

# York Legal Record

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

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Vol. 124

YORK, PA, THURSDAY, December 16, 2010

No. 36

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## CASES REPORTED

COMMONWEALTH, Appellant v.  
LARRY EUGENE UPDEGRAFF, JR., Defendant

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Reasonable Suspicion – Traffic Stop

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**Dated Material Do Not Delay**

**MEMO**

**TO:** All Counsel

**FROM:** J. Robert Chuk, District Court Administrator

**DATE:** November 30, 2010

Court Administration is in the process of updating its list of court Appointed Attorney's. Those who are currently on the list need to notify this office of your intention to remain on the list on later than December 31, 2010. If you would like to be included on the list for the first time you also need to notify this office by December 31, 2010 and include a copy of the Declaration Page of your malpractice insurance coverage. Any Attorney included on the list must state his or her preference as to areas of assignment.

12-2-3t

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**NOTICE TO THE BAR:**

To all customers of the Prothonotary's Office:

Effective January 1, 2011, the AOPC will increase the Act 119 fee from \$7 to \$7.50.

This will increase the cost of filing new custody cases and custody counts on a divorce in the York County Prothonotary's Office.

The new fee for a custody case will be \$165 and the new fee for a divorce with a custody count will be \$262.50 (\$231.50 for the divorce and \$31 for the custody count).

Please keep this in mind when mailing documents near the end of the year.

Thank you,

PAMELA S. LEE  
Prothonotary of York County

12-16-3t

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The York Legal Record is published every Thursday by The York County Bar Association. All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. Neither the York Record nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content. Karen L. Saxton, Editor.

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## ESTATE NOTICES

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### ADMINISTRATOR'S AND EXECUTORS NOTICES

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#### FIRST PUBLICATION

DAVID A. BARANOSKI late of East Manchester Twp., York Co., PA, deceased. Susan D. Baranoski, c/o 129 E. Market St., York, PA 17401, Administratrix. John C. Herrold, Esquire, Attorney. 12-16-3t

ADAM DAVID BLOCH late of Dover Twp., York Co., PA, deceased. Bonnie J. Fasnacht, 1886 Wyatt Circle, Dover, PA 17315, Administratrix. John W. Stitt, Esquire, Attorney. 12-16-3t

JOHN JAY COX, JR. late of Spring Garden Twp., York Co., PA, deceased. John Jay Cox, III, c/o 17 E. Market Street, York, PA 17401, Executor. Blakey, Yost, Bupp & Rausch, LLP. Albert G. Blakey, Esquire, Attorney. 12-16-3t

NANCY P. HAAS A/K/A NANCY PROVOST HAAS late of York, York Co., PA, deceased. Charles B. Haas of the Estate of Nancy P. Haas a/k/a Nancy Provost Haas, c/o 149 East Market Street, 3rd Floor, York, PA 17401, Executor. Michael F. Fenton, Esquire, Attorney for the Estate of Nancy P. Haas a/k/a Nancy Provost Haas. 12-16-3t

LINDA D. HAINES late of York City, York Co., PA, deceased. Lori A. Neiderer, 2011 Susquehanna Trail, Apt. B, York, PA 17404, Executrix. John L. Senft, Esquire, Attorney. 12-16-3t

ODESSA B. HEIM late of Springettsbury Twp., York Co., PA, deceased. Jeffrey R. Heim, 875 Delta Road, Red Lion, PA 17356, Executor. STOCK AND LEADER. J. Ross McGinnis, Esquire, Attorney. 12-16-3t

DANIEL W. KELLER late of York Twp., York Co., PA, deceased. Barbara A. DeShong, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executrix. Eveler & Eveler LLC, Attorney. 12-16-3t

MARY ANNA KRAL late of Penn Twp., York Co., PA, deceased. Anna K. Caples, c/o 515 Carlisle Street, Hanover, PA 17331, Administratrix. Elinor Albright Rebert, Esquire, Attorney. 12-16-3t

DALE L. LENTZ late of Jefferson Borough, York Co., PA, deceased. Virginia L. Lentz, c/o 515

Carlisle Street, Hanover, PA 17331, Executrix. Elinor Albright Rebert, Esquire, Attorney. 12-16-3t

CYNTHIA A. MILLER late of Fairview Twp., York Co., PA, deceased. Keith Bahner, 2140 Hollow Road, Winfield, PA 17889, Executor. Marisa K. McClellan, Esquire, Attorney. 12-16-3t

SHIRLEY FULCO MORT late of Penn Twp., York Co., PA, deceased. John S.E. Mort, c/o 515 Carlisle Street, Hanover, PA 17331, Executor. Elinor Albright Rebert, Esquire, Attorney. 12-16-3t

MARY M. MOUL late of Penn Twp., York Co., PA, deceased. Mary Wetzel Stoner, 3 Winding Hill Drive, Mechanicsburg, PA 17055 and Dorothy Wetzel Schriver, 859 Mt. Pleasant Road, Hanover, PA 17331, Executors. BUCHEN, WISE & DORR. Donald W. Dorr, Esquire, Attorney. 12-16-3t

LOIS E. MUSIC late of West Manchester Twp., York Co., PA, deceased. Lance Crowl, c/o 129 East Market Street, York, PA 17401, Executor. Griest, Himes, Herrold, Schaumann, Ferro LLP. Laurence T. Himes, Jr., Esquire, Attorney. 12-16-3t

ROBERT SAMUEL PERRY late of Delta Borough, York Co., PA, deceased. Teresa L. Perry, c/o 221 West Philadelphia Street, Suite 600, York, PA 17401-2994, Administratrix. STOCK AND LEADER. D. Reed Anderson, Esquire, Attorney. 12-16-3t

SHIRLEY POE late of West Manchester Twp., York Co., PA, deceased. Corinne G. Peifer, 22 Longwood Drive, Mechanicsburg, PA 17050, Executrix. STOCK AND LEADER. W. Bruce Wallace, Esquire, Attorney. 12-16-3t

DOLORES M. QUICKEL late of York City, York Co., PA, deceased. Dan L. Quickel, c/o 110 South Northern Way, York, PA 17402, Executor. Paul G. Lutz, Esquire, Attorney. 12-16-3t

JOHN D. SHAFER A/K/A JOHN DANIEL SHAFER late of Penn Twp., York Co., PA, deceased. John D. Shafer, Jr., 4 Raynor Drive, Hingham, MA 02043, Executor. Stonesifer and Kelley, P.C., Attorney. 12-16-3t

LAMAR J. SMITH late of York New Salem Borough, York Co., PA, deceased. Patricia A. Williams, c/o 129 E. Market St., York, PA 17401, Executrix. John C. Herrold, Esquire, Attorney. 12-16-3t

VELMA S. SOLING late of Spring Garden Twp., York Co., PA, deceased. Carolyn S. Soling and Evelyn P. St. Onge, c/o 48 South Duke Street, York, PA 17401-1454, Co-Executrices. Bruce C. Bankenstein, Esquire, Attorney. 12-16-3t

MIRIAM R. TRONE late of Hanover Borough, York Co., PA, deceased. Pamela V. Rostamali, c/o 515 Carlisle Street, Hanover, PA 17331,

Executrix. Elinor Albright Rebert, Esquire, 12-16-3t  
Attorney.

EDWARD CARL TSCHUDY late of Fawn Twp., York Co., PA, deceased. Edward F. Tschudy, Gail Maschke and David W. Tschudy, 515 New Park Road, New Park, Fawn Township, York County, Pennsylvania 17352, Executors. Jennifer A. Galloway, Esquire, Attorney. 12-16-3t

LUCILLE F. WARNER A/K/A LUCILLE WARNER late of York Twp., York Co., PA, deceased. William L. Warner, c/o 40 South Duke Street, York, PA 17401-1402, Executor. Garber & Garber. John M. Garber, Esquire, Attorney. 12-16-3t

KELLY A. WILLIAMS A/K/A KELLY ANN WILLIAMS A/K/A KELLY WILLIAMS late of Railroad Borough, York Co., PA, deceased. Patrick N. Williams, c/o 40 South Duke Street, York, PA 17401-1402, Executor. Garber & Garber. John M. Garber, Esquire, Attorney. 12-16-3t

## SECOND PUBLICATION

GERTRUDE P. BITNER late of Dover, York Co., PA, deceased. Jerri L. Bitner and Michael E. Bitner, c/o 4431 North Front Street, 3rd Floor, Harrisburg, Pennsylvania 17110, Executors. SMIGEL, ANDERSON & SACKS, LLP. Heather D. Royer, Esquire, Attorney. 12-9-3t

JACOB P. BLUGES late of Fairview Twp., York Co., PA, deceased. Jacob F. Bluges, c/o P.O. Box 461, New Cumberland, PA 17070-0461, Administrator c.t.a. Kline Law Office. Robert P. Kline, Esquire, Attorney. 12-9-3t

PATRICIA ANN BROOKSHIRE late of West Manheim Twp., York Co., PA, deceased. Rachel A. Grayson and Angela K. Terrill, c/o 119A West Hanover Street, Spring Grove, PA 17362, Co-Administratrices. Craig A. Diehl, Esquire, Attorney. 12-9-3t

MARSHALL WILSON CAMPBELL late of Shrewsbury Twp., York Co., PA, deceased. Lois C. Glatfelter, 14 Keesey Road, New Freedom, PA 17349, Executrix. STOCK AND LEADER. MacGregor J. Brillhart, Esquire, Attorney. 12-9-3t

ELEANOR CAPERTINO late of York City, York Co., PA, deceased. John A. Capertino & Eva M. Wert, c/o 56 S. Duke Street, York, PA 17401-1402, Co-Executors. Richard R. Reilly, Esquire, Attorney. 12-9-3t

MARY L. COMBS late of Shrewsbury Twp., York Co., PA, deceased. Kathleen M. Jacoby, c/o 2025 E. Market Street, York, PA 17402, Executrix. Richard H. Mylin, III, Esquire, Attorney. 12-9-3t

PHYLLIS M. DAUGHERTY late of North Codorus Twp., York Co., PA, deceased. Philip R.

Daugherty, c/o 137 East Philadelphia Street, York, PA 17401-2424, Executor. Miller, Poole & Lord, LLP. John D. Miller, Jr., Esquire, Attorney. 12-9-3t

DEL NORTE M. DESEMBERG late of Windsor Twp., York Co., PA, deceased. Joel E. Desenberg, 305 Blue Ridge Drive, York, PA 17402, Gary E. Desenberg, 403 A. Buttonwood Lane, York, PA 17406 and William L. Desenberg, 2453 Arnold Road, Red Lion, PA 17356, Co-Executors. Laucks & Laucks, LLP. David M. Laucks, Esquire, Attorney. 12-9-3t

DORIS L. GOGGINS late of East Manchester Twp., York Co., PA, deceased. Patricia E. Dorazio, c/o 149 East Market Street, 3rd Floor, York, PA 17401, Executrix of the Estate of Doris L. Goggins. Michael F. Fenton, Esquire, Attorney. 12-9-3t

CHARLOTTE A. GROVE late of Red Lion Borough, York Co., PA, deceased. Jolene M. Whitsel, 12475 Lucky Road, Brogue, PA 17309, Executrix. Laucks & Laucks, LLP. David M. Laucks, Esquire, Attorney. 12-9-3t

CHARLES L. HAMILTON late of Red Lion Borough, York Co., PA, deceased. Vickie L. Kilgore, c/o 120 Pine Grove Commons, York, PA 17403, Administratrix. Elder Law Firm of Robert Clofine. Robert Clofine, Esquire, Attorney. 12-9-3t

EARL C. HARNER late of West Manheim Twp., York Co., PA deceased. Frank W. Harner, 170 Kennedy Dr., Hanover, PA 17331, Executor. Guthrie, Nonemaker, Yingst & Hart, LLP. James T. Yingst, Esquire, Attorney. 12-9-3t

HELEN E. HARTY A/K/A BETTY HARTY late of York Twp., York Co., PA deceased. Patricia L. Burakow, c/o 120 Pine Grove Commons, York, PA 17403, Executrix. Elder Law Firm of Robert Clofine. Robert Clofine, Esquire, Attorney. 12-9-3t

LAVERE J. RECK late of Hanover Borough, York Co., PA, deceased. Cathy H. Reck, 391 Grant Dr., Hanover, PA 17331, Executrix. Guthrie, Nonemaker, Yingst & Hart, LLP. Keith R. Nonemaker, Esquire, Attorney. 12-9-3t

VIVIEN L. SCOTT late of Springettsbury Twp., York Co., PA, deceased. Byron Scott Hilt, 248 White Dogwood Drive, Eters, PA 17319, Executor. STOCK AND LEADER. MacGregor J. Brillhart, Esquire, Attorney. 12-9-3t

PARTHENE M. SHAFFER A/K/A PARTHENE F. SHAFFER late of Manchester Twp., York Co., PA, deceased. Larry L. Shaffer, 3852 Druck Valley Road, York, PA 17406, Executor. 12-9-3t

GEORGE A. SHAULL late of the Borough of Dallastown, York Co., PA, deceased. Richard Keesey, c/o 222. S. Market St., Suite 201, P.O. Box 267, Elizabethtown, PA 17022, Executor. Gingrich, Smith, Klingensmith & Dolan. John M. Smith, Esquire, Attorney. 12-9-3t

LEROY KENNETH SMITH late of Dover Twp., York Co., PA, deceased. Kenneth Wayne Smith, c/o 135 North George Street, York, PA 17401, Executor. CGA Law Firm, PC. John D. Flinchbaugh, Esquire, Attorney. 12-9-3t

TERESA ELLEN SMITH late of Manchester Twp., York Co., PA, deceased. Nichole Renee Horn, 164 Hanover Street, Glen Rock, PA 17327, Executrix. Paul C. Siegrist, Esquire, Attorney. 12-9-3t

ELIZABETH J. STUREK late of Fairview Twp., York Co., PA, deceased. Karen E. Kelly, c/o 549 Bridge Street, New Cumberland, PA 17070, Executrix. Barbara Sumple-Sullivan, Esquire, Attorney. 12-9-3t

KAREN RENATE TRIMBLE late of York City, York Co., PA, deceased. Thomas J. Trimble, c/o 17 East Market Street, York, PA 17401, Administrator. Blakey, Yost, Bupp & Rausch, LLP. David A. Mills, Esquire, Attorney. 12-9-3t

CAROLYN M. TRIMMER late of West Manchester Twp., York Co., PA, deceased. Kimberly Ann Fleming-Sparrow, 1212 East Jackson Street Front, York, PA 17403, Executrix. Mooney & Associates. Judith K. Morris, Esquire, Attorney. 12-9-3t

STEPHEN H. FREY, JR. late of Springettsbury Twp., York Co., PA, deceased. David A. Frey, 659 Peeptown Road, East Berlin, PA 17316, Executor. 12-2-3t

ELAINE D. GOOD late of Penn Twp., York Co., PA, deceased. Charles E. Good, 416 Sprenkle Avenue, Hanover, PA 17331, Executor. Crabbs & Crabbs, Attorney for the Estate. 12-2-3t

ROBERT L. RUMBLE late of York Twp., York Co., PA, deceased. James Douglas Cheek, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Executor. Eveler & Eveler LLC, Attorney. 12-2-3t

WILLIAM MERRILL SCOTT A/K/A WILLIAM M. SCOTT late of Franklin Twp., York Co., PA, deceased. Quinn J. Eichelberger, 12 Franklin Church Road, Dillsburg, PA 17019, Executor. Jane M. Alexander, Esquire, Attorney for the Estate. 12-2-3t

RONALD J. SHAFFER late of West Manchester Twp., York Co., PA, deceased. Shirley A. Shaffer, 2455 Ramblewood Rd., York, PA 17408, Administratrix. Susan R. Emmons, Esquire, Attorney. 12-2-3t

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### THIRD PUBLICATION

DORIS M. ANDRE late of Shrewsbury Twp., York Co., PA deceased. Meredith Marie Wescott, c/o 120 Pine Grove Commons, York, PA 17403, Executrix. Elder Law Firm of Robert Clofine. Erin J. Miller, Esquire, Attorney. 12-2-3t

EVELYN CAMM HOHNE late of Springettsbury Twp., York Co., PA, deceased. Karen Lynn Roach and Laura Anne Cooper, c/o P.O. Box 312, Stewartstown, PA 17363, Co-Executrices. Laura S. Manifold, Esquire, Attorney. 12-2-3t

JEAN E. CANTLER late of Delta Borough, York Co., PA, deceased. Sherri L. Howard, 79 Clark Road, Delta, PA 17314, Executrix. STOCK AND LEADER. MacGregor J. Brillhart, Esquire, Attorney. 12-2-3t

SUSAN CLAIRE COWEN late of February 15, 2010, York Co., PA, deceased. William George Cowen III, 53 Dogwood Rd., Airville, PA 17302, Executor. 12-2-3t

PATRICIA E. EVERHART late of North York Borough, York Co., PA, deceased. Kimberly J. Everhart, 1431 West King Street, York, PA 17404, Executrix. 12-2-3t

ROSCOE W. FORBES late of York Twp., York Co., PA, deceased. William J. Forbes and M. Carol Druck, c/o 48 South Duke Street, York, PA 17401, Executors. Bruce C. Bankenstein, Esquire, Attorney. 12-2-3t

## CIVIL NOTICES

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### ACTION IN MORTGAGE FORECLOSURE

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M&T BANK S/B/M ALLFIRST BANK,  
Plaintiff vs. MARIE A. TINLEY &  
MARK W. TINLEY, Mortgagors and  
Real Owners Defendants

No. 2010-SU-004687-06

MARK W. TINLEY, MORTGAGOR AND REAL OWNER, DEFENDANT, whose last known address is 677 Keller Road, New Freedom, PA 17349. 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, M&T BANK S/B/M ALLFIRST BANK, 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. 2010-SU-004687-06, wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 677 Keller Road, New Freedom, PA 17349 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 claim in the Complaint of 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 PENNSYLVANIA  
LEGAL SERVICES  
256 E. Market St., York, PA 17403  
LAWYER REFERRAL SERVICE OF THE  
YORK COUNTY BAR ASSOCIATION  
York County Bar Center  
137 E. Market St., York, PA 17401  
717-854-8755

GOLDBECK, MCCAFFERTY  
& MCKEEVER, P.C.

MICHAEL T. MCKEEVER, Atty. for Plaintiff  
Suite 5000, Mellon Independence Center  
701 Market St.  
Phila., PA 19106-1532  
215-627-1322

12-16-1t

Solicitor

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### ACTION TO QUIET TITLE

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DONALD H. DIETZ and CATHERINE R. DIETZ, Plaintiffs v. WILLIAM SENFT and JULIANN SENFT, his wife, their heirs and assigns, executors and administrators, and GEORGE RENOLL, his heirs and assigns, executors and administrators, Defendants

TO: WILLIAM SENFT and JULIANN SENFT  
his wife, their heirs and assigns, executors  
and administrators  
GEORGE RENOLL, his heirs and assigns,  
executors and administrators

No. 2010 SU 006466-93

You are hereby notified that Plaintiffs, Donald H. Dietz and Catherine R. Dietz, his wife, have filed a Complaint in an Action to Quiet Title in the Court of Common Pleas of York County, Pennsylvania, docketed to No. 2010 SU-006466-93, wherein Plaintiffs seek to discharge any interest you may have in the real property located at 5330 Waltersdorff Road, Spring Grove, Pennsylvania, consisting of a tract of land with improvements situate in North Codorus Township, York County, Pennsylvania, identified in the York County Assessment Records as Parcel No. 4000EF0005E, containing 3.720 acres.

**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 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.

Lawyer Referral Service of  
The York County Bar Association  
(Attorney Connections)  
York County Bar Center  
137 East Market Street  
York, PA 17401  
Telephone No. (717) 854-8755

12-16-1t

Solicitor

**ARTICLES OF INCORPORATION**

Notice is hereby given that for profit corporation known as CLOSEOUT WALLCOVERINGS, INC. has been incorporated under the provisions of the For Profit Corporation Law of 1988.

BARLEY SNYDER

12-16-1t

Attorneys

NOTICE is hereby given the DELISIO OF YORK II, INC. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

L.C. HEIM, Esquire

12-16-1t

Solicitor

NOTICE is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania on the 12th day of April, 2010 under the Pennsylvania Business Corporation Law.

The name of the corporation is LANPHER MANAGEMENT CO. The location and post office address of its initial registered office is 1240 Wyndham Drive N. York PA 17403.

DANIEL CARN

12-16-1t

Solicitor

**ARTICLES OF INCORPORATION  
NON-PROFIT CORPORATION**

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on November 16, 2010, for NORTH BRANCH FISH AND GAME ASSOCIATION, a non-profit corporation, formed pursuant to the provisions of the Nonprofit Corporation Law of 1988, 15 Pa. C.S. Section 5306, et seq.

The proposed nonprofit corporation is organized exclusively for one or more of the purposes specified in Section 501(c)(3) of the Internal Revenue Code or corresponding section of any future federal tax code, including, but not limited to promoting health and well being of children and adults or for any other purpose for which a non-profit corporation may be formed in the Commonwealth of Pennsylvania.

BARLEY SNYDER LLC

12-16-1t

Attorneys

NOTICE is hereby given that Articles of Incorporation have been filed with the Pennsylvania Department of State for the purpose of forming a nonprofit corporation under The Pennsylvania Nonprofit Corporation Law of 1988, as amended. The name of the corporation is ORE VALLEY PARENT TEACHER ORGANIZATION. It has been organized to foster and support a safe, inclusive educational experience for students and for charitable, religious and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501 (c)(3) of the Internal

Revenue Code of 1986.

CGA LAW FIRM

JEFFREY L. REHMEYER II, Esquire

12-16-1t

Solicitor

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**FICTITIOUS NAME**

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NOTICE is hereby given that on October 18, 2010, a certificate was filed under the Fictitious Name Act, in accordance with Section 311 of Act 1982-295 "54 PA C.S. Section 311" in the Office of the Secretary of the Commonwealth of Pennsylvania, setting forth that Bruce R. Trostle of 120 Blair Mountain Road, Dillsburg, Pennsylvania, is the only person owning or interested in a business, the character of which is: antique sales. The name, style and designation under which said business is and will be conducted is ANTIQUES ON BALTIMORE. The location where said business is and will be located is 18 S. Baltimore Street, Dillsburg, Pennsylvania 17019.

JAN M. WILEY, Esquire

12-16-1t

Solicitor

NOTICE is hereby given that an application for registration of a fictitious name has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on the 1st day of December, 2010, pursuant to the provisions of the Fictitious Names Act, Act No. 1982-295, setting forth that Robert Alan Burrows, 15708 Magnolia Dr., New Freedom, PA 17349 and Brendan Alan Burrows, 1618 Richmond Rd., Red Lion, PA 17356, are the only persons owning or interested in a business, the character of which is the operation of a farm and orchard, including sales both retail and wholesale, and the name, style and designation under which said business is and will be conducted is WINDY HILL ORCHARD & FARM, and the location where said business is and will be located is 1618 Richmond Rd., Red Lion, PA 17356.

JAMES A. HOLTZER, Esquire

12-16-1t

Solicitor

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**NOTICE**

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TO: MICHAEL FRANKS

A petition has been filed asking the Court to put an end to all rights you have to your child WRS, biological child of STEPHANIE A. SCOTT born on November 17, 2009. The Court has set a hearing to consider ending your rights to your child. That hearing will be held on January 28, 2011 at 10:00 a.m. at the Court of Common Pleas of Lackawanna County, Pennsylvania, Orphans Court Division, Family Court Center, 200 Adams Avenue, Second Floor, Scranton, Pennsylvania 18503, courtroom no. 2B. Your presence is required at the hearing. You have a right to be represented at the hearing by a lawyer. If you do not appear at this hearing, the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child. 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. Again, 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.

NORTHERN PENNSYLVANIA  
LEGAL SERVICE, INC.  
507 Linden Street, Suite 300  
Scranton, PA 18503  
570-342-0184

12-16-3t

Solicitor

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**NOTICE OF DEFAULT  
AND FORECLOSURE SALE**

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Re: **ALONZO A. TERRY and EDWARD R. WILLIAMS, POWER OF ATTORNEYS FOR DELORES D. RHOADES**  
342 South Duke Street  
York, PA 17043



**WHEREAS**, on April 22, 2002, a certain Mortgage was executed by Delores D. Rhoades as Mortgagor in favor of Financial Freedom Senior Funding Corporation, a subsidiary of Lehman Brothers Bank, FSB as Mortgagee, and was recorded on April 29, 2002 in Land Records Book 1492, Page 4672, in the Office of the Recorder of Deeds, York County, Pennsylvania; and

**WHEREAS**, the Mortgage was first assigned to Financial Freedom Acquisition LLC and the Assignment was recorded on July 15, 2009 in Land Records Book 2032, Page 3233;

**WHEREAS**, the Mortgage is now owned by the Secretary of Housing and Urban Development of Washington, D.C. (the Secretary) pursuant to an Assignment dated September 9, 2009 from Financial Freedom Acquisition LLC to the Secretary of Housing and Urban Development of Washington, D.C., recorded on September 23, 2009 in Land Records Book 2043, Page 5928 in the Office of the Recorder of Deeds, York County, Pennsylvania.

**WHEREAS**, a default has been made in the covenants and conditions of the Mortgage in that the Property is not the principal residence of the Mortgagor.

**NOW, THEREFORE**, pursuant to powers vested in me by the Single Family Mortgage Foreclosure Act of 1994, 12 U.S.C. § 3751 et seq., by 24 CFR part 27, Subpart B, and by the Secretary's designation of me as Foreclosure Commissioner, Notice is hereby given that on **Wednesday, January 19, 2011 at 10:00 a.m.** local time, all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder:

ALL that certain lot of ground with the improvements thereon erected, situate on the West side of South Duke Street in the City of York, County of York and Commonwealth of Pennsylvania, and now known as 342, bounded and described as follows, to wit:

ON THE EAST by South Duke Street, on the South by property now or formerly of Geraldine Martin; on the West by property now or formerly of Daniel Ford and Lucy Ford; and on the North by property now or formerly of Augustus G. Hunt. Containing in front on said South Duke Street 17 feet 06 inches and extending Westwardly 126 feet 06 inches more or less to property now or formerly of Daniel Ford and Lucy Ford.

TOGETHER with the free use, right, liberty and privilege of a 03 feet wide alley extending from South Duke Street Westwardly along the Southern line of property hereby conveyed in common with the owners and occupiers of said Southern adjoining property. Said alley being taken equally from said adjoining

properties.

HAVING thereon erected a dwelling known and numbered as 342 S. Duke Street, York, PA 17403.

BEING Ward 01, Block 004, Map 02, Parcel 0066.

The Sale will be held outside the Sheriff's Office at the York County Judicial Center located at 45 North George Street, York, Pennsylvania. The Secretary of Housing and Urban Development will bid **\$33,069.92**.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his prorata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders except the Secretary must submit a deposit totaling **\$3,306.99** (10% of the Secretary's bid) in the form of a certified check or cashier's check made out to the Secretary of HUD. Each oral bid need not be accompanied by a deposit. If the successful bid is oral, a deposit of **\$3,306.99** must be presented before the bidding is closed. The deposit is non-refundable. The remainder of the purchase price must be delivered within thirty (30) days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the high bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveyancing fees, all real estate and other taxes that are due on or after the delivery of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee to be paid in advance. The extension fee shall be in the form of a certified or cashier's check made payable to the Secretary of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the Sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD Field Office representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD Field Office Representative, offer the Property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclo-

sure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The amount that must be paid to pay off the Mortgage prior to the scheduled sale is **\$31,031.27** as of **January 19, 2011**, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

/s/ Leon P. Haller  
Leon P. Haller

Foreclosure Commissioner  
Purcell, Krug & Haller  
1719 North Front Street  
Harrisburg, PA 17102  
(717) 234-4178 (voice)  
(717) 234-0409 (fax)

Date: 12/10/10

12-16-1t

Solicitor

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**SHERIFF'S SALE**

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CAPITAL ONE, N.A., Plaintiff  
V.

CHRISTOPHER THOERICHT AND MARIA LYNN THOERICHT A/K/A MARIE MANUEL A/K/A MARIA LYNN AGUDELO, Defendants

Number 2010-SU-001498-06

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

TO: CHRISTOPHER THOERICHT  
679 Falls Road  
Airville, Pennsylvania 17314

Your house (real estate) at 679 Falls Road, Airville, Pennsylvania 17302 is scheduled to be sold at Sheriff's Sale on February 7, 2011 at 2:00 p.m. in the Sheriff's Office, York County Judicial

Center, 45 North George Street, York, PA 17401 to enforce the court judgment of \$247,890.81 obtained by Capital One, N.a. 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 canceled if you pay to Capital One, N.a. the back payments, late charges, costs, and reasonable attorney's fees due. To find out how much you must pay, you may call McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.
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 also 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 the following notice 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**

1. 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 McCabe, Weisberg and Conway, P.C., Esquire at (215) 790-1010.

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 on the sale. To find out if this has happened, you may call McCabe, Weisberg and Conway, P.C. at (215) 790-1010.

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 within thirty (30) days of the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed schedule of distribution is wrong) are filed with the Sheriff within ten (10) days after the posting 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 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.

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BY: TERRENCE J. McCABE, ESQUIRE  
MARC S. WEISBERG, ESQUIRE  
EDWARD D. CONWAY, ESQUIRE  
MARGARET GAIRO, ESQUIRE  
123 South Broad Street, Suite 2080  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

12-16-1t

Attorneys for Plaintiff

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*David A. Mills, Esquire*

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