

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

Vol. 125

YORK, PA, THURSDAY, July 7, 2011

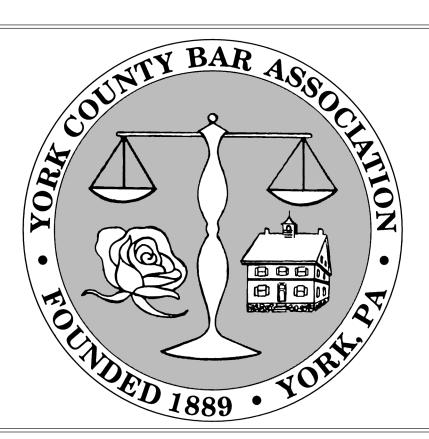
No. 13

CASES REPORTED

COMMONWEALTH V. HORATIO WALTON

Page 42

Motion to Suppress - Probable Cause



Dated Material Do Not Delay

Legal notices must be received by York Legal Record, 137 E. Market St., before four o' clock on Friday afternoon. Telephone 854-8755 ext. 203.

> Subscription: \$45.00 per year to non-members, \$25.00 to members. Published Weekly, Periodicals Postage Paid, York, PA 17405 U.S.PS. No. 696140

> > POSTMASTER: Send address changes to York Legal Record, 137 E. Market St., York, PA 17401

> > Web: www.yorkbar.com • E-mail: info@yorkbar.com

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 Legal Record nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content. Carolyn J. Pugh, Esquire, Editor.

The York Legal Record makes no representation as to the quality of services offered by advertiser in this publication.

ESTATE NOTICES

ADMINISTRATOR'S AND EXECUTORS NOTICES

FIRST PUBLICATION

MARLYN LEON BECK, JR. late of West Manchester Twp., York Co., PA, deceased. Marlyn L. Beck, Sr., 430 Westminster Avenue, Hanover, PA 17331, Administrator. MOONEY & ASSOCI-ATES. George W. Swartz, II, Esquire, Attorney. 7-7-3t

VIOLA COLLINS A/K/A VIOLA J. COLLINS late of Jacobus Borough, York Co., PA, deceased. Eunice V. Collins, c/o 110 South Northern Way, York, PA 17402, Executor. Paul G. Lutz, Esquire, Attorney. 7-7-3t

DALE E. CRIST late of Hellam Twp., York Co., PA, deceased. Evamae B. Crist, c/o 135 North George Street, York, PA 17401, Executrix. CGA Law Firm, PC. Jon C. Countess, Esquire, Attorney. 7-7-3t

BEATRICE MARY FREED A/K/A MARY B. FREED A/K/A B. MARY FREED late of West York Borough, York Co., PA, deceased. Florence M. Dolheimer, c/o 135 North George St., Ste. #213, York, PA 17401, Executrix. James A. Holtzer, Esquire, Attorney. 7-7-3t

RICHARD E. GIBBS late York Twp, York Co., PA, deceased. Lois M. Gibbs and Nada Christine Metcalfe, c/o 135 North George St., York, PA 17401, Co-Executors. CGA Law Firm, PC. Peter R. Andrews, Esquire, Attorney. 7-7-3t

JOAN L. GOOD late of York Twp., York Co., PA, deceased. Kim Forry, Daniel Good and David Good, c/o 135 North George Street, Ste. #213, York, PA 17401, Co-Executors. Peter J. Mangan, Esquire, Attorney. 7-7-3t

ROYCE E. GROVE late of Windsor Twp., York Co., PA, deceased. Rebecca L. Grove, c/o 120 Pine Grove Commons, York, PA 17403, Execurix. Elder Law Firm of Robert Clofine. Robert Clofine, Esquire, Attorney. 7-7-3t

RICHARD E. HAMME late of West Manchester Twp., York Co., PA, deceased. Ronald E. Hamme, c/o 135 North George Street, Ste. #213, York, PA 17401, Executor. Peter J. Mangan, Esquire, Attorney. 7-7-3t

ROBERT EDWARD KANE late of Fairview Twp., York Co., PA, deceased. Mary E. Kane, c/o 568 Old York Road, Etters, PA 17319, Executrix. Joel O. Sechrist, Esquire, Attorney. 7-7-3t

MARVIN E. LEE late of Hopewell Twp., York Co., PA, deceased. Tamara Lee & Tria Lee, c/o 56 S. Duke Street, York, PA 17401-1402, Co-Executors. Richard R. Reilly, Esquire, Attorney. 7-7-3t

ELENE M. MCCONKEY late of Manchester Twp., York Co., PA, deceased. June M. Fink and James A. McConkey, 2155 Eden Road, York, PA 17402, Co-Executors. STOCK AND LEADER. Thomas M. Shorb, Esquire, Attorney. 7-7-3t

FRANK W. MOSER late of West Manheim Twp., York, Co., PA, deceased. Ruphis D. Moser and Catherine M. Moser, 152 Warner Road, Hanover, PA 17331, Administrators. Guthrie, Nonemaker, Yingst & Hart, LLP. Keith R. Nonemaker, Esquire, Attorney. 7-7-3t

KAREN L. OHRUM late of Dover Twp., York Co., PA, deceased. Keith O. Hoke, 1642 E. Canal Road, Dover, PA 17315, Executor. Jane M. Alexander, Esquire, Attorney. 7-7-3t

RICHARD R. RAUCH A/K/A RICHARD RAYMOND RAUCH late of Spring Garden Twp., York Co., PA, deceased. Kathryn L. Shoff and Rae Ann Wolfe, c/o 2997 Cape Horn Rd., Suite A-6, Red Lion, PA 17356, Co-Executrices. Eveler & Eveler LLC, Attorney. 7-7-3t

KATHRYN E. RE late of Hanover Borough, York Co., PA, deceased. Aaron V. Re, 12 Kuhn Drive, Hanover, PA 17331, Executor. MOONEY & ASSOCIATES. George W. Swartz, II, Esquire, Attorney. 7-7-3t

REBA F. ROSIER A/K/A REBA FERN ROS-IER late of Shrewsbury Borough, York Co., PA, deceased. William E. Rosier, 241 North Third Street, New Freedom, PA 17349, Executor. Harry L. McNeal, Jr., Esquire, Attorney. 7-7-3t

ANDELO SANTARSIERO late of Springettsbury Twp., York Co., PA, deceased. Judith S. Phillips, c/o 1157 Eichelberger Street, Suite 4, Hanover, PA 17331, Executor. Douglas H. Gent, Esquire, Attorney. 7-7-3t

ELIZABETH G. SLICK A/K/A ELIZABETH S. SLICK A/K/A ELIZABETH SLICK late of Fairview Twp., York Co., PA, deceased. Ronald E. Eppley, 6 Clouser Road, Mechanicsburg, PA 17055, Executor. Charles E. Shields, III, Esquire, Attorney. 7-7-3t

LUCY C. SMELTZER late of Wrightsville Borough, York Co., PA, deceaesed. Wendy L. Smeltzer, c/o 50 East Market Street, Hellam, PA 17406, Executrix. Donald B. Swope, Esquire, Attorney. 7-7-3t

JOANNE M. SWARTZ late of Dover Twp., York Co., PA, deceased. Kim R. Kuhn and James L. Atkins, c/o 138 East Market Street, York, PA 17401, Administratrix. Goldfein and Joseph, P.C. Leo E. Gribbin, Esquire, Attorney. 7-7-3t WILLIAM H. SWARTZ, JR. late of Spring Garden Twp., York Co., PA, deceased. Margaret Z. Swartz, c/o 100 East Market Street, P.O. Box 15012, York, PA 17405-7012, Executrix. Barley Snyder, LLC. Alex E. Snyder, Esquire, Attorney. 7-7-3t

VIRGINIA W. THORNTON late of Spring Garden Twp., York Co., PA, deceased. George W. Thornton, c/o 100 East Market Street, P.O. Box 15012, York, PA 17405-7012, Executor. Barley Snyder, LLC. Alex E. Snyder, Esquire, Attorney. 7-7-3t

REBECCA A. WEBB late of Glen Rock Borough, York Co., PA deceased. Thomas Edward Webb, 6266 Wolfgang School Road, Glen Rock, PA 17327-8886, Administrator. Becker & Strausbaugh, P.C. Arthur J. Becker, Jr., Esquire, Attorney. 7-7-3t

M. ROBERTA WERTZ late of York Co., PA, deceased. PeoplesBank, A Codorus Valley Company, c/o 105 Leaders Heights Rd., York, PA 17403-2887, Executor. 7-7-3t

GROVER A. WOLFE late of Jackson Twp., York Co., PA, deceased. Miriam B. Wolfe, 80 Table Rock Road, Gettysburg, PA 17325, Executrix. Teeter, Teeter & Teeter. Robert G. Teeter, Esquire, Attorney. 7-7-3t

NANCY CAROL YINGER late of Newberry Twp., York Co., PA, deceased. Kendra L. Shuman, 102 Mustang Trail, Reinholds, PA 17569, Executrix. 7-7-3t

SECOND PUBLICATION

PATRICIA KAREN ANTHONY A/K/A PAT-TY ANTHONY late of Hanover Borough, York Co., PA, deceased. Sandra Sterner, 313 A York Street, Hanover, PA 17331, Personal Representative. MOONEY & ASSOCIATES. George W. Swartz, II, Esquire, Attorney. 6-30-3t

PEARL V. BAILEY late of Shrewsbury Twp., York Co., PA, deceased. Thomas K. Bailey, c/o 2025 E. Market Street, York, Pennsylvania 17402, Executor. Richard H. Mylin, III, Esquire, Attorney. 6-30-3t

BRENDA MARIE BAKER late of Springettsbury Twp., York Co., PA, deceased. John W. Baker, Jr., c/o 25 North Duke Street, York, PA 17401, Administrator. SMITH, ANDERSON, BAKER & LONG. David P. Baker, Esquire, Attorney. 6-30-3t

BRIAN N. DONOVAN A/K/A BRIAN NEAL DONOVAN late of Spring Garden Twp., York Co., PA, deceased. James Donovan, 104 Robin Lane, Apt. C-4, Hummelstown, PA 17036, Executor. WION, ZULLI & SEIBERT. Jean D. Seibert, Esquire, Attorney.

6-30-3t

CARL CHRISTIAN EPLEY late of Springettsbury Twp., York Co., PA, deceased. Carl L. Epley, c/o 135 N. George St., Ste. #213, York, PA 17401, Administrator. James A. Holtzer, Esquire, Attorney. 6-30-3t

VERA M. FOLKOMER late of York Twp., York Co., PA, deceased. M & T Bank, c/o 56 S. Duke Street, York, PA 17401-1402, Executor. Richard R. Reilly, Esquire, Attorney. 6-30-3t

MARGARET M. FRANTZ late of York Twp., York Co., PA, deceased. Ivan E. Frantz, Jr., 1126 Hanover Road, York, Pennsylvania 17408, Heir. HOFFMEYER & SEMMELMAN, LLP. William F. Hoffmeyer, Esquire, Attorney. 6-30-3t

DONALD R. GROVE SR. late of Windsor Twp., York Co., PA, deceased. Donald R. Grove Jr. and Lisa S. Worley, c/o 2997 Cape Horn Rd., Red Lion, PA 17356, Co-Executors. Eveler & Eveler LLC, Attorney. 6-30-3t

ELIZABETH M. HULL late of Washington Twp., York Co., PA, deceased. Doris M. Brehm, P.O. Box 231, East Berlin, PA 17316; Susan E. Hartman, 47 E. Songbird Rd., Bradford, PA 16701; Helen L. Howard, 7608 NW 73rd Avenue, Tamarac, FL 33321 and Donald A. Hull, 115 West King Street, East Berlin, PA 17316, Executors. Clayton R. Wilcox, Esquire, Attorney.

6-30-3t

SHIRLEY J. KUHN late of Hanover Borough, York Co., PA, deceased. Keith A. Kuhn, 770 Eichelberger St., Hanover, PA 17331 and Chad R. Kuhn, 764 Eichelberger St., Hanover, PA 17331. Guthrie, Nonemaker, Yingst & Hart, LLP. James T. Yingst, Esquire, Attorney. 6-30-3t

HOWARD L. MATSON late of West Manchester Twp., York Co., PA, deceased. Cynthia A. Smith, 5 Denham Court, Rockville, MD 20851, Executrix. Fred E. Kilgore, Esquire, Attorney. 6-30-3t

LLOYD R. McQUAY late of New Freedom Borough, York Co., PA, deceased. Ray B. Mc-Quay, 115 North 3rd Street, New Freedom, PA 17349, Executor. Guthrie, Nonemaker, Yingst & Hart, LLP. James T. Yingst, Esquire, Attorney. 6-30-3t

NINA D. NULL late of Springettsbury Twp., York Co., PA, deceased. Jacquelyn Becker Chotkowski, c/o 56 South Duke Street, York, PA 17401-1402, Administratrix. Richard R. Reilly, Esquire, Attorney. 6-30-3t

NORMA A. RICHARD late of Manchester Twp., York Co., PA, deceased. Elizabeth Alwood, c/o 2025 E. Market Street, York, Pennsylvania 17402, Executrix. Richard H. Mylin, III, Esquire, Attorney. 6-30-3t

HENRY TOMLINSON late of Manchester Twp., York Co., PA, deceased. The undersigned Trustee under the Revocable Trust Agreement of Henry E. Tomlinson dated December 10, 2004 and Amended and Restated on August 12, 2008, hereby gives notice that as a result of the death of Henry E. Tomlinson, late of Manchester Twp., York County, Pennsylvania, she has assumed title to the assets held in such trust, and all persons indebted to Henry E. Tomlinson are requested to make payment without delay, and those having claims against the same shall make them known to the Trustee, Stephanie E. Lentz, c/o 120 Pine Grove Commons, York, PA 17403. Elder Law Firm of Robert Clofine. Robert Clofine, Esquire, Attorney. 6-30-3t

ROBERT E. TRONE late of Hanover Borough, York Co., PA deceased. Gregory A. Trone, c/o 110 South Northern Way, York, PA 17402, Executor. Paul G. Lutz, Esquire, Attorney. 6-30-3t

MICHAEL L. ZEIGLER late of North Codorus Twp., York Co., PA, deceased. Kelly A. Zeigler, 1929 Stoverstown Road, Spring Grove, PA 17362, Executrix. Guthrie, Nonemaker, Yingst & Hart, LLP. Keith R. Nonemaker, Esquire, Attorney. 6-30-3t

THIRD PUBLICATION

BETTY J. BOTTERBUSCH late of Manchester Twp., York Co., PA, deceased. Kenneth E. Kreiger, 110 Haybrook Drive, York PA 17406, Executor. HOFFMEYER & SEMMELMAN, LLP. William F. Hoffmeyer, Esquire, Attorney. 6-23-3t

MICHAEL J. CONDE A/K/A MICHAEL CONDE late of North York Borough, York Co., PA, deceased. Lindsey D. Conde, 40 South Duke Street, York, PA 17401-1402, Administrator. GARBER & GARBER. John M. Garber, Esquire, Attorney. 6-23-3t

MARY E. CONLEY late of Spring Garden Twp., York Co., PA, deceased. Susan M. Frey, c/o 180 Darlene Street, York, PA 17402-5053, Executrix. Kenneth L. Eckard, Esquire, Attorney. 6-23-3t

LEONARD L. DIETRICH, JR., late of Jackson Twp., York Co., PA, deceased. Leonard L. Dietrich, III, c/o 345 East Market Street, York, PA 17403, Executor. Katherman, Heim & Perry. Ronald Perry, Esquire, Attorney. 6-23-3t

TIMOTHY E. DEVENEY late of Dover Twp., York Co., PA, deceased. Samuel E. Deveney, c/o 120 Pine Grove Commons, York, PA 17403, Executor. Elder Law Firm of Robert Clofine. Robert Clofine, Esquire, Attorney. 6-23-3t

JAMES F. EYSTER late of North Codorus Twp., York Co., PA, deceased. Dorothy L. Eyster, c/o 221 W. Philadelphia St., Suite 600, York, PA 17401-2994, Executrix. STOCK AND LEADER. Thomas M. Shorb, Esquire, Attorney. 6-23-3t

KIM DOUGLASS FITZKEE late of Spring Grove Borough, York Co., PA, deceased. Dorean M. Fitzkee, c/o 119A West Hanover Street, Spring Grove, PA 17362, Administratrix. Craig A. Diehl, Esquire, Attorney. 6-23-3t

BRENDA L. GROSS late of Dover Twp., York Co., PA deceased. Evelyn Resh, c/o 135 North George Street, York, PA 17401, Executrix. CGA Law Firm, PC. Leanne M. Miller, Esquire, Attorey. 6-23-3t

SCOTT ALAN LEBER late of Lower Windsor Twp., York Co., PA deceased. Peggy A. Leber, 51 Arnold Lane, York, PA 17406, Executrix. Fred E. Kilgore, Esquire, Attorney. 6-23-3t

DAVID H. LINGG, SR., late of Springettsbury Twp., York Co., PA, deceased. All persons having claims or demands against the Estate of David H. Lingg, Sr., deceased, late of Springettsbury Township, York County, Pennsylvania, are requested to present the same without delay to David H. Lingg, Jr. and Janeen R. Hess, c/o 129 E. Market St., York, Pa. 17401. In addition, all persons having claims or demands against The David H. Lingg, Jr. Revocable Living Trust Agreement Dated July 26,2004, are requested to present the same without delay to David H. Lingg, Jr. and Janeen R. Hess, Joint Successor Trustees, c/o 129 E. Market St., York, Pa. 17401. John C. Herrold, Esquire, Attorney. 6-23-3t

BETTY L. ORNDORFF A/K/A BETTY LOU ORNDORFF late of Hanover Borough, York Co, PA deceased. Nancy L. Laughman, c/o 1157 Eichelberger Street, Suite 4, Hanover, PA 17331, Executrix. Douglas H. Gent, Esquire, Attorney. 6-23-3t

STACY ALLEN SUMMERS A/K/A STACY A. SUMMERS late of Paradise Twp., York Co., PA, deceased. Anna Hunter Marc, 8626 Maple Grove Road, Spring Grove, Pennsylvania 17362, Executrix. Stonesifer and Kelley, P.C., Attorney. 6-23-3t

HERMAN WALKER, JR. late of York City, York Co., PA, deceased. Ella J. Abraham, c/o 221 W. Philadelphia St., Suite 600, York, PA 17401-2994, Administratrix. STOCK AND LEADER. John J. Shorb, Esquire, Attorney. 6-23-3t

TIMOTHY D. WALLACE, SR. late of Lower Windsor Twp., York Co., PA, deceased. Timothy D. Wallace, Jr. and Nova Lyn Wallace, c/o 17 E. Market Street, York, PA 17401, Administrators. BLAKEY, YOST, BUPP & RAUSCH, LLP. Bradley J. Leber, Esquire, Attorney. 6-23-3t

JAMES O. YOUNG late of Fairview Twp., York Co., PA, deceased. Paula J. Young, 620 Southridge Drive, Mechanicsburg, PA 17055, Executrix. Howard B. Krug, Esquire, Attorney. 6-23-3t

CIVIL NOTICES

ACTION IN QUIET TITLE

RANDALL E. GROVE, Plaintiff v. EMERY E. STEIN and CARRIE M. STEIN, husband and wife, Defendants

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 this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the 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 OR KNOW A LAWYER, THEN YOU SHOULD GO TO OR TELEPHONE THE OF-FICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

> Lawyer Referral Service of the York County Bar Association York County Bar Center 137 East Market Street York, Pennsylvania 17401 Telephone: (717) 854-8755

7-7-1t

Solicitor

ARTICLES OF INCORPORATION

NOTICE is hereby given that CHEDDAR'S PA, INC. has been incorporated under the provisions of the Pennsylvania Business Corporation

sions of the Pennsylvania Business Corporation Law of 1988.

L. C. HEIM, ESQ.

Solicitor

NOTICE is hereby given that Articles of Incorporation were filed with the Commonwealth of Pennsylvania. The name of the corporation is HUNTER'S AUCTION SERVICE, LLC.

The corporation has been incorporated under the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania Act of December 22, 1988.

LISA HUNTER

7-7-1t Solicitor

SUHI CORP OF PA has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

M. BURR KEIM CO.

7-7-1t

Solicitor

CHANGE OF NAME

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

IN RE: BLAKE T. MCMAHON, A MINOR

NO: 2011-SU-002417-13

NOTICE

TO WHOM IT MAY CONCERN:

You are hereby notified that ADAM C. MAR-RIOTT has filed a Petition in the Court of Common Pleas of York County, Pennsylvania, praying for a Decree to change the name of BLAKE T. MCMAHON, a minor, to BLAKE CHARLES MARRIOTT. A hearing on said Petition will be held on the 10th day of August, 2011 at 10:30 a.m., in Courtroom No. 6 of the York County Judicial Center, at which time and place you may attend if you have any objections.

HONAMAN, LONGO & LONGO

7-7-1t

Solicitor

FICTITIOUS NAME

NOTICE is hereby given that a Fictitious Name registration under the Fictitious Names Act, 54 PaCSA §311, was filed with the PA Department of State for SCUBA CENTRAL PA. The only entity interested in the name is THS Scuba, LLC, an entity whose initial registered office is located at 226 E. Market S1., York, PA 17403.

AUSTIN LAW FIRM LLC

7-7-1t

Solicitor

REVELOPMENT AUTHORITY OF THE CITY OF YORK vs. DUANE HOOKER

NOTICE

No. 2010-SU-6863-05

NOTICE

TO: DUANE HOOKER

TAKE NOTICE that on the 30th day of December, 2010, the Redevelopment Authority of the City of York filed in the Court of Common Pleas of York County, Pennsylvania captioned to No. 2010-SU-6863-05, a Declaration of Taking real estate at 329 East College Avenue in the City of York, Pennsylvania. The purpose of the condemnation is to eliminate blighted property as defined in 35 P.S.§1712.1 and 26 Pa. C.S.A. §205.

If you wish to challenge the power or the right of the Redevelopment Authority of the City of York to appropriate the condemned property, the sufficiency of the security, the procedure followed by the Condemnor, or the Declaration of Taking, you shall file Preliminary Objections within thirty (30) days after the date of publication of this Notice.

NOTICE

If you wish to defend you must enter a written appearance personally or by attorney and file your 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 by the court without further notice for the relief quested 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 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 York County Bar Association 137 East Market Street York, PA 17401 Telephone (717) 854-8755

BLAKEY, YOST, BUPP & RAUSCH, LLP

DONALD B. HOYT, Esquire

7-7-1t

Solicitor for Condemnor

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

FULTON BANK, N.A., ASSIGNEE OF MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. v. MARY WALLEN AND ANY UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER PHILIP M. WALLEN, DECEASED

No. 2010-SU-006794-06

TO: MARY WALLEN AND ANY UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS CLAIMING RIGHT, TITLE, OR IN-TEREST FROM OR UNDER PHILIP M. WAL-LEN, DECEASED

The real estate at 404 South Charles Street, Red Lion Borough, County of York, Pennsylvania is scheduled to be sold at Sheriff's Sale on October 17, 2011 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 \$128,399.47 obtained by Fulton Bank, 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:

- The sale will be canceled if you pay to Fulton Bank, N.A. 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, Esquire at (717) 299-5201.
- 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.
- 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 LISTED BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAW-YER, THIS OFFICE MAY BE ABLE TO PRO-VIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SER-VICES TO ELIGIBLE PERSONS AT A RE-DUCED FEE OR NO FEE:

> Lawyer Referral Service of the York County Bar Association York County Bar Center 137 East Market Street York, PA 17401 Telephone: 717.854.8755

> > BARLEY SNYDER LLC

SHAWN M. LONG, Esquire 126 East King Street Lancaster, PA 17602

7-7-1t

Solicitor

This page intentionally left blank





PRIVATE PROCESS HIRE

IN GO

AL PROCESS SE

LEGAL, CONFIDENTIAL AND DEPENDABLE PROCESS SERVING... We'RE HERE TO SERVE YOU! 64 WINDSOR ACRES WINDSOR, PA. 17366 BARRY E. ROSEBERRY

PHONE: (717) 417-5356 EMAIL: BROSEBERRY@LIVE.COM



York (717) 718-1601 • Hanover (717) 637-9661 • Lancaster (717) 735-1499 www.counseltrust.com

York County Community Foundation

Working together helps you and your clients create a vibrant York County.



When you partner with York County Community Foundation, charitable giving is easy. With 50 years of experience, the Community Foundation can work with you to help your clients make their charitable planning **easy** and **effective**.

Contact Bryan Tate, Vice President of Philanthropy 717.848.3733 or btate@yccf.org.

www.yccf.org/advise.asp

