and requested oral argument. The oral argument and Motion for Summary Judgment was then assigned to be heard before the undersigned. Oral argument on the matter was held January 16, 2014. Counsel for Defendant appeared to support his motion. Counsel for Plaintiff did not appear.

The Court is now ready to render its opinion on this matter.

DISCUSSION

Pursuant to Pennsylvania Rule of Civil Procedure 1035.2(a), after any relevant pleadings are closed, a party may move for summary judgment either:

- whenever there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by additional discovery or expert report, or
- (2) if, after the completion of discovery relevant to the motion, including the production of expert reports, an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury.

Pa.R.C.P. 1035.2. Regardless of whether the moving party proceeds under subparagraph (1) or (2), the Court must accept as true all well-pleaded facts and reasonable inferences therefrom relevant to the issues. *Nationwide Mut. Ins. Co. v. Nixon*, 682 A.2d 1310, 1313 (Pa.Super. 1996). The record must be reviewed in the light most favorable to the non-moving party. *McCarthy v. Dan Lepore & Sons, Co.*, 724 A.2d 938, 940 (Pa.Super. 1998) (citing *Ertel v. Patriot-News Co.*, 674 A.2d 1038 (Pa. 1996)).

If, as is the case presently before the Court, the defendant is the moving party, she has "the burden of proving the non-existence of any material fact" and may show that summary judgment is appropriate by "pointing to materials which indicate that the Plaintiff is unable to satisfy an element of the cause of action." *Rapagnani v. Judas Co.*, 736 A.2d 666, 668 (Pa.Super. 1999) (citing *Salazar v. Allstate Ins. Co.*, 702 A.2d 1038, 1040 (Pa.Super 1997)(further citations omitted)); *Basile v. H.R. Block, Inc.*, 777 A.2d 95, 100 (Pa.Super. 2001) (citing *Godlewski v. Pars Manufacturing Co.*, 597 A.2d 106, 109 (Pa.Super. 1999)). The motion must cite which information it alleges has not been produced. *Rapagnani*, 736 A.2d at 668-669 (citing Pa.R.C.P. 1035.3(a)(2)).

In response, the non-moving party must adduce essential evidence that demonstrates a jury could find in favor of the non-moving party. Basile, 777 A.2d at 100-101 (citing Mc-Carthy v. Dan Lepore & Sons Co., 724 A.2d 938, 940 (Pa.Super. 1998)). Pennsylvania Rule of Civil Procedure 1035.3 does not permit a party adverse to the motion for summary judgment to rely "upon the mere allegations or denials of the pleadings," but requires the party to identify the evidence essential to the cause of action that the motion cites has not been produced. Pa.R.C.P. 1035.3(a)(2). When questions of whether a dispute exists, the grant of summary judgment is proper where "the pleadings, depositions...admissions of record and affidavits on file" support such a conclusion. Atkinson v. Haug, 622 A.2d 983, 985 (Pa.Super. 1993) (citing *Penn Ctr. House* Inc. v. Hoffman, 553 A.2d 900, 903) (Pa 1989) (entire record before trial court must be thoroughly examined and all doubts as to the existence of a genuine issue of material fact are to be resolved against a grant of summary judgment)). The court must ignore disputed facts and review only material filed in support and opposition and to the allegations in the pleadings that are uncontroverted. Id. (citing Overly v. Kass, 554 A.2d 970) (Pa.Super. 1989)).

Summary judgment is deemed improper if, when the plaintiff is the non-moving party, the evidence would allow recovery. Rapag-nani, 736 A.2d at 668; Basile, 777 A.2d at 101 (citing Kelly v. Ickes, 629 A.2d 1002, 1005 (Pa. Super. 1993)). The Court's function in cases where a party seeks summary judgment is "not to determine the facts," but to determine whether the genuine issues of fact exist. Bellefonte Area School District v. Deak, 779 A.2d 1240, 1242 (Pa. Cmwlth. 2001) (citing Ruszin v. Dept. of Labor & Industy, Bureau of Workers' Compensation, 675 A.2d 366 (Pa. Cmwlth. 1996)). Summary judgment should only be granted in the clearest of cases. Davis v. Res. for Human Dev., Inc., 770 A.2d 353, 357 (Pa.Super. 2001) (citing Hoffman v. Pellak, 764 A.2d 64, 65-66 (Pa.Super. 2000).

Breach of Contract

In order to demonstrate a breach of contract claim, the plaintiff must show (1) the existence of a contract between the plaintiff and the defendant; (2) a breach of the duty that was imposed on the defendant by the contract; and (3) that the plaintiff suffered damages as a result of the breach. See *McShea v. City of Philadelphia*, 995 A.2d 334, 340 (Pa. 2010) (citing *Hart v. Arnold*, 884 A.2d 316, 332 (Pa.Super. 2005)).

In the case *sub judice*, based on the content of Exhibit A, there is no dispute of material fact that would allow recovery on a breach of contract claim, as no evidence on the record indicates Defendant individually entered into a contract with Plaintiff and assumed financial responsibility. First, in its Complaint, Plaintiff pled that the contract was between Plaintiff and Ms. Boring, through Defendant as her Power of Attorney. If the contract is between Plaintiff and Ms. Boring, the elements of a breach of contract cannot be satisfied.

Furthermore, Plaintiff attached Exhibit A as the written contract. A review of the document indicates quite clearly that "Boring, Helena H." with a date of birth of October 8, 1922 was to be the resident at Rest Haven and that "The resident is responsible for all charges regardless of insurance coverage." Compl. Ex. A. Although Defendant was the individual who signed the document, she did so as Power of Attorney on behalf of the resident. Defendant did not agree to be the responsible party, as the contract clearly refers to the resident as the individual "responsible." If there was no contract between the parties, it would not be possible for Defendant to have breached an established duty and cause Plaintiff to incur damages. Based upon the written contract and the facts pled, the facts necessary to create a dispute regarding this claim do not exist.

Implied Contract

A contract implied-in-fact is an actual contract when the parties agree upon the obligation to be incurred, but the intention is not expressed in words, but is inferred from the actions in light of the surrounding circumstances. See *Cameron, to Use of Cameron v. Eynon,* 3 A.2d 423, 424 (Pa.1939).

The elements of this claim can likewise not be satisfied based on the well-pleaded facts in the record. Words must have been used. Even in the Complaint, Plaintiff asserts that Defendant "agreed" to pay for the services Plaintiff provided to Ms. Boring and that Defendant "as the Power of Attorney had the ability to pay" those fees. The elements of a contract implied-in-fact cannot be satisfied by the facts pled such that Defendant becomes personally liable for the services.

Unjust Enrichment

Unjust enrichment may be found when a benefit is conferred upon a defendant by a plaintiff, the defendant appreciated the benefit, and the acceptance or retention of benefits under the circumstances would be inequitable without the defendant paying value. *Schenck* *v. K.E. David, Ltd.,* 666 A.2d 327, 328 (Pa.Super. 1995).

Again, there is no dispute of fact regarding Plaintiff's claim of unjust enrichment. No benefit was conferred upon Defendant personally. Plaintiff admits that it conferred a "substantial benefit" upon Ms. Boring. It was the resident of Plaintiff's facility who received the benefit of her placement there; it was not the daughter. Because, according to the record, Defendant did not receive any benefit, the elements of unjust enrichment cannot be satisfied and there is no issue to be decided.

Fraud

A finding of fraud requires:

- (1) a representation
- (2) material to the transaction,
- (3) made falsely, with knowledge of falsity, or with recklessness as to whether it was true or false,
- (4) made with the intent to mislead;
- (5) a party justifiably relies upon that representation; and
- (6) the resulting injury was proximately caused by the reliance.

Gibbs v. Ernst, 647 A.2d 882, 889 (Pa. 1994).

In its Brief, Defendant stated that there is no evidence that has been produced to indicate the claim of fraud may stand. Plaintiff failed to point to any evidence in its response; Plaintiff simply reiterated the statements made in its pleadings. The standard controlling motions for summary judgment does not permit the non-moving party to simply rely upon the allegations in the pleadings, but requires him to point to evidence that has been produced to demonstrate that a dispute of fact exists. Plaintiff failed to point to adduced evidence that demonstrates Defendant engaged in fraud. Therefore, the non-moving party has not met its burden and summary judgment is appropriate.

Breach of Duty to Support

Under Pennsylvania law, a spouse, child, or parent can be held financially responsible for an indigent person, so long as that spouse, child, or parent has sufficient ability to support the indigent individual. 23 Pa.C.S.A. 4603(a). If there is a petition by the indigent individual or a person or body who has an interest in the person, the court may set an amount of liability. 23 Pa.C.S.A. 4603(b)-(c).

Lastly, there are no facts on the record that establish that Ms. Boring was at any time declared indigent or that Defendant has been assigned by any Court financial responsibility for Ms. Boring. Simply believing that Ms. Boring was indigent and relying upon the controverted averments in the pleadings is not sufficient to establish liability of support. Without liability, Defendant did not breach her duty to support. Plaintiff failed to point to adduced evidence that demonstrates Defendant engaged in fraud. Therefore, the non-moving party has not met its burden and summary judgment is appropriate.

CONCLUSION

For the foregoing reasons, this Court **GRANTS** the Motion for Summary Judgment as requested by Defendant Carol A. Deitz. The appropriate Order follows.

BY THE COURT:

ANDREA MARCECA STRONG, JUDGE

Date: February 4, 2014

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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 DONALD E. BARTELL, DECEASED
- Late of York Twp., York County, PA.
- Executor: Susan D. Miller, c/o FrancePaskey, 2675 Eastern Boulevard, York, PA 17402
- Attorney: Douglas P. France, Esquire, FrancePaskey, 2675 Eastern Boulevard, York, PA 17402 02.27-3t
- ESTATE OF LARRY R. CHILCOAT a/k/a
- LARRY RAY CHILCOAT, DECEASED
 - Late of Springfield Twp., York County, PA. Co-Executrices: Pandora Brandt Keeney and Joan M. Chilcoat, c/o Eveler & Eveler LLC, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356
 - Attorney: Eveler & Eveler LLC, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356 02.27-3t
- ESTATE OF FRANCESCA CIOFFI,
- DECEASED
 - Late of Windsor Twp., York County, PA. Executrix: Maria T. Thivierge, c/o Eveler & Eveler LLC, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356
 - Attorney: Eveler & Eveler LLC, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356 02.27-3t
- ESTATE OF BETTY L. DUBS, DECEASED Late of Heidelberg Twp., York County, PA. Administrator: James T. Yingst, 40 York Street, Hanover, PA 17331
 - Attorney: James T. Yingst, Esquire, Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331 02.27-3t
- ESTATE OF MICHAEL J. FARRELL, DECEASED
 - Late of Felton Borough, York County, PA. Executor: Victoria S. Hanley, 3136 Shorewood
 - Lane, Unit #A 4, Fort Myers, FL 33907 Attorney: David M. Laucks, Esquire,
 - LAUCKS & LAUCKS, P.C., 105 W. Broadway, Red Lion, PA 17356 02.27-3t

- ESTATE OF ALFRED R. GARVER, DECEASED Late of York City, York County, PA.
 - Co-Executors: Cindy L. Mackie and Timothy L. Garver, 1885 Carlisle Rd., York, PA 17408
 - Attorney: John W. Stitt, Esquire, 1434 W. Market Street, York, PA 17404 02.27-3t
- ESTATE OF VIVIAN S. GILL, DECEASED Late of York Twp., York County, PA. Administrator-Executor: Sharon L. Snoke,
 - Karen J. Croston, and Lori A. Gunderson, c/o Law Offices of Amanda Snoke Dubbs, 294 Dew Drop Road, York, 17402
 - Attorney: Amanda Snoke Dubbs, Esquire, Law Offices of Amanda Snoke Dubbs, 294 Dew Drop Road, York, 17402 02.27-3t
- ESTATE OF CINDY S. KAUFFMAN, DECEASED Late of York City, York County, PA.
 - Administrator-Executor: Clint M. Kauffman and Shawn M. Leiphart, c/o 50 East Market Street, Hellam, PA 17406
 - Attorney: Alexis K. Sipe, Esquire, 50 East Market Street, Hellam, PA 17406 02.27-3t
- ESTATE OF LORRAINE G. KLINE, DECEASED Late of Penn Twp., York County, PA.
 - Co-Executors: Jeffery R. Kline, 36 Hillside Rd., Hanover, PA 17331 and Debra Ann Kline-Smith, 511 Owl Hill Rd., Lititz, PA 17543
 - Attorney: Keith R. Nonemaker, Esquire, Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331 02.27-3t
- ESTATE OF ROY KLINE JR., DECEASED Late of Penn Twp., York County, PA.
 - Co-Executors: Jeffery R. Kline, 36 Hillside Rd., Hanover, PA 17331 and Debra Ann Kline-Smith, 511 Owl Hill Rd., Lititz, PA 17543
 - Attorney: Keith R. Nonemaker, Esquire, Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331 02.27-3t
- ESTATE OF JUNE D. LEHR, a/k/a
- JUNE E. LEHR, a/k/a JUNE LEHR, DECEASED Late of West Manchester Twp., York County, PA. Executor: Dale A. Brenneman, c/o GARBER & GARBER, 40 South Duke Street, York, PA 17401-1402
 - Attorney: John M. Garber, Esquire, GARBER & GARBER, 40 South Duke Street, York, PA 17401-1402 02.27-3t
- ESTATE OF ROBERT H. MARTIN, DECEASED Late of Dallastown Borough, York County, PA. Administrator: R. Craig Martin, 6250 Clearview Road, Dover, PA 17315-3206 02.27-3t
- ESTATE OF JOAN E. RAFFENSBERGER, a/k/a J.E. RAFFENSBERGER, DECEASED
- Late of East Manchester Twp., York County, PA. Executor:Beth E. Izzo, 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 02.27-3t
- ESTATE OF MARY V. RIFE a/k/a
- MARY V. ADAMS, DECEASED
- Late of York City, York County, PA.
- Co-Executors: Harold P. Adams and John C. Adams, 2164 Twin Brooks Dr. York, PA 17408
- Attorney: John W. Stitt, Esquire, 1434 W. Market Street, York, PA 17404 02.27-3t
- ESTATE OF HARRY H. SCHAEFER, II, DECEASED
 - Late of York Twp., York County, PA. Co-Administrators: Elaine M. Schaefer and Julie K. Romero, c/o 135 North George Street, York, PA 17401
 - Attorney: Frank H. Countess, Esquire, CGA Law Firm, PC, 135 North George Street, York, PA 17401 02.27-3t
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 - Attorney: Jody A. Leighty, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite E600, York, PA 17401-2994 02.27-3t
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 - Late of New Salem Borough, York County, PA. Executrix: Pamela R. Hamme, c/o 129 E. Market St., York, PA 17401 Attorney: John C. Herrold, Esquire, 129 E. Market St., York, PA 17401 02.27-3t
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 - Late of Springettsbury Twp., York County, PA. Executor: Clair E. Walters, Jr., c/o 135 North George Street, York, PA 17401
 - Attorney: Timothy Bupp, Esquire, CGA Law Firm, PC, 135 North George Street, York, PA 17401 02.27-3t
- ESTATE OF JAMES H. WINTERS, JR., a/k/a,
- JAMES HENRY WINTERS, JR., DECEASED Late of Jacobus Borough, York County, PA. Executrix: Melissa Kaltreider, c/o Eveler & Eveler LLC, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356
 - Attorney: Eveler & Eveler LLC, 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356 02.27-3t
- ESTATE OF SUSAN HANTZ WOLF, a/k/a, SUSAN H. WOLF DECEASED
- Late of Lower Windsor Twp., York County, PA. Executor: Steven M. Merrick, c/o Morris & Vedder, 32 N. Duke St., P.O. Box 149, York, PA 17405

Attorney: Christopher M. Vedder, Esquire, Morris & Vedder, 32 N. Duke St., P.O. Box 149, York, PA 17405 02.27-3t

SECOND PUBLICATION

- ESTATE OF KENNETH J. ALWINE, a/k/a KENNETH JAMES ALWINE DECEASED Late of West Manheim Twp., York County, PA. Executrix: Lois J. Alwine, 216 Valley View Drive, Hanover, PA 17331-9313 Attorney: George W. Swartz, II, Esquire, MOONEY & ASSOCIATES, 230 York Street, Hanover, PA 17331 02.20-3t
- ESTATE OF MARGARET C. BROWN, DECEASED Late of Penn Twp., York County, PA. Executor: Sean Brown, 1515 Beck Mill Rd., Hanover, PA 17331
 - Attorney: George W. Swartz, II, Esquire, MOONEY & ASSOCIATES, 230 York Street, Hanover, PA 17331 02.20-3t
- ESTATE OF DAVID D. CAVE, DECEASED Late of Wrightsville Borough, York County, PA.
 - Late of Wrightsville Borough, York County, PA. Executors: Michael D. Cave and Susette Marie Cave Richardson, c/o 327 Locust Street, Columbia, PA 17512
 - Attorney: Donald H. Nikolaus, Esquire, Nikolaus & Hohenadel, 327 Locust Street, Columbia, PA 17512 02.20-3t
- ESTATE OF BEVERLY FISHMAN, DECEASED Late of York Twp., York County, PA. Executrix: Ann Booth, c/o 120 Pine Grove Commons, York, PA 17403 Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 120 Pine Grove
 - Commons, York, PA 17403 02.20-3t
- ESTATE OF MARGARET E. HOUSMAN, DECEASED
- Late of West Manchester Twp., York County, PA. Executrix: Erin L. Meyers, c/o 129 E. Market St., York, PA 17401
- Attorney: John C. Herrold, Esquire, 129 E. Market St., York, PA 17401 02.20-3t

ESTATE OF MAGDALEN F. MYERS-BREACH, DECEASED

- Late of Newberry Twp., York County, PA. Executor: Heather L. Krone, 45 York Hill Road, Etters, PA 17319
- Attorney: Gerald J. Shekletski, Esquire, Stone, LaFaver & Shekletski, P.O. Box E, New Cumberland, PA 17070 02.20-3t
- ESTATE OF ROBERT P. MYERS, DECEASED
 - Late of Conewago Twp., York County, PA. Executor: June I. Sipe, c/o William R.
 - Kaufman, Esq., 940 Century Drive, Mechanicsburg, PA 17055-4376
 - Attorney: William R. Kaufman, Esquire, 940 Century Drive, Mechanicsburg, PA 17055-4376 02.20-3t

ESTATE OF FLORENCE M. ROWE, DECEASED Late of Manchester Twp., York County, PA.

Executrix: Darla M. Renner, 625 Bowers Bridge Rd., Manchester, PA 17345 02.20-3t

ESTATE OF SIMON G. STORM, DECEASED Late of York County, PA.

Executor: Guy Storm, 401 Allendale Road, Mechanicsburg, PA 17055

Attorney: John A. Feichtel, Esquire, Saidis, Sullivan & Rogers, 635 North 12th Street, Suite 400, Lemoyne, PA 17043 02.20-3t

ESTATE OF EVELYN B. WAKEFIELD, DECEASED

Late of Hallam Borough, York County, PA.

Executrix: Barbara A. Biser, c/o Katherman, Heim & Perry, 345 East Market Street, York, PA 17403

Attorney: Ronald Perry, Esquire, Katherman, Heim & Perry, 345 East Market Street, York, 02.20-3t PA 17403

ESTATE OF DORIS L. WINTERMYER,

DECEASED

Late of Chanceford Twp., York County, PA.

- Executrix: Diana D. Robinson, c/o Andrea S. Anderson, Esq., 901 Delta Road, Red Lion, PA 17356
- Attorney: Andrea S. Anderson, Esquire, 901 Delta Road, Red Lion, PA 17356 02.20-3t

THIRD PUBLICATION

ESTATE OF NORMA J. ABEL, a/k/a NORMA JEAN ABEL, DECEASED

- Late of York Twp., York County, PA. Executor: David E. Becker, c/o Law Offices of Douglas H. Gent, 1157 Eichelberger Street, Suite 4, Hanover, PA 17331
- Attorney: Douglas H. Gent, Esquire, Law Offices of Douglas H. Gent, 1157 Eichelberger Street, Suite 4, Hanover, PA 17331 02.13-3t
- ESTATE OF HOWARD Z. FISHER, DECEASED Late of Fairview Twp., York County, PA. Executor: Julia Fisher, 402 Centerview Avenue, New Cumberland, PA 17070
 - Attorney: Adam P. Britcher, Esquire, Allen E. Hench Law Office, P.C., 232 Market Street, Newport, PA 17074 02.13-3t

ESTATE OF META A. BINGAMAN, DECEASED Late of York Twp., York County, PA. Executor: John W. Kearns, c/o Peter D. Soly-

mos, Esquire, 110 South Northern Way, York, PA 17402

Attorney: Peter D. Solymos, Esquire, 110 South Northern Way, York, PA 17402 02.13-3t

ESTATE OF HELEN E. BITNER, DECEASED Late of Hanover Borough, York County, PA. Executors: Ira A. Bitner, II, and Melanie B. Wasburn, c/o Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331

Attorney: Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331 02.13-3t

- ESTATE OF DONALD C. BOLLINGER, DE-CEASED
- Late of Newberry Twp., York County, PA. Executor: Donna Marie Wolf, 800 York Road, Lot 14, Dover, PA 17315 Attorney: Timothy E. Kane, Esquire, 474 W.
- Market St., York, PA 17401 02.13-3t
- ESTATE OF PAMELA M. CAIN, DECEASED Late of York, York County, PA. Executrix: Barbara J. Leonhard, 49 Jury Street, Highspire, PA 17034 02.13-3t

ESTATE OF DELLA H. DEHOFF, DECEASED Late of Township of Dover, York County, PA. Co-Executors: Linda J. Tone and Robert A. Dehoff, c/o GARBER & GARBER, 40 South Duke Street, York, PA 17401-1402

Attorney: John M. Garber, Esquire, GARBER & GARBER, 40 South Duke Street, York, PA 17401-1402 02.13-3t

ESTATE OF CREIGHTON D. GLUSCO, SR.,

- DECEASED
 - Late of Spring Garden Twp., York County, PA. Executor: Terry L. Glusco, c/o Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401

Attorney: Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 02.13-3t

- ESTATE OF GRACE H. GRIM, DECEASED
 - Late of Dover Twp., York County, PA. Executors: Pamela J. Weaver and Ottis B. Grim, Jr., c/o Stock and Leader, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2994
 - Attorney: Jody A. Leighty, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite E600, York, PA 17401-2994 02.13-3t
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 - Attorney: David H. Stone, Esquire, Stone, LaFaver & Shekletski, P.O. Box E, New Cumberland, PA 17070 02.13-3t

ESTATE OF WILLIAM B. HILBERT, DE-CEASED

- Late of Springettsbury Twp., York County, PA. Executor: Carolyn M. Frysinger, 449 Campbell Road, York, PA 17402
- Attorney: G. Steven McKonly, Esquire, 119 Baltimore Street, Hanover, PA 17331 02.13-3t

ESTATE OF GRACE M. KELLISON, DECEASED Late of Wellsville, York County, PA.

Executrix: Dorothy Ellen McKeever, 1979 Pinetown Road, Wellsville, PA 17365 02.13-3t ESTATE OF JOHN M. LACKEY, JR., DECEASED Late of Shrewsbury Borough, York County, PA. Executor: Peoples Bank, a Codorus Valley Company, ÂTTN: Anna Lamond, Vice President & Trust Officer, 105 Leader Heights Road, P.O. Box 2887, York, PA 17405-2887 Attorney: John J. Shorb, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite E600, York, PA 17401-2994 02.13-3t ESTATE OF AUSTIN E. MARTIN, DECEASED Late of York City, York County, PA. Executor: Juliann Roderick, c/o Robert M. Strickler, Esquire, 110 South Northern Way, York. PA 17402 Attorney: Robert M. Strickler, Esquire, 110 South Northern Way, York, PA 17402 02.13-3t ESTATE OF KENNETH H McCANN, DECEASED Late of North Codorus Twp., York County, PA. Executor: Thomas L. Kessler, c/o Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 Attorney: Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 02.13-3t ESTATE OF DARIA J. McMILLION, DECEASED Late of West Manheim Twp., York County, PA. Administrator: Duane E. McMillion, 360 Utz Drive, Hanover, PA 17331 Attorney: Scott J. Strausbaugh, Esquire, Becker & Strausbugh, P.C., 544 Carlisle Street, Hanover, PA 17331 02.13-3t ESTATE OF EDWIN T. MECHLINSKI, DECEASED Late of Hopewell Twp., York County, PA. Executors: Ella M. Egge and James F. Mechlinski, c/o 120 Pine Grove Commons, York, PA 17403 Attorney: Erin J. Miller, Esquire, Elder Law Firm of Robert Clofine, 120 Pine Grove Commons, York, PA 17403 02.13-3t ESTATE OF DOROTHY E. MYERS, DECEASED Late of York City, York County, PA. Executrix: Ruth Ann Strine, 323 Brimfield Rd., Wethersfield, CT 06109 Attorney: John W. Stitt, Esquire, 1434 W. Market Street, York, PA 17404 02.13-3t ESTATE OF MARIE NICKEY, a/k/a MARIE L. NICKEY, DECEASED Late of Windsor Twp., York County, PA. Executor: Grace Froelich, 2 Heritage Farm Dr., New Freedom, PA 17349 Attorney: Gilbert G. Malone, Esquire 02.13-3t ESTATE OF IVAN L. PARR. DECEASED Late of Jackson Twp., York County, PA. Executor: Sandra M. Wentz, c/o Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 Attorney: Richard R. Reilly, Esquire, 54 N. Duke St., York, PA 17401 02.13-3t

ESTATE OF MARLYN O. PAULES, DECEASED Late of East Manchester Twp., York County, PA. Executrix: Shirley E. Kinard, c/o David A. Mills, Esquire, BLAKEY, YOST, BUPP & RAUSCH, LLP, 17 E. Market Street, York, PA 17401 Attorney: David A. Mills, Esquire, BLAKEY, YOST, BUPP & RAUSCH, LLP, 17 E. Market Street, York, PA 17401 02.13-3t

ESTATE OF AUSTIN S. RUTH, a/k/a AUSTIN

STINE RUTH, JR., DECEASED

- Late of Penn Twp., York County, PA. Executors: Patricia R. Ormond and Julie A. Ruth, c/o 846 Broadway, Hanover, PA 17331
- Attorney: Donald W. Dorr, Esquire, 846 Broadway, Hanover, PA 17331 02.13-3t
- ESTATE OF EARL M. SALTZGIVER,
- DECEASED
 - Late of Hanover Borough, York County, PA. Executrix: Linda S. Henderson, c/o Amy S. Eyster, Esquire, 11 Carlisle Street, Suite 301, Hanover, PA 17331

Attorney: Amy S. Eyster, Esquire, 11 Carlisle Street, Suite 301, Hanover, PA 17331 02.13-3t

ESTATE OF DONALD E. SCHAFFER,

DECEASED

- Late of West Manchester Twp., York County, PA. Co-Executors: Donna M. Wolfgang and Michael E. Schaffer, c/o 135 North George Street, York, PA 17401
- Attorney: Frank H. Countess, Esquire, CGA Law Firm, PC, 135 North George Street, York, PA 17401 02.13-3t

ESTATE OF CHESTER A. SHEDLESKI,

DECEASED

- Late of York City, York County, PA. Administrators: Denise S. Wright and Kenneth Shedleski, c/o 120 Pine Grove Commons, York, PA 17403
- Attorney: Erin J. Miller, Esquire, Elder Law Firm of Robert Clofine, 120 Pine Grove Commons, York, PA 17403 02.13-3t

ESTATE OF BEATRICE E. SHELLENBERGER, DECEASED

Late of Spring Garden Twp., York County, PA. Executors: Preston Shellenberger, Joan Roser and Tara Neff, c/o Paul G. Lutz, Esquire, 110 South Northern Way, York, PA 17402 Attorney: Paul G. Lutz, Esquire, 110 South

Northern Way, York, PA 17402 02.13-3t

ESTATE OF PAULINE R. SCHRIVER,

- DECEASED
 - Late of Springettsbury Twp., York County, PA. Executor: Bruce C. Summers, c/o 25 North Duke Street, Suite 202, York, PA 17401
 - Attorney: Charles J. Long, Esquire, SMITH, ANDERSON, BAKER & LONG, 25 North Duke Street, Suite 202, York, PA 17401 02.13-3t

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 March 12, 2014 at 9:00 a.m and will be called in the order named for audit and distribution by said Court, in Courtroom No. 3, on the 6th floor of the York County Judicial Center at 45 North George St. in the City of York, Pennsylvania.

1. NOBLE – The First and Final Account of Gregory A. Noble and Barbara Ann Stetter, Co-Executors of the Last Will and Testament of Benjamin F. Noble, Late of West Manheim Township, York County, Pennsylvania, deceased, 6713-0399. (Jennifer M. Stetter, Esq.)

2. VANNOY – The First and Final Account of Charlotte A. Kornbau, Patricia M. Heckman and John E. Vannoy, Co-Executors of the Last Will and Testament of Blane E. Vannoy, Late of North Hopewell Township, York County, Pennsylvania, deceased, 6712-0465. (David M. Laucks, Esq.)

3. STEPHENSON – The First and Final Account of Phillips B. Eubanks, Executor of the Last Will and Testament of William A. Stephenson, Late of Spring Garden Township, York County, Pennsylvania, deceased, 6713-0849. (Rand A. Feder, Esq.)

4. GEIMECKE-The First and Final Account of Joseph R. Geimecke, Administrator of the Estate of Carl R. Geimecke, Late of Springfield Township, York County, Pennsylvania, deceased, 6712-0549. (John M. Hamme, Esq.)

5. ROHRBAUGH – The First and Final Account of Jessica Hurlbert, Executrix of the Last Will and Testament of Ryan L. Rohrbaugh, Late of Springettsbury Township, York County, Pennsylvania, deceased, 6706-0806. (Robin J. Marzella, Esq.)

6. SHAEFER – The First and Final Account of Donald Elwood Shaeffer, Executor of the Last Will and Testament of Ruth E. H. Shaeffer, Late of Penn Township, York County, Pennsylvania, deceased, 6713-0919. (Scott L. Kelley, Esq.)

7. GROSH – The First and Final Account of James Douglas Grosh and Jerrold Lee Grosh, Co-Executors of the Last Will and Testament of Sylvia J. Grosh, Late of Springettsbury Township, York County, Pennsylvania, deceased, 6713-0760. (David M. Laucks, Esq.)

8. ROSER – The First and Final Account of Cheryl Roser-Schedler, Executrix of the Last Will and Testament of Harold A. Roser, Late of Springettsbury Township, York County, Pennsylvania, deceased, 6712-0936. (John R. Elliott, Esq..)

9. SUMMERS – The First and Final Account of Anna Hunter Marc, Administratrix of the Estate Stacy Allen Summers, Late of Paradise Township, York County, Pennsylvania, deceased, 6711-0906. (Scott L. Kelley, Esq.)

10. MARKLE – The First and Final Account of Barbara Chronister, Jon Chronister and Michelle Amspacher, Co-Executors of the Last Will and Testament and Codicil of Corrine E. Markle, Late of Penn Township, York County, Pennsylvania, deceased, 6712-1630. (John M. Crabbs, Esq.)

11. CRANE – The First and Final Account of Manufacturers and Traders Trust Company, Executor of the Last Will and Testament and Codicil of Mary L. Crane, Late of Penn Township, York County, Pennsylvania, deceased, 6712-1751. (Elinor Albright Rebert, Esq.)

12. DIETRICH – The First and Final Account of Beth Line and Jan Fritz, Co-Executrices of the Last Will and Testament of Howard D. Dietrich, Late of Hanover Borough, York County, Pennsylvania, 6712-1741. (Muriel Anne Crabbs, Esq.)

13. SHERIDAN – The First and Final Account of Lewis E. Elicker, III, Executor of the Last Will and Testament of Katherine L. Sheridan, Late of West Manchester Township, York County, Pennsylvania, deceased, 6713-0626. (Thomas M. Shorb, Esq.)

FILED IN THE OFFICE OF THE CLERK OF ORPHANS' COURT DIVISION OF THE COMMON PLEAS COURT, YORK COUN-TY, PENNSYLVANIA ON OR BEFORE FEB-RUARY 12, 2014.

BRADLEY C. JACOBS

COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA, ORPHANS' COURT DIVISION

02.20-2t

CIVIL NOTICES

ACTION IN MORTGAGE FORECLOSURE

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

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2013-SU-02573-06

BRANCH BANKING AND TRUST COMPANY Plaintiff

VS.

TIMOTHY P. WEIDMAN Defendant

NOTICE

To TIMOTHY P. WEIDMAN

You are hereby notified that on July 23, 2013, Plaintiff, BRANCH BANKING AND TRUST COMPANY, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2013-SU-02573-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 410 NORTH REESER DRIVE, YORK HAVEN, PA 17370-9609 whereupon your property would be sold by the Sheriff of YORK 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 OF-FICE CAN PROVIDE YOU WITH INFORMA-TION 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 LE-GAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

> Notice to Defend: Lawyer Referral Service York Legal Referral 137 East Market Street York, PA 17401 (717) 854-8755 x201

02.27-1t

Solicitor

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

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2013-SU-001871-06

WELLS FARGO BANK, N.A., S/B/M WELLS FARGO HOME MORTGAGE, INC. Plaintiff

VS.

JEREMY L. FUHRMAN ELIZABETH FUHRMAN Defendants

NOTICE

To JEREMY L. FUHRMAN and ELIZABETH FUHRMAN

You are hereby notified that on June 3, 2013, Plaintiff, WELLS FARGO BANK, N.A., S/B/M WELLS FARGO HOME MORTGAGE, INC., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2013-SU-001871-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 968 NORTH GEORGE STREET, YORK, PA 17404-2036 whereupon your property would be sold by the Sheriff of YORK 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.

ÝOU 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 OF-FICE CAN PROVIDE YOU WITH INFORMA-TION ABOUT HIRING A LAWYER.

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> Notice to Defend: Lawyer Referral Service York Legal Referral 137 East Market Street York, PA 17401 (717) 854-8755 x201

02.27-1t

Solicitor

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

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2013-SU-003211-06

BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SER-VICING, LP F/K/A COUNTRY WIDE HOME LOANS SERVICING, L Plaintiff

iam

VS.

ANITA SMITH Defendant

NOTICE

To ANITA SMITH

You are hereby notified that on September 10, 2013, Plaintiff, BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME

LOANS SERVICING, LP F/K/A COUNTRY-WIDE HOME LOANS SERVICING, LP, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2013-SU-003211-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 292 UNION STREET, YORK, PA 17401-3035 whereupon your property would be sold by the Sheriff of YORK 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 OF-FICE CAN PROVIDE YOU WITH INFORMA-TION ABOUT HIRING A LAWYER.

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> Notice to Defend: Lawyer Referral Service York Legal Referral 137 East Market Street York, PA 17401 (717) 854-8755 x201

02.27-1t

Solicitor

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

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2013-SU-004278-06

JPMORGAN CHASE BANK, NATIONAL AS-

SOCIATION Plaintiff

VS.

CHRYSTAL M. YINGLING, Individually and in her capacity as Heir of ROBERTO GONZA-LEZ, Deceased

KATHY LYNN GONZALEZ, in her capacity as Heir of ROBERTO GONZALEZ, Deceased ROBERTO J. GONZALEZ, JR, in his capacity as Heir of ROBERTO GONZALEZ, Deceased SHALENA M. GONZALEZ, in her capacity as Heir of ROBERTO GONZALEZ, Deceased SHAWN G. GONZALEZ, in his capacity as Heir of ROBERTO GONZALEZ, Deceased RICARDO A. GONZALEZ, in his capacity as Heir of ROBERTO GONZALEZ, Deceased ANGELA N. PRICE, in her capacity as Heir of ROBERTO GONZALEZ, Deceased UNKNOWN HEIRS, SUCCESSORS, AS-SIGNS, AND ALL PERSONS, FIRMS, OR AS-SOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER ROBERTO GONZALEZ, DECEASED

Defendants

NOTICE

To UNKNOWN HEIRS, SUCCESSORS, AS-SIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER ROBERTO GONZALEZ, DECEASED

You are hereby notified that on November 27, 2013, Plaintiff, JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2013-SU-004278-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 1220 WEST KING STREET, YORK, PA 17404-3410 whereupon your property would be sold by the Sheriff of YORK 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 OF-FICE CAN PROVIDE YOU WITH INFORMA-TION ABOUT HIRING A LAWYER.

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> Notice to Defend: Lawyer Referral Service York Legal Referral 137 East Market Street York, PA 17401 (717) 854-8755 x201

02.27-1t

Solicitor

In The Court of Common Pleas York County Civil Action – Law No. 2013-SU-004258-06

Notice of Action in Mortgage Foreclosure Lakeview Loan Servicing, LLC, Plaintiff vs. Patrick J. Lyons & Angela R. Meraklis-Lyons, Mortgagors and Real Owners, Defendants To: Angela R. Meraklis-Lyons, Mortgagors and Real Owners, Defendants, whose last known address is 801 Sunset Road, Wrightsville, PA 17368. This firm is a debt collector and we are attempting to collect a debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff, Lakeview Loan Servicing, LLC, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of York County, Pennsylvania, docketed to No. 2013-SU-004258-06, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 801 Sunset Road, Wrightsville, PA 17368, whereupon your property will be sold by the Sheriff of York County. Notice: 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 the 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 for any other claim or 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 or cannot afford one, 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. Central PA Legal Services, 256 E. Market St., York, PA 17403. Lawyer Referral Service of the York County Bar Assoc., York County Bar Center, 137 E. Market St., York, PA 17401, 717-854-8755. Michael T. McKeever, Atty. for Plaintiff, KML Law Group, P.C., Ste. 5000, Mellon Independence Center, 701 Market St., Phila., PA 19106-1532, 215.627.1322.

02.27-1t

Solicitor

In The Court of Common Pleas York County Civil Action – Law No. 2013-SU-3698-06

Notice of Action in Mortgage Foreclosure JPMorgan Chase Bank, National Association Plaintiff vs. Matthew F. Myers & Kelly L. Myers, Mortgagors and Real Owners, Defendants TO: Matthew F. Myers & Kelly L. Myers, Mortgagors and Real Owners, Defendants, whose last known address is 81 Rose Of Sharon Drive, Etters, PA 17319. This firm is a debt collector and we are attempting to collect a debt owed to our client. Any information obtained from you will be used for the purpose of collecting the debt. You are hereby notified that Plaintiff, JPMorgan Chase Bank, National Association, has filed a Mortgage Foreclosure Complaint endorsed with a notice to defend against you in the Court of Common Pleas of York County, Pennsylvania, docketed to No. 2013-SU-3698-06, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 81 Rose Of Sharon Drive, Etters, PA 17319, whereupon your property will be sold by the Sheriff of York County. Notice: 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 the 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 monev claimed in the Complaint for any other claim or 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 or cannot afford one, 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. Central PA Legal Services, 256 E. Market St., York, PA 17403. Lawyer Referral Service of the York County Bar Assoc., York County Bar Center, 137 E. Market St., York, PA 17401, 717-854-8755. Michael T. McKeever, Atty. for Plaintiff, KML Law Group, P.C., Ste.

5000, Mellon Independence Center, 701 Market St., Phila., PA 19106-1532, 215.627.1322.

02.27-1t

Solicitor

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

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2013-SU-003423-06

WELLS FARGO BANK, N.A. Plaintiff

VS.

LORI A. LUCKENBAUGH Defendant

NOTICE

To LORI A. LUCKENBAUGH

You are hereby notified that on September 24, 2013, Plaintiff, WELLS FARGO BANK, N.A., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of YORK County Pennsylvania, docketed to No. 2013-SU-003423-06. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 537 LAMOUR STREET, YORK, PA 17403-2733 whereupon your property would be sold by the Sheriff of YORK 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 SHÓULD 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 OF-FICE CAN PROVIDE YOU WITH INFORMA-TION 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 LE-GAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

> Notice to Defend: Lawyer Referral Service York Legal Referral 137 East Market Street York, PA 17401 (717) 854-8755 x201

02.27-1t

Solicitor

York County Court of Common Pleas

Number 2013-SU-003628-06

OneWest Bank, FSB Plaintiff

V.

Sara L. Miller Defendants

TO: SARA L. MILLER

TYPE OF ACTION: CIVIL ACTION / COMPLAINT IN MORTGAGE FORECLO-SURE

PREMISES SUBJECT TO FORECLO-SURE: 100 TAFT AVENUE, YORK, PENN-SYLVANIA 17404

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.

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McCABE, WEISBERG AND CONWAY, P.C. **Attorneys for Plaintiff** BY: TERRENCE J. McCABE, ESQUIRE - ID # 16496 MARC S. WEISBERG, ESQUIRE - ID # 17616 **EDWARD D. CONWAY, ESOUIRE** - ID # 34687 MARGARET GAIRO, ESQUIRE - ID # 34419 ANDREW L. MARKOWITZ, ESQUIRE - ID # 28009 HEIDI R. SPIVAK, ESQUIRE - ID # 74770 MARISA J. COHEN, ESQUIRE - ID # 87830 **CHRISTINE L. GRAHAM, ESQUIRE** - ID # 309480 **BRIAN T. LAMANNA, ESQUIRE** - ID # 310321 ANN E. SWARTZ, ESOUIRE - ID # 201926 JOSEPH F. RIGA, ESQUIRE - ID # 57716 JOSEPH I. FOLEY, ESQUIRE - ID # 314675 **CELINE P. DERKRIKORIAN, ESQUIRE** - ID # 313673 JENNIFER L. WUNDER, ESQUIRE - ID # 315954 LENA KRAVETS, ESOUIRE - ID # 316421 123 South Broad Street, Suite 1400 Philadelphia, Pennsylvania 19109 (215) 790-1010

02.27-1t

Solicitor

York County Court of Common Pleas

Number 2013-su-003874-06

JPMorgan Chase Bank, N.A. Plaintiff

V.

Bradley P. Schaefer Defendant

TO:BRADLEY P. SCHAEFER

TYPE OF ACTION: CIVIL ACTION/COM-PLAINT IN MORTGAGE FORECLOSURE

PREMISES SUBJECT TO FORECLO-SURE:2615 NORTH SHERMAN STREET, YORK, PENNSYLVANIA 17406

<u>NOTICE</u>

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.

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

> Lawyer Referral Service 137 East Market Street York, Pennsylvania 17401 (717) 854-8755

McCABE, WEISBERG AND CONWAY, P.C. **Attorneys for Plaintiff BY: TERRENCE J. McCABE, ESQUIRE** - ID # 16496 MARC S. WEISBERG, ESQUIRE - ID # 17616 EDWARD D. CONWAY, ESQUIRE - ID # 34687 MARGARET GAIRO, ESQUIRE ID # 34419 ANDREW L. MARKOWITZ, ESQUIRE · ID # 28009 HEIDI R. SPIVAK, ESQUIRE - ID # 74770 MARISA J. COHEN, ESQUIRE · ID # 87830 **CHRISTINE L. GRAHAM, ESQUIRE** - ID # 309480 **BRIAN T. LAMANNA, ESQUIRE** - ID # 310321 ANN E. SWARTZ, ESQUIRE - ID # 201926 **JOSEPH F. RIGA, ESQUIRE** - ID # 57716 **JOSEPH I. FOLEY, ESQUIRE** - ID # 314675 **CELINE P. DERKRIKORIAN, ESQUIRE** - ID # 313673 JENNIFER L. WUNDER, ESQUIRE - ID # 315954 LENA KRAVETS, ESQUIRE - ID # 316421 123 South Broad Street, Suite 1400 Philadelphia, Pennsylvania 19109 (215) 790-1010

ADOPTION NOTICE

PUBLIC NOTICE TO PARENT OR PUTATIVE PARENT OF EMBER LAURA-ANNAH DOUGHERTY

IN RE: ADOPTION OF: NO. 2013-0103

Ember Laura-Annah Dougherty

TO THE PARENT OR PUTATIVE PARENT OF THE ABOVE CHILD:

NOTICE

A petition has been filed in the COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA, ORPHANS' COURT DI-VISION asking the Court to put an end to all rights you have to your child, Ember Laura-Annah Dougherty. The child was born to the natural mother, Jessena Dougherty, in 2010. The Court has set a hearing to consider ending your rights to your child. That hearing will be held in Court Room No. 3, Sixth Floor of the York County Judicial Center, 45 N. George Street, York, Pennsylvania, on March 10, 2014 at 1:30 P.M. Your presence is required at the hearing. 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 you 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.

> Lawyer Referral Service of the York County Bar Association 137 E. Market Street York, Pennsylvania 17401 (717) 854-8755

If you are the putative father of the child, you are further warned your parental rights to the child may also be terminated pursuant to Section 2503(d) of the Adoption Act if you fail to file either an acknowledgement or claim of paternity pursuant to 23 Pa.C.S.A. Section 5103 (relating to acknowledgment and claim of paternity), and fail to either appear at the hearing for the purpose of objecting to the termination of your rights or file a written objection to such termination with the court prior the hearing.

William F. Hoffmeyer, Esquire Attorney for Petitioners Hoffmeyer & Semmelman, LLP

02.13-3t

Solicitor

Solicitor

02.27-1t

ARTICLES OF INCORPORATION

NOTICE is hereby given that Horseshoeing By Chris Diehl, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988.

> MANIFOLD & BANKENSTEIN Bruce C. Bamkenstein

02.27-1t

Solicitor

ARTICLES OF INCORPORATION NON-PROFIT CORPORATION

NOTICE is hereby given that Articles of Incorporation-Nonprofit were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on January 29, 2014, for SPC Zachary Clouser Benifit Fund. The said corporation has been incorporated under the provisions of the Nonprofit Corporation Law of 1988

> BLAKEY, YOST, BUPP & RAUSCH, LLP Charles A. Rausch

02.27-1t

Solicitor

NOTICE is hereby given a certificate was or will be filed under the Fictitious Name Act approved May 24, 1945 in the Office of the Secretary of the Commonwealth of Pennsylvania, setting forth that Marlin Potteiger (12413 Woodlands Cir., Dade City, FL 33525), Paul Velencia (6430 Union Depostit Rd., Harrisburg, PA 17111), Michael Potteiger (532 Rhapsody Ct., Cockeysville, MD 21030) and Nacole Potteiger (5109 Pine View Dr., Glen Rock, PA 17327), are the only person(s) owning or interested in a business, the character of which is technology consulting/education for older adults and that the name, style and designation under which said business is and will be conducted is Generation Connect and the location where said business is and will be located is 3545 N. Susquehanna Trail, York, PA 17406.

02.27-1t

Solicitor

NOTICE is hereby given a certificate was or will be filed under the Fictitious Name Act approved May 24, 1945 in the Office of the Secretary of the Commonwealth of Pennsylvania, setting forth that Steven M. Laucks, 675 Blouse Road, Red Lion, PA 17356 are the only person(s) owning or interested in a business, the character of which is retail seafood & produce and that the name, style and designation under which said business is and will be conducted is Mel's Seafood & Produce and the location where said business is and will be located is 294 Springvale Road, Red Lion, PA 17356.

02.27-1t

Solicitor

FICTITIOUS NAME

NOTICE is hereby given that an Application for Registration of Fictitious Name was filed under 54 PaCS §311 with the Department of State of the Commonwealth of Pennsylvania, setting forth that Edwin Smith Enterprises, LLC of 1959 Bannister Street, York, PA, 17404 is the only entity owning or interested in a business, the character of which is equipment brokerage and any other lawful business activities. The name under which the business will be conducted is Keystone Sheet Metal Machinery, and the principal business location will be 1959 Bannister Street, York, PA, 17404.

AUSTIN LAW FIRM LLC

Solicitor

NOTICE

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA ORPHANS' COURT DIVISION

In re: No. 6713-1379

DAVID BRIAN FEELEY EVANS, Absentee

NOTICE OF HEARING

In re: David Brian Feeley Evans, a presumed decedent.

To David Brian Feeley Evans, late of 10 Morningside Drive, York, Pennsylvania, and to his heirs, next of kin and all persons interested in his estate: Notice is hereby given that a Petition was filed with the above named Court to establish the legal presumption of the death of David Brian Feeley Evans. The Court will hear evidence concerning the alleged absence of David Brian Feeley Evans and its circumstances and duration on March 28, 2014, at 9 o'clock, a.m., in Room 3, York County Judicial Center, 45 N. George Street, York, Pennsylvania 17401, so that his estate, if any, and the Estate of Albert Louis Evans, Sr., the father of David Brian Feeley Evans, may be distributed as in the case of his actual death. All persons having any knowledge of the whereabouts of David Brian Feeley Evans are requested to attend the hearing or contact the undersigned.

> SHUMAKER WILLIAMS, PC Michael E. Rowan (ID #85818) 96 S. George Street, Suite 200 York, Pennsylvania 17401 Tele: (717) 848-5134 Fax: (717) 848-5125 Attorney for Petitioner, Diane D. Gentry, Personal Representative of the Estate of Albert Louis Evans

02.06-4t

Solicitor

SHERIFF SALES

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

Fulton Bank, N.A., as Successor by Merger to The Drovers & Mechanics Bank v. John E. Woltman III and Bridget D. Woltman

No. 2013-SU-000134-06

TO: John E. Woltman III

The real estate at 407 N. Main Street, Red Lion, York County, Pennsylvania 17356, is scheduled to be sold at Sheriff's Sale on June 9, 2014 at 2:00 p.m., by the Office of the York County Sheriff in the York County Judicial Center located at 45 North George Street, York, Pennsylvania to enforce the court judgment of \$75,811.86 obtained by Fulton Bank, N.A., as Successor by Merger to The Drovers & Mechanics Bank, 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 <u>im-</u> mediate action:

1. The sale will be canceled if you pay to Fulton Bank, N.A., as Successor by Merger to

The Drovers & Mechanics Bank the amount of the judgment plus costs or the back payments, late charges, costs, and reasonable attorney's fees due. To find out how you must pay, you may call Shawn M. Long at 717.299.5201.

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. 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 to find out 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

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price by calling the Sheriff of York County, at 717.771.9601.

2. 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.

3. 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 the Sheriff of York County, at 717.771.9601.

4. 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.

5. 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.

6. You may be entitled to a share of the money which was paid for your real estate. A schedule of distribution of the money bid for your real estate will be filed by the Sheriff on a date specified by the Sheriff not later than 30 days after the 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 filing of the schedule of distribution.

7. You may also have other rights and defenses, or ways of getting your real estate 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OF-FICE CAN PROVIDE YOU WITH INFORMA-TION 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 LE-GAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral Service 137 East Market St. York, PA 17401 Telephone: 717.854.8755

> Shawn M. Long, Esquire Barley Snyder 126 East King Street Lancaster, PA 17602

02.27-1t

Solicitor

NOTICE OF SHERIFF'S SALE IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA NO. 2012-SU-001278-06

U.S. BANK, NATIONAL ASSOCIATION, SUCCESSOR TRUSTEE TO BANK OF AMERICA, N.A., AS SUCCESSOR TO LA-SALLE BANK, N.A. AS TRUSTEE FOR THE MERRILL LYNCH FIRST FRANKLIN MORT-GAGE LOAN TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-2 Vs.

REBECCA S. SEIPLE

NOTICE TO: REBECCA S. SEIPLE NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

Being Premises: 155 1ST AVENUE, RED LION, PA 17356-1609

Being in RED LION BOROUGH, County of YORK, Commonwealth of Pennsylvania, TAX PARCEL#8200005016100

Improvements consist of residential property. Sold as the property of REBECCA S. SEIPLE

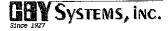
Your house (real estate) at 155 1ST AVENUE, RED LION, PA 17356-1609 is scheduled to be sold at the Sheriff's Sale on 04/14/2014 at 02:00 PM, at the YORK County Courthouse, 45 North George Street, York, PA 17401, to enforce the Court Judgment of \$91,839.88 obtained by, U.S. BANK, NATIONAL ASSOCIATION, SUC-CESSOR TRUSTEE TO BANK OF AMERICA, N.A., AS SUCCESSOR TO LASALLE BANK, N.A. AS TRUSTEE FOR THE MERRILL LYNCH FIRST FRANKLIN MORTGAGE LOAN TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-2 (the mortgagee), against the above premises.

> PHELAN HALLINAN, LLP Attorney for Plaintiff

02.27-1t

Solicitor

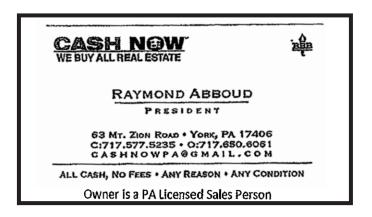
Debt Collection Manager



The Credit Bureau of York is seeking a Full Time (37.5 hrs) Debt Collection Manager due to a pending retirement. Duties include hiring, firing, monitoring and training debt collectors and support staff. You are responsible for leadership, motivation and retention of the team. 5 yrs. of related collection experience. B.A. degree preferred. Salarv will commensurate with experience and includes incentives. performance Benefits include health, 401K with Company Match and free parking. No calls.

> CBY Systems Inc. 33 S. Duke St. York, PA 17401 Fax 717-845-1886 info@cby.com

York law firm seeks to purchase presentable office furniture, including large conference tables, matching chair sets and desks. Contact Tim Salvatore - 717-848-3838 or tls@kbglaw.com. **POSITION AVAILABLE** – Well-established Lancaster County Firm is seeking an Associate Attorney to join its practice. Applicants are required to have 5 years experience in personal injury litigation and workers' compensation. Successful candidates will have excellent communication skills, legal writing proficiency and determined work ethic. We offer a strong compensation package and an excellent work environment. For consideration, please mail or email cover letter, resume and writing sample to McDonald at Law, Attn: Kristine Simmons, Office Manager, 2150 Noll Drive, Suite 300, Lancaster, PA 17603 or email to kristine@mcdonaldatlaw.com.





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"CR Property Group, LLC has been a great resource to my clients in the administration of estates with real property assets."

-David A. Mills, Esquire

Local Attorneys Please Call Eric Brewer at 717-818-3694