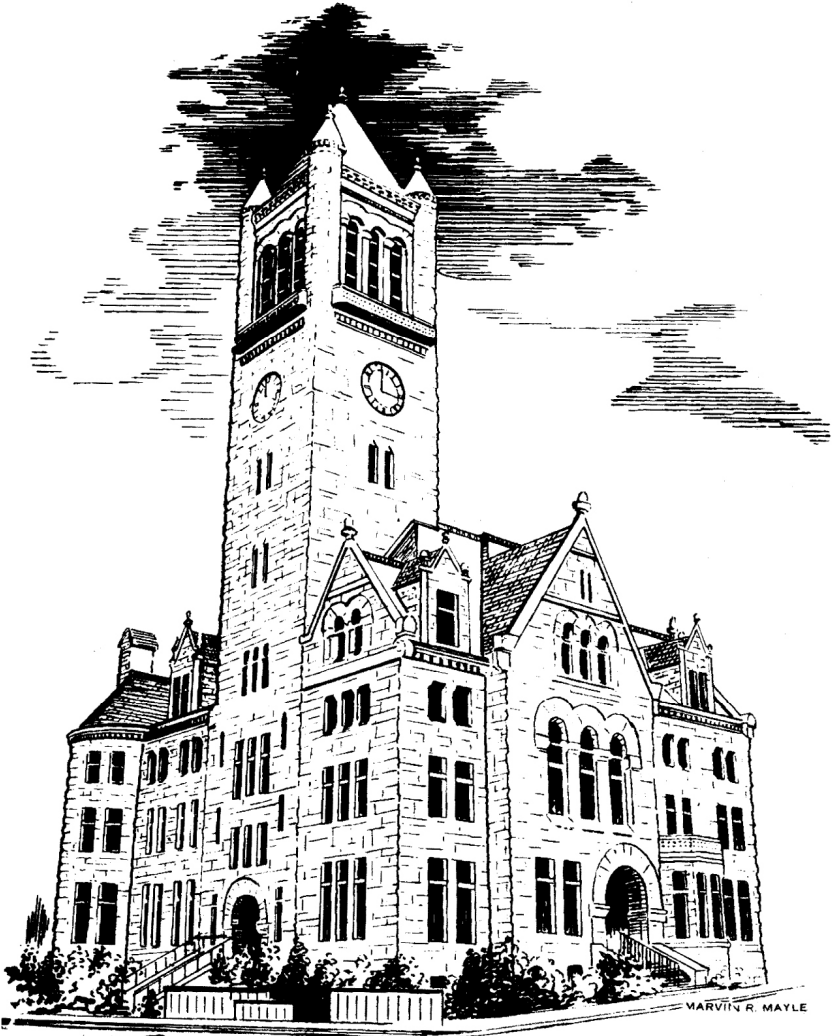


FAYETTE LEGAL JOURNAL

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FAYETTE LEGAL JOURNAL

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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ESTATE NOTICES

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

Third Publication

AUDREY BALAZIK, a/k/a AUDREY JEAN BALAZIK, late of Georges Township, Fayette County, PA (3)

Executrix: Barbara A. Adams
P.O. Box 117
Uniontown, PA 15401
Attorney: Douglas S. Sholtis

SUSAN S. CROW, late of Washington Township, Fayette County, PA (3)

Executor: Lamont R. Richie
138 Deer Lane
Eureka Springs Arkansas, 72632
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

CHRISTINA A. DEFRANK, a/k/a CHRISTINA ANITA DEFRANK, late of Uniontown, Fayette County, PA (3)

Co-Executors: Dean A. DeFrank, Mark A. DeFrank and Armand J. DeFrank, Jr
c/o Goodwin Como P.C.
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401
Attorney: Benjamin Goodwin

RUGG GRADON, late of Springfield Township, Fayette County, PA (3)

Administrators: Aaron Rugg
193 Crowe Road
Acme, PA 15610
Adam Rugg
199 Baptist Church Road
Mill Run, PA 15464
c/o P.O. Box 55
Mill Run, PA 15464
Attorney: Mackenzie Kline

GERALD A. GRIMES, a/k/a GERALD A. GRIMES, SR., late of Menallen Township, Fayette County, PA (3)

Executrix: Barbara E. Grimes
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham

NEIL HELTERBRAN, a/k/a NEIL E. HELTEBRAN, late of Bullskin Township, Fayette County, PA (3)

Administrators: Desiree Kochasic
5909 Mercury Drive
Louisville, Kentucky 40291
Alyssa Helterbran
110 Tall Oaks Tri
Greensburg, PA 15601
c/o P.O. Box 55
Mill Run, PA 15464
Attorney: Mackenzie Kline

PENELOPE LINDSAY, a/k/a PENELOPE S. LINDSAY, late of South Connellsville, Fayette County, PA (3)

Executrix: Wendy Penwell
268 Dunbar Road
Dunbar, PA 15431
c/o Tremba, Kinney, Greiner & Kerr, LLC
1310 Morrell Avenue, Suite C
Connellsville, PA 15425
Attorney: John Greiner

PHILLIP GENE REED, late of Bullskin Township, Fayette County, PA (3)

Administrator: Kevin Charles Gillis
P.O. Box 384
Vestaburg, PA 15368
c/o P.O. Box 488
California, PA 15419
Attorney: Lisa Buday

ROBERT L. SHOWMAN, late of Connellsville, Fayette County, PA (3)

Personal Representative: Peggy A. Wilson
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

RICHARD JESSE WILSON, late of Henry Clay Township, Fayette County, PA (3)
Administratrix: Carolyn A. Wilson
 c/o Proden & O'Brien
 99 East Main Street
 Uniontown, PA 15401
Attorney: Sean M. Lementowski

CATHERINE ZEBULA, late of Washington Township, Fayette County, PA (3)
Executor: Charles E. Zebula
 5210 River Forest Road
 Dublin, Ohio 43017
 c/o 823 Broad Avenue
 Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

Second Publication

ROBERT BARRON, late of Dunbar Township, Fayette County, PA (2)
Personal Representative: Leonard W. Barron
 c/o 208 South Arch Street, Suite
 Connellsville, PA 15425
Attorney: Richard Husband

**TAMARA LYNN HARSHMAN, a/k/a
 TAMARA LYNN HARSHMAN-DEAK**, late of Springhill Township, Fayette County, PA (2)
Administratrix: Tricia Andrews
 c/o Davis & Davis
 107 East Main Street
 Uniontown, PA 15401
Attorney: James T. Davis

MARILOYD MCCLINTOCK, late of South Connellsville, Fayette County, PA (2)
Personal Representative: Holly Sue Hatfield
 1809 3rd. Street
 South Connellsville, PA 15425
 c/o Henderson Law Offices, PC
 319 Pittsburgh Street
 Scottdale, PA 15683
Attorney: Kevin Henderson

FRANK A. PIDANICH, late of Newell, Fayette County, PA (2)
Executor: Frank Pidanich, II
 c/o Davis & Davis
 107 East Main Street
 Uniontown, PA 15401
Attorney: Gary J. Frankhouser

ROBERT W. SHEARER, late of Dunbar Township, Fayette County, PA (2)
Personal Representative: Robin R. Shearer and Lori L. Heinbaugh
 c/o 208 South Arch Street, Suite 2
 Connellsville, PA 15425
Attorney: Richard Husband

**MICHAEL W. TAMBELLINI, a/k/a
 MICHAEL WILLIAM TAMBELLINI**, late of Henry Clay Township, Fayette County, PA (2)
Executrix: Paula Toncheff
 1605 Fallowfield Avenue, Unit 1
 Pittsburgh, PA 1521
 c/o 1650 Broadway Avenue, Floor 1
 Pittsburgh, PA 15216
Attorney: Megan Loftis

First Publication

JOSEPH W. BAKER, JR., late of Bullskin Township, Fayette County, PA (1)
Personal Representative: Susan L. Clark
 c/o Watson Mundorff, LLP
 720 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Shane M. Gannon

PEARL MARIE CORDWELL, late of Springhill Township, Fayette County, PA (1)
Executrix: Joyce Nicklow
 c/o Davis & Davis
 107 East Main Street
 Uniontown, PA 15401
Attorney: James T. Davis

ROBERT DUMLER, late of Redstone Township, Fayette County, PA (1)
Personal Representative: Roger Dumler
 5387 Hilton Road
 Royalton, MN 56373
 c/o 902 First Street, P.O. Box 310
 Hiller, PA 15444
Attorney: Herbert G. Mitchell

KEITH DUANE FIRESTONE, a/k/a KEITH D. FIRESTONE, late of Uledi, Fayette County, PA ⁽¹⁾

Co-Executors: Barbara McCoy and Mark A. Firestone, Jr.
c/o Radcliffe Martin Law, LLC
648 Morgantown Road, Suite B
Uniontown, PA 15401
Attorney: Robert R. Harper, Jr.

GAYLE M. GUTHRIE, late of Dunbar Township, Fayette County, PA ⁽¹⁾

Personal Representative: Michael T. Holt
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

CHRISTOPHER M. HACKNEY, late of Redstone Township, Fayette County, PA ⁽¹⁾

Administrator: Brian Hackney,
a/k/a Brian L. Hackney
132 Lyndale Road
Grindstone, PA 15442
c/o P.O. Box 488
California, PA 15419
Attorney: Lisa Buday

CHARLES L. HENSEL, late of South Connellsville Borough, Fayette County, PA ⁽¹⁾

Personal Representative: Scott L. Hensel
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

MARGARET J. HIBBS, a/k/a MARGARET JEAN HIBBS, late of Luzerne Township, Fayette County, PA ⁽¹⁾

Administrator: Kenneth S. Whitlock
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

LYNN ANN KUHN, late of Bullskin Township, Fayette County, PA ⁽¹⁾

Administrator: Edward M. Kuhn, Jr.
519 Locust Street
Greensburg, PA 15601
c/o David K. Lucas & Associates, PLLC
140 South Main Street, Suite 301
Greensburg, PA 15601

Attorney: David Lucas

CAROLINE G. RIGG, a/k/a CAROLINE RIGG, late of Farmington, Fayette County, PA

Co-Executors: Bryon G. Rigg and ⁽¹⁾ G. Samuel Rigg
c/o Radcliffe Martin Law, LLC
648 Morgantown Road, Suite B
Uniontown, PA 15401
Attorney: William M. Radcliffe

SHIRLEY OLGA SCULLION, a/k/a SHIRLEY O. SCULLION, late of Perryopolis Borough, Fayette County, PA ⁽¹⁾

Personal Representative: Jill Limpert
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

JOANNE SMITH, a/k/a JO-ANNE SMITH, late of Perryopolis, Fayette County, PA ⁽¹⁾

Executrix: Amanda Klink
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

RUTH ANN THORPE, late of German Township, Fayette County, PA ⁽¹⁾

Executor: Ronald Armel
1170 Knox Road
Adah, PA 15410
c/o P.O. Box 488
California, PA 15419
Attorney: Lisa Buday

LILA A. YAUGER, late of South Connellsville Borough, Fayette County, PA ⁽¹⁾

Personal Representative: Virginia Soliday
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

LEGAL NOTICES

LEGAL NOTICE

In the Common Pleas Court of Fayette County, PA, Case No. 2778 of 2024

BULLSKIN STONE & LIME, LLC, Plaintiff, v. HARRY J. STOUFFER; RANDY MILLER; ROBERT MILLER; CHRIS OWEN MILLER; MICHAEL MILLIERN; BRANDON MILLER; ALEX MILLER a/k/a ALEX WATSON; ALYSSA MILLER a/k/a ALYSSA WATSON; STACEY MILLER; BETHANY MILLER; and JENNIFER HALL, Defendants.

To: BETHANY MILLER, heir of Floyd Eugene Miller, Jr., and child of Scot Miller (now deceased), whose last known address was 395 May Street, Worcester, MA 01602.

You are hereby notified that on December 31, 2024, Plaintiff filed a COMPLAINT IN PARTITION against you and other parties in the Court of Common Pleas of Fayette County, PA at Case No. 2778 of 2024, to force the sale or division of certain jointly owned undeveloped property of 53.5 acres located in Bullskin Township, Fayette County, in which you hold an interest.

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.

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Harrisburg PA 17108
800-692-7375

FAYETTE COUNTY BAR ASSOCIATION
LAWYER REFERRAL SERVICE
724-437-7994

Maureen E. Sweeney, Attorney Steptoe & Johnson PLLC One PPG Place, Suite 3300 Pittsburgh, PA 15222 412-504-8045 Maureen.Sweeney@Steptoe-Johnson.com

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA CIVIL DIVISION NO: 2024-02688

TIKVA PARTNERS LLC vs. BARRY W. BOSLEY, AS SURVIVING HEIR OF LEONA PORRECA, DECEASED, CONSTANCE L. WILLIAMS, AS SURVIVING HEIR OF LEONA PORRECA, DECEASED, GERALD L. BOSLEY, AS SURVIVING HEIR OF LEONA PORRECA, DECEASED, PAULA PORRECA-MURRAY, AS SURVIVING HEIR OF LEONA PORRECA, DECEASED, ROBERT C. BOSLEY, SR, AS SURVIVING HEIR OF LEONA PORRECA, DECEASED, TAMMY L. PITMAN, AS SURVIVING HEIR OF LEONA PORRECA, DECEASED, UNKNOWN SURVIVING HEIRS OF LEONA PORRECA, DECEASED, WILLIAM K. BOSLEY, AS SURVIVING HEIR OF LEONA PORRECA, DECEASED,

NOTICE

TO THE DEFENDANTS:

You are hereby notified TIKVA PARTNERS LLC, has filed a Complaint in Mortgage Foreclosure with regard to 150 Eicher Street, Uniontown, PA 15401, endorsed with a Notice to Defend, against you at No. 2024-02688 in the Civil Division of the Court of Common Pleas of Fayette County, Pennsylvania, wherein plaintiff seeks to foreclose on the mortgage encumbering said property, which foreclosure would lead to a public sale by the Fayette County Sheriff.

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.

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

PLAINTIFF'S ATTORNEY:
 STEPHEN M. HLADIK, ESQUIRE
 HLADIK, ONORATO & FEDERMAN, LLP
 298 WISSAHICKON AVENUE
 NORTH WALES, PA 19454, (215) 855-9521

SHERIFF'S SALE

Date of Sale: May 15, 2025

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday May 15, 2025, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauktion on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Realauktion via wire transfer or ACH per Realauktion requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder. (3 of 3)

James Custer
 Sheriff of Fayette County

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 1643 of 2024 G.D.
No. 370 of 2024 E.D.

PENNY MAC LOAN SERVICES, LLC
3043 Townsgate Road
Suite 200
Westlake Village, CA 91361
Plaintiff

vs.

TERRANCE D. BAKER
LATOSHA L. BAKER
Mortgagor(s) and Record Owner(s)
63 Emerson Street
Uniontown, PA 15401
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN CITY OF UNIONTOWN,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 63 EMERSON
STREET, UNIONTOWN, PA 15401

TAX PARCEL #38-17-0024
IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
TERRANCE D. BAKER AND LATOSHA L.
BAKER

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 1442 of 2019 G.D.
No. 43 of 2025 E.D.

PNC BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER TO
NATIONAL CITY BANK
3232 Newmark Drive
Miamisburg, OH 45342
Plaintiff

vs.

ANNA L. BARREIRO aka
ANNA BARREIRO
Mortgagor(s) and Record Owner(s)
4022 Pittsburgh Road
Belle Vernon, PA 15012
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN TOWNSHIP OF PERRY,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.
BEING KNOWN AS: 4022
PITTSBURGH ROAD, BELLE VERNON, PA
15012

TAX PARCEL #27-01-0023
IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF: ANNA
L. BARREIRO aka ANNA BARREIRO

ANNE N. JOHN
ATTORNEY AT LAW

No. 542 of 2023 G.D.
No. 72 of 2025 E.D.

FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF GREENE COUNTY, a
corporation,

vs.

ESTATE OF MARGIE C. BURNS, deceased
and all Known and Unknown Heirs, Devisees,
Representatives, Successors, and Assigns, and
All Persons, Firms or Associations claiming
any Right, Title or Interest from or under
MARGIE C. BURNS, deceased; Crystle
Marsh, in her Capacity as Heir of Margie C.
Burns, deceased, Kyona Gilliam, in her
Capacity as Heir of Margie C. Burns,
deceased, and Julian Marsh in his Capacity
as heir of Margie C. Burns, deceased,
Defendants.

ALL those two certain parcels located in
the First Ward of the Borough of Brownsville,
Fayette County, Pennsylvania.

FOR PRIOR TITLE see Record Book
3036, page 1812.

HAVING erected thereon a dwelling house
known locally as 247 Prospect Street,
Brownsville, PA 15417.

BEING Fayette County Tax Assessment
Map No.: 02-07-0272.

1325 Franklin Avenue, Suite 160
 Garden City, NY 11530
 (212) 471-5100

No. 1039 of 2024 G.D.
 No. 317 of 2024 E.D.

**U.S. Bank Trust, National Association, as
 Trustee of the Bungalow Series IV Trust**

v.

**Heather A. Christopher a/k/a
 Heather Christopher**

By virtue of Writ of Execution No. 317 of
 2024 ED

U.S. Bank Trust, National Association, as
 Trustee of the Bungalow Series IV Trust v
 Heather A. Christopher a/k/a Heather
 Christopher

Docket Number: 2024-01039

Property to be sold is situated in the
 Borough of South Connellsville, County of
 Fayette and Commonwealth of Pennsylvania.

Commonly known as: 137 West Painter
 Street, S. Connellsville, PA 15425 Parcel
 Number: 33-04-0083

Improvements thereon of the residential
 dwelling or lot (if applicable): Residential
 Dwelling

Judgment Amount: \$80,142.15

No. 1901 of 2024 G.D.
 No. 1 of 2025 E.D.

**FIRST NATIONAL BANK OF
 PENNSYLVANIA,**

Plaintiff,

vs.

**KAYLEN N. EUTSEY and SJON-LUC
 BOCHNAK,**
Defendants.

ALL THE RIGHT, TITLE, INTEREST
 AND CLAIM OF KAYLEN N. EUTSEY AND
 SJON-LUC BOCHNAK OF, IN AND TO THE
 FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED
 REAL ESTATE SITUATED IN THE
 TOWNSHIP OF CONNELLSVILLE,
 FAYETTE COUNTY, PENNSYLVANIA.
 HAVING ERECTED THEREON A
 DWELLING BEING KNOWN AND
 NUMBERED AS 608 EAST CRAWFORD
 AVENUE, CONNELLSVILLE, PA 15425.
 DEED BOOK VOLUME 3513, PAGE 102,
 AND PARCEL NUMBER 06-05-0136-02.

Brock & Scott, PLLC

No. 2725 of 2024 G.D.
 No. 28 of 2025 E.D.

FREEDOM MORTGAGE CORPORATION

v.

MAKAYLA K. FRIEND

By virtue of a Writ of Execution No. 2725
 of 2024 GD

FREEDOM MORTGAGE CORPORATION v.
 MAKAYLA K. FRIEND

owner(s) of property situate in the NORTH
 UNION TOWNSHIP, FAYETTE County,
 Pennsylvania, being 131 EDISON ST,
 UNIONTOWN, PA 15401

Tax ID No. 25-28-0026 AKA 25280026

Improvements thereon: RESIDENTIAL
 DWELLING

Judgment Amount: \$224,716.03

KML LAW GROUP, P.C.

Suite 5000

701 Market Street

Philadelphia, PA 19106-1532

(215) 627-1322

No. 95 of 2020 G.D.

No. 4 of 2025 E.D.

LAKEVIEW LOAN SERVICING, LLC

**4425 Ponce De Leon Blvd Mail Stop Ms5/251
 Coral Gables, FL 33146**

Plaintiff

vs.

GEORGE E. GASTER

Morgagor(s) and Record Owner(s)

138 Woodside Oldframe Road

Smithfield, PA 15478

Defendant(s)

ALL THAT CERTAIN LOT OF LAND
 SITUATE IN NICHOLSON TOWNSHIP,
 COUNTY OF FAYETTE AND
 COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 138 WOODSIDE
 OLDFRAME ROAD, SMITHFIELD, PA 15478
 TAX PARCEL #24-12-008701

IMPROVEMENTS: A RESIDENTIAL
 DWELLING

SOLD AS THE PROPERTY OF:
 GEORGE E. GASTER

1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 2553 of 2023 G.D.
No. 53 of 2025 E.D.

**US Bank Trust National Association as
Trustee for LB-Ranch Series V Trust**

v

**Denise Hutchens Known Heir of Kenneth
Steich, Deceased; Unknown Heirs,
Successors, Assigns and All Persons, Firms or
Associations Claiming Right, Title or Interest
From or Under Kenneth Steich, Deceased**

By virtue of Writ of Execution No. 53 od
2025 ED

US Bank Trust National Association as
Trustee for LB-Ranch Series V Trust v Denise
Hutchens Known Heir of Kenneth Steich,
Deceased; Unknown Heirs, Successors, Assigns
and All Persons, Firms or Associations Claiming
Right, Title or Interest From or Under Kenneth
Steich, Deceased

Docket Number: 2553-2023

Property to be sold is situated in the
borough/township of Dunbar, County of Fayette
and State of Pennsylvania.

Commonly known as: 522 Upper Sandy
Hollow Road, Vanderbilt, PA 15486

Parcel Number: 09-10-0065

Improvements thereon of the residential
dwelling or lot (if applicable):

Judgment Amount: \$65,764.93

Padgett Law Group
Jacqueline F. McNally, Esq.
700 Darby Road, Suite 100
Havertown, PA 19083
(850) 422-2520

No. 2267 of 2024 G.D.
No. 8 of 2025 E.D.

MCLP Asset Company, Inc.

v.

Mark A. Johnson and Belinda R. Johnson

By virtue of Writ of Execution No. 2024-
02267

MCLP Asset Company, Inc. v. Mark A.
Johnson and Belinda R. Johnson

Property Address: 232 Cadwallader Street,
Brownsville, PA 15417

Located in the Borough of Brownsville,
County of Fayette, and Commonwealth of
Pennsylvania

Tax Parcel Number: 02060050
Improvements thereon: Single family
residential dwelling
Judgment Amount: \$33,459.68

ANNE N. JOHN, Esq.
ATTORNEY AT LAW

No. 255 of 2024 G.D.
No. 22 of 2025 E.D.

**FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF GREENE COUNTY, a
corporation,**

vs.

**BRIAN P. KEFFER and HEATHER A.
KEFFER,**

Defendants.

ALL that certain piece or parcel of land
situate in South Union Township, Fayette
County, Pennsylvania, known as Lot No. 2 of
the Schnatterly Subdivision as was recorded in
the Office of Recorder of Deeds in and for
Fayette County in Plan Book Volume 61, page
39 on October 23, 2000.

UPON WHICH is erected a residential
single-family dwelling known and designated as
677 Morgantown Road, Uniontown, Fayette
County, Pennsylvania.

FOR PRIOR title see Record Book 3231
page 840.

Assessment Map No.: 34-27-0021.

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2208 of 2024 G.D.
No. 16 of 2025 E.D.

PENNYMAC LOAN SERVICES, LLC

**3043 Townsgate Road
Suite 200**

Westlake Village, CA 91361

Plaintiff

vs.

MARVIN KNIERIEM

Mortgagor(s) and Record Owner(s)

25 Ben Lomond Street

Uniontown, PA 15401

Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN CITY OF UNIONTOWN,

COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.
BEING KNOWN AS: 25 BEN LOMOND
STREET, UNIONTOWN, PA 15401 25 BEN
LOMOND STREET, UNIONTOWN, PA 15401
TAX PARCEL #38-06-0179
IMPROVEMENTS: A RESIDENTIAL
DWELLING
SOLD AS THE PROPERTY OF:
MARVIN KNIERIEM

McCABE, WEISBERG & CONWAY, LLC
1420 Walnut Street, Suite 1501
Philadelphia, PA 19102
(215) 790-1010

No. 146 of 2024 G.D.
No. 373 of 2024 E.D.

Finance of America Reverse LLC
Plaintiff
v.

**Tia Lewis, Known Surviving Heir of Mary
Ellen Fabrycki, Tina Derring, Known
Surviving Heir of Mary Ellen Fabrycki,
Loretta Huntington, Known Surviving Heir
of Mary Ellen Fabrycki, Richie**

All that certain piece or parcel or Tract of
land situate in Luzerne Township, Fayette
County, Pennsylvania, and being known as 414
Middle Avenue, Allison, Pennsylvania 15413.

Being known as: 414 Middle Avenue,
Allison, Pennsylvania 15413

Title vesting in Mary Ellen Fabrycki by
deed from Oliver Crawford, single dated June 4,
1976 and recorded June 4, 1976 in Deed Book
1199, Page 398. The said Mary Ellen Fabrycki
died on July 29, 2023 without a will or
appointment of an Administrator, thereby
vesting title in Tia Lewis, Known Surviving
Heir of Mary Ellen Fabrycki, Tina Derring,
Known Surviving Heir of Mary Ellen Fabrycki,
Loretta Huntington, Known Surviving Heir of
Mary Ellen Fabrycki, Richie Fabrycki, Jr. a/k/a
Richard Fabrycki, Known Surviving Heir of
Mary Ellen Fabrycki, and Unknown Surviving
Heirs of Mary Ellen Fabrycki by operation of
law.

Tax Parcel Number: 19220061

Orlans Law Group PLLC
No. 1981 of 2024 G.D.
No. 54 of 2025 E.D.

Freedom Mortgage Corporation
v.
Jerry Lowry and Katelin Fletcher

By virtue of a Writ of Execution No. 1981
of 2024 GD

Freedom Mortgage Corporation v. Jerry
Lowry and Katelin Fletcher
owner(s) of property situate in the City of
Connellsville, Fayette County, Pennsylvania,
being 519 Newmyer Avenue, Connellsville, PA
15425

Parcel No. 05120134
Improvements thereon: RESIDENTIAL
DWELLING
Judgment Amount: \$101,684.94

Robertson, Anschutz, Schneid, Crane &
Partners, PLLC
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
855-255-6906

No. 2083 of 2022 G.D.
No. 23 of 2025 E.D.

**U.S. BANK TRUST NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS OWNER
TRUSTEE FOR RCF 2 ACQUISITION
TRUST,**
Plaintiff
v.
PATSYHELEN PALM
Defendant(s)

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE IN THE
CITY OF UNIONTOWN, FAYETTE
COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 99 MURRAY AVE
UNIONTOWN, PA 15401
BEING PARCEL NUMBER: 38030131
IMPROVEMENTS: RESIDENTIAL
PROPERTY

No. 2410 of 2024 G.D.
No. 51 of 2025 E.D.

Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454

**PENNSYLVANIA HOUSING FINANCE
AGENCY,
PLAINTIFF
VS.**

No. 117 of 2024 G.D.
No. 41 of 2025 E.D.

**SHEILA ANN PORRECA,
ADMINISTRATRIX OF THE ESTATE OF
JOSHUA W. PORRECA, DECEASED,
DEFENDANT**

**U.S. Bank National Association, not in its
individual capacity but solely as trustee of
NRZ Pass- Through Trust XII
(Plaintiff)**

vs.

**Amy S. Shroyer, Individually and as
Surviving Heir of Donald E. Shroyer, Jr.
a/k/a Donald Eugene Shroyer, Jr., Deceased,
Courtney Grimm, as Surviving Heir of
Donald E. Shroyer, Jr. a/k/a Donald Eugene
Shroyer, Jr., Deceased, Joseph Shroyer, as
Surviving Heir of Donald E. Shroyer, Jr.
a/k/a Donald Eugene Shroyer, Jr., Deceased
and Unknown Surviving Heirs of Donald E.
Shroyer a/k/a Donald Eugene Shroyer, Jr.,
Deceased**

(Defendants)

TRACT 1:

ALL that tract of land in Nicholson
Township, Fayette County, Pennsylvania, being
approximately 154 X 273.47 X 155.09 X
291.98.

TRACT 2:

ALL that tract of land in Nicholson
Township, Fayette County, Pennsylvania,
known as Lot 1 - Adams Plan, Fayette Plan
Book 83, Page 99, being approximately 165.40 x
253.60 x 166.50 x 273.47

HAVING THEREON ERECTED
DWELLING KNOWN AND NUMBERED AS:
210 KONICKI ROAD, MASONTOWN, PA
15461.

TAX PARCEL# 24-12-0058
Fayette Deed Book 3545, page 1764

By virtue of Writ of Execution No. 2024-
00117

U.S. Bank National Association, not in its
individual capacity but solely as trustee of NRZ
Pass- Through Trust XII (Plaintiff) vs. Amy S.
Shroyer, Individually and as Surviving Heir of
Donald E. Shroyer, Jr. a/k/a Donald Eugene
Shroyer, Jr., Deceased, Courtney Grimm, as
Surviving Heir of Donald E. Shroyer, Jr. a/k/a
Donald Eugene Shroyer, Jr., Deceased, Joseph
Shroyer, as Surviving Heir of Donald E.
Shroyer, Jr. a/k/a Donald Eugene Shroyer, Jr.,
Deceased and Unknown Surviving Heirs of
Donald E. Shroyer a/k/a Donald Eugene
Shroyer, Jr., Deceased (Defendants)

Property Address 273 ODonnal Road, Mill
Run, PA 15464

Parcel I.D. No. 35-22-0017

Improvements thereon consist of a
residential dwelling.

Judgment Amount: \$27,011.10

Brock & Scott, PLLC

No. 360 of 2020 G.D.
No. 7 of 2025 E.D.

**WELLS FARGO BANK, N.A.
v.
JASON L. PORTER**

By virtue of a Writ of Execution No. 360
OF 2020, G.D.

WELLS FARGO BANK, N.A. V. JASON L.
PORTER

owner(s) of property situate in the
LUZERNE TOWNSHIP, FAYETTE County,
Pennsylvania, being 267 EAST RIVERSIDE
ROAD, EAST MILLSBORO, PA 15433

Tax ID No. 19-25-0130-01

Improvements thereon: RESIDENTIAL
DWELLING

Judgment Amount: \$117,038.15

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2572 of 2024 G.D.
No. 24 of 2025 E.D.

PENNYMAC LOAN SERVICES, LLC
3043 Townsgate Road
Suite 200
Westlake Village, CA 91361
Plaintiff

vs.

SAMUEL D. SNYDER
Mortgagor(s) and Record Owner(s)
102 South Liberty Street
Masontown, PA 15461
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN MASONTOWN BORO,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 102 SOUTH
LIBERTY STREET, MASONTOWN, PA
15461

TAX PARCEL #21-07-0067
IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
SAMUEL D. SNYDER

STERN & EISENBERG, PC
MATTHEW C. FALLINGS, ESQ.

No. 2151 of 2024 G.D.
No. 18 of 2025 E.D.

**U.S. Bank National Association, not in its
individual capacity but solely in its capacity
as Indenture Trustee of CIM Trust 2021-NR4**
Plaintiff

vs.

**Darlene L. Stanley a/k/a Darlene Stanley and
Timothy M. Stanley a/k/a Timothy Stanley**
Defendant(s)

SITUATE IN SMITHFIELD, FAYETTE
COUNTY, PENNSYLVANIA, BEING
KNOWN AS 126 SHOAF ROAD,
SMITHFIELD, PA 15478

PARCEL NO. 14-12-0033
IMPROVEMENTS - RESIDENTIAL
REAL ESTATE

SOLD AS THE PROPERTY OF- Timothy
M. Stanley and Darlene L. Stanley

Padgett Law Group
Jacqueline F. McNally, Esq.
700 Darby Road, Suite 100
Havertown, PA 19083
(850) 422-2520

No. 2516 of 2024 G.D.
No. 26 of 2025 E.D.

**Federal Home Loan Mortgage Corporation
as Trustee for Freddie Mac Seasoned Credit
Risk Transfer Trust, Series 2022-1**

v.

Joseph P. Terreta

By virtue of Writ of Execution No. 2024-
02516

Federal Home Loan Mortgage Corporation
as Trustee for Freddie Mac Seasoned Credit
Risk Transfer Trust, Series 2022-1 v. Joseph P.
Terreta

Property Address: 812 York Street,
Brownsville, PA 15417

Township of Luzerne, County of Fayette,
Commonwealth of Pennsylvania

Tax Parcel Number: 19130113

Improvements thereon: Single family
residential dwelling

Judgment Amount: \$53,902.26

Brock & Scott, PLLC

No. 2038 of 2023 G.D.
No. 20 of 2025 E.D.

FREEDOM MORTGAGE CORPORATION
v.

**UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS,
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
CHARLES E. CHERESNYE, DECEASED;
VICTORIA VALENCIK, IN HER
CAPACITY AS HEIR OF CHARLES E.
CHERESNYE, DECEASED; JOYCE
SONTHEIMER, IN HER CAPACITY AS
HEIR OF CHARLES E. CHERESNYE,
DECEASED**

By virtue of a Writ of Execution No. 2023-
02038

FREEDOM MORTGAGE CORPORATION v.
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING RIGHT, TITLE
OR INTEREST FROM OR UNDER CHARLES

E. CHERESNYE, DECEASED; VICTORIA VALENCIK, IN HER CAPACITY AS HEIR OF CHARLES E. CHERESNYE, DECEASED; JOYCE SONTHEIMER, IN HER CAPACITY AS HEIR OF CHARLES E. CHERESNYE, DECEASED

owner(s) of property situate in the BOROUGH OF MASONTOWN, FAYETTE County, Pennsylvania, being 2 ARLINGTON AVE, MASONTOWN, PA 15461

Tax ID No. 21-11-0001

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$53,443.22

Brownsville, PA 15417

Seized and sold as the property of Clint W. Zupich, Diane R. Zupich

Judgment Number 2026-2023 (U.S. Bank Trust National Association, as Trustee of LB-Dwelling Series V Trust v Clint W. Zupich)

Dated: December 20, 2024

*** END SHERIFF'S SALE ***

Friedman Vartolo LLP

No. 2026 of 2023 G.D.

No. 369 of 2024 E.D.

U.S. BANK TRUST NATIONAL ASSOCIATION, AS TRUSTEE OF LB-DWELLING SERIES V TRUST,

Plaintiff

vs.

CLINT W. ZUPICH; DIANE R. ZUPICH; HARVIN RENTALS, LLC OF VERONA, PENNSYLVANIA,

Defendant(s)

ALL that certain lot of ground situate in the Second Ward of the Borough of Brownsville, County of Fayette and State of Pennsylvania, known in the Plan or Plot of Krepps' Addition to Bridgeport as Lot No. 23; said plan or plot being recorded in the Office of the Recorder of Deeds of Fayette County, Pennsylvania, in Plan Book 1, page 15; said Lot No. 23 fronting 50 feet on Second Street and extending back with even width 100 feet to Middle Alley; having erected thereon a two-story, frame dwelling and a frame garage.

BEING premises known and numbered as 1106 2nd Street, Brownsville, PA 15417

Tax Parcel Number: 02-07-0106

BEING the same premises which Fayette County Tax Claim Bureau, Fayette County, Pennsylvania, as Trustee by Deed dated December 9, 2022 and recorded in the Official Records of Fayette County on December 14, 2022 in Deed Book Volume 3535, Page 826, granted and conveyed unto Harvin Rentals, LLC of Verona, Pennsylvania.

Robert Fiacco, Esq., Friedman Vartolo LLP, attorney for Plaintiff

Judgment Amount: \$46,806.48

Premise Being: 1106 2nd Street,

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE E&O INSURED WILL TRAVEL ACCEPTING NEW CLIENTS



DiBella Weinheimer

Geer McAllister Best Coco Lloyd Whalen



Holly Whalen ◊ Amy Coco ◊ Bethann Lloyd

INSIST UPON OUR EXPERIENCED TEAM

LAWYERS DEFENDING LAWYERS

- Disciplinary Board
- Legal Malpractice
- Security Fund / IOLTA
- Ethics & Conflict Analysis
- Subpoena Assistance
- Licensure
- Conflict Resolution

WWW.DIBELLA-WEINHEIMER.COM 412 261-2900

JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION

WILLIAM B. BOOKSHAR and :
 SUZANNE S. BOOKSHAR, his wife, :
 and JUSTIN B. BOOKSHAR, :
 Plaintiffs, :
 vs. :
 LENA A. GUESMAN, : No. 1221 of 2002, G.D.
 Defendant. : Honorable Nancy D. Vernon

OPINION AND ORDER

VERNON, J.

February 18, 2025

Before the Court is a Motion for Summary Judgment filed by Plaintiffs William B. Bookshar and Suzanne S. Bookshar, his wife, and Justin B. Bookshar.

In February 2022, Defendant Lena Guesman, a property owner adjacent to the Bookshars, filed a Statement of Adverse Possession claiming ownership of an area of 0.1252 acres of the Bookshars’ property and claiming that adverse entry was made continuously by her since June 1985. Thereafter, the Bookshars filed a Complaint in Ejectment against Guesman disputing her claim of adverse possession and claiming entitlement of their own exclusive possession. By way of Answer and New Matter, Defendant Guesman requested this Court to decree title to her and enjoin the Bookshars’ claims. Subsequently, pursuant to the ten-year limitation for adverse possession of contiguous lots at 42 Pa.C.S.A. §5527.1, Defendant Guesman filed a Complaint to Quiet Title against the Bookshars, at Case No. 510 of 2024, G.D., and the matters were consolidated.

Guesman or her parents, with whom she resided, leased 705 Montview Street from the 1970s through June 2008, when Guesman purchased the property from the Estate of Robert Cutwright, deceased, her landlord. Guesman alleges though that she took possession of the disputed adjacent 0.1252 acres in 1985 when she removed vegetation and planted shrubbery, flowers, and trees on the property, erected no trespassing signs, and installed structures.

The Bookshars filed the instant Motion for Summary Judgment contending Guesman cannot meet the statutory requirements for adverse possession pursuant to the twenty-one-year limitation found at 42 Pa.C.S.A. §5530. Guesman responded contending that she can meet both the historic twenty-one-year limitation, and the more recent statute of ten years enumerated at 42 Pa.C.S.A. §5527.1.

Summary judgment is appropriate where “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 discovery or expert report.” Pa.R.C.P. 1035.2(1). The purpose of the summary judgment process is to determine whether trial is necessary. *Curran v. Philadelphia Newspapers, Inc.*, 439 A.2d 652, 658 (Pa. 1981). Granting a motion for summary judgment requires that there can be no, “genuine issue of material fact and as a matter of law the moving party is entitled to prevail.” *New York Guardian Mortg. Corp. v. Dietzel*,

524 A.2d 951, 952 (Pa. Super. 1987). A material fact is one that directly affects the outcome of the case. *Fortney v. Callenberger*, 801 A.2d 594, 597 (Pa. Super. 2002). The moving party has the burden of demonstrating no dispute of fact exists. *Lyman v. Boonin*, 635 A.2d 1029, 1032 (Pa. 1993). In determining whether to grant summary judgment, the court must view the record in a light most favorable to the non-moving party. *Dorohovich v. West Am. Ins.*, 589 A.2d 252, 256 (Pa. Super. 1991). All well-pleaded facts must be accepted as true and the non-moving party must be given the benefit of all reasonable inferences that can be drawn therefrom. *Goldberg v. Delta Tau Delta*, 613 A.2d 1250, 1252 (Pa. Super. 1992). The grant of a motion for summary judgment must be clear and free from doubt. *Toy v. Metro. Life Ins. Co.*, 928 A.2d 186, 194 (Pa. Super. 2007).

Adverse possession is an extraordinary doctrine which permits one to achieve ownership of another's property by operation of law. The Court begins its analysis with the more recent ten-year statute. Initially, under 42 Pa.C.S.A. §5527.1, title to certain real property may be acquired after ten years of actual, continuous, exclusive, visible, notorious, distinct, and hostile possession of the real property. In June 2019, a legislative amendment shortened the adverse possession period from twenty-one years to ten years for single-family homes situated on parcels of land no larger than one-half acre. For all other real property that does not fall within the amendment's narrow criteria, the statute of limitations for adverse possession remains twenty-one years.

Section 5527.1(h) defines "Real Property" subject to adverse possession under this subsection as:

Real estate not exceeding one-half acre in area that is:

- (1) Improved by a single-family dwelling that is and has been occupied by a possessor seeking title under this section for the full 10 years.
- (2) Identified as a separate lot in a recorded conveyance, recorded subdivision plan or recorded official map or plan of a municipality.

42 Pa.C.S.A. §5527.1(h).

As to contiguous lots, the statute provides,

- (1) Where an additional lot abuts and is contiguous to real property and has been regularly used as part of and incident to the real property, a possessor who seeks to acquire title to real property under this section may also include the contiguous lot in the action to quiet title under subsection (c).
- (2) In order to acquire title to the contiguous lot, the possessor must show that:
 - (i) The area of the contiguous lot as described by the metes and bounds does not exceed a total area of one-half acre when combined with the real property.
 - (ii) The possessor has made actual, continuous, exclusive, visible, notorious, distinct and hostile possession of the contiguous lot for a period of not less than 10 years.

42 Pa.C.S.A. §5527.1(b).

As a matter of law, Guesman cannot proceed under the ten-year statute. The disputed property is not improved by a single-family dwelling and is not identified as a separate lot in a recorded conveyance, subdivision plan, or municipal map or plan. Even if the Court were to apply the contiguous lot provisions of this statute, the disputed 0.1252-acre parcel, when combined with Guesman's existing 0.5381-acre property, totals 0.6633 acres which exceeds the size limitations set forth in 42 Pa.C.S.A. § 5527.1(b)(2)(i).

Turning to the twenty-one-year limitation for adverse possession, Guesman maintains that her possession of the disputed parcel has been actual, continuous, visible, notorious, distinct and hostile possession of the land for twenty-one years.

In ruling on this Motion for Summary Judgment, two elements of adverse possession are in dispute that the Court must determine as a matter of law whether Guesman can establish adverse possession, namely whether she can satisfy the hostility and duration elements of adverse possession. The Bookshars reference Guesman's deposition testimony, in which she stated that she was unaware she did not own the disputed land until receiving their correspondence, arguing that her mistaken belief negates the hostility requirement. Regarding duration, the Bookshars assert that Guesman cannot tack the prior owner's possession onto her own to reach the required twenty-one years, as the recorded deed does not convey the disputed property.

First, as to the element of "hostility" in adverse possession, Pennsylvania does not require ill will or actual hostility but rather an assertion of ownership rights adverse to the true owner. *Brennan v. Manchester Crossings, Inc.*, 708 A.2d 815 (Pa. Super. 1998); *Watkins v. Watkins*, 775 A.2d 841 (Pa. Super. 2001). The Court must look to the actual physical facts of the possession and the evidence, if any, probative of the intent with which the land in question was possessed to determine if such circumstances of notoriety exist so that the true owner is put on notice. *Flannery v. Stump*, 786 A.2d 255, 259 (2001). The nature of the possession alone is what is important and that a sufficiently notorious possession will always be enough to alert the owner. *Schlagel v. Lombardi*, 486 A.2d 491, 494 (1984). The mistaken belief of ownership does not automatically negate the element of hostility as the animus of the possessor is considered irrelevant and instead the focus is on the actual physical facts of possession to determine if the true owner is put on notice. *Tioga Coal Co. v. Supermarkets Gen. Corp.*, 546 A.2d 1, 3 (Pa. 1988) citing *Schlagel*, supra. Possession may be hostile even if the claimant falsely believes that he owned the land in question. *Id.*

Therefore, in Pennsylvania, a mistaken belief that one already owns the land does not preclude a claim of adverse possession as long as the possession is actual, continuous, exclusive, visible, notorious, distinct, and hostile for the statutory period of twenty-one years. As such, Guesman could, as a matter of law, establish hostility even with her mistaken belief of ownership of the disputed.

In considering the duration for the twenty-one-year statute of limitations, Guesman has lived at 705 Montview Street since the 1970s, initially residing there with her parents. From the 1980s until 2008, either Guesman or her parents leased the Montview Street property from Robert Cutwright. In June 2008, Guesman purchased 705 Montview Street from Cutwright's estate; however, the deed of conveyance did not reference the disputed parcel. The Bookshars argue that Guesman cannot tack her owner-

ship with that of Cutwright because he never claimed ownership by adverse possession, and the deed conveying the property to Guesman did not purport to convey the disputed parcel.

In response to the Motion for Summary Judgment, Guesman argues that she does not need to rely on Cutwright’s period of ownership. She asserts that her own actions independently establish adverse possession of the 0.1252-acre tract, regardless of her ownership of 705 Montview Street or the absence of a deed conveying the parcel from Cutwright. Guesman contends that ownership of 705 Montview Street is irrelevant to the determination of her possession of the disputed tract.

Guesman claims to have maintained the disputed tract through continuous occupation, improvements, and installation of structures and no trespassing signs, all of which serve to establish that she has been in actual, continuous, exclusive, visible, notorious, distinct and hostile possession.

The Courts of Pennsylvania have held that similar activities as those engaged in by Guesman are sufficient to establish adverse possession. See, *Gruca v. Clearbrook Cmty. Servs. Ass’n, Inc.*, 286 A.3d 1273, 1276 (Pa. Super. 2022) (maintaining a property by trimming, mowing, and landscaping, along with visible and open use of the land, constituted visible and notorious possession.); *Klos v. Molenda*, 513 A.2d 490, 492 (Pa. Super. 1986) (“The use of land for lawn purposes and the continuous maintenance thereof in connection with a residence, it has been held, are sufficient to establish adverse possession [;]” maintenance of thirty inch strip of lawn for more than twenty-one years sufficient to establish adverse possession claim to strip of grass.); *Ewing v Dauphin County Tax Claim Bureau*, 375 A.2d 1373 (Pa. Cmwlth. 1977) (almost uninterrupted care of disputed property as a lawn from 1945 until 1976, was sufficient to establish adverse possession).

A fact is properly said to be in dispute when it is alleged by one party and denied by the other, and by both with some show of reason. *Knight’s Appeal*, 19 Pa. 493,494 (Pa. 1852). Ownership of the disputed parcel remains in dispute as the Bookshars claim record title and Guesman claims adverse possession. Accepting as true Guesman’s averments, which we must, the Bookshars’ Motion for Summary Judgment must be denied as Guesman could establish adverse possession based solely on her own actions over the requisite twenty-one-year period. Whether Guesman has acquired title to the Property by operation of law is a fact-specific inquiry to be properly considered and determined by the fact finder.

BY THE COURT:
NANCY D. VERNON, JUDGE

ATTEST:
Prothonotary



130th Annual

FAYETTE COUNTY BAR ASSOCIATION

BAR BANQUET

SUNDAY, MAY 18TH

FIRST FLIGHT ISLAND RESTAURANT
301 WHITEHEAD STREET

Key West, Florida

6:00 COCKTAILS & HORS D'OEUVRES
7:00 DINNER

Rsvp TO THE ASSOCIATION BY APRIL 14TH
724-437-7994 *or* GARNET@FCBAR.ORG

FCBA MEMBERS COMPLIMENTARY
GUESTS WELCOME! GUEST FEE \$100



FAYETTE COUNTY BAR ASSOCIATION

Bar Banquet Weekend Itinerary May 16-19

SUGGESTED ACCOMMODATIONS:

Casa Marina or Southernmost Beach Resort



FRIDAY

SUGGESTED FLIGHT:

Allegiant Flight 991

PIT -> EYW 1:59 PM - 4:41 PM

8:30 PM - GHOSTS & GRAVESTONES TOUR (\$40)

SATURDAY

8:00 AM - 10:00 AM - WELCOME BREAKFAST & CLE

Flagler's Restaurant @ Casa Marina
Breakfast Buffet (Complimentary)

1.0 Ethics Credits 8:30 - 9:30 AM (\$20)

6:00 PM - SUNSET SAIL CRUISE

Appetizers & Drinks (\$80)

SUNDAY

10:00 AM - BUTTERFLY CONSERVATORY (\$18)

12:00 PM - ERNEST HEMINGWAY HOME (\$19)

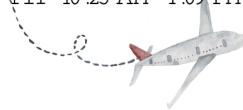
6:00 PM - 130TH ANNUAL BAR BANQUET
First Flight Island Restaurant

MONDAY

SUGGESTED FLIGHT:

ALLEGIANT FLIGHT 1012

EYW -> PIT 10:23 AM - 1:09 PM



LAW DAY MOCK TRIAL COMPETITION AND LUNCHEON**2025 Law Day Mock Trial Competition and Luncheon**

Join your colleagues of the Fayette County Bar Association
and local elected officials on

Thursday, April 3, 2025

Mock Trial Competition

Presiding Judge Linda R. Cordaro
Fayette County Courthouse, Courtroom #2
10:00 a.m.

Frazier School District and Connellsville Area School District
The first twelve volunteers to serve as jurors
will receive a free luncheon.

Law Day Luncheon

Caporella's Ristorante
12:00 p.m.
\$15.00 paid in advance

RSVP for Luncheon and/or to serve as a Mock Trial Juror
on or before Friday, March 21st
cindy@fcbar.org or 724-437-7994

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