
Bradford County Law Journal

Copyright © 2013, Bradford County Bar Association

Published every Tuesday by

Clare Printing

206 S. Keystone Avenue, Sayre, PA 18840

Telephone (570) 888-2244 FAX (570) 888-2295

By requirement of Law and Order of Court the BRADFORD COUNTY LAW JOURNAL is made the medium for the publication of all Legal Advertisements required to be made in the County of Bradford, and contains all Notices of the Sheriff, Register, Clerk of the Courts, Prothonotary and all other Public Officers, Assignees, Administrators and Executors, Auditors, Examiners, Trustees, Insolvents, the formation and dissolution of Partnerships, Divorces &c., affording indispensable protection against loss resulting from want of notice. It also contains the Trial and Argument Lists of all the Courts in Bradford County, and selected Opinions and Decisions of the Courts of Bradford County.

All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. The Law Journal assumes no responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in context.

Legal notices must be received before 10:30 A.M. on the Monday preceding publication or in the event of a holiday on the preceding work day.

Subscription \$75.00 per annum, \$3.00/individual copies.

BRADFORD COUNTY LAW JOURNAL

ESTATE AND TRUST NOTICES

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

Eicher, James C. a/k/a James C. Eicher, Jr.

Late of Bradford County (died January 30, 2013)

Executrix: Susan A. Eicher c/o Niemiec, Smith & Pellingier, Attorneys-at-law, 427 Main Street, Towanda, PA 18848

Attorneys: Niemiec, Smith & Pellingier, Attorneys-at-law, 427 Main Street, Towanda, PA 18848

Janowsky, Fritz C.

Late of Ridgebury Township (died January 3, 2013)

Executor: William C. Janowsky, 3129 Centerville Road, Gillett, PA 16925

Attorneys: R. Joseph Landy, Esquire, Landy & Landy, 228 Desmond Street, P.O. Box 206, Sayre, PA 18840-0206

Smith, Ned M., Jr.

Late of Bradford County

Executrix: Teri L. Smith c/o Griffin, Dawsey, DePaola & Jones, P.C., 101 Main Street, Towanda, PA 18848

Attorneys: Griffin, Dawsey, DePaola & Jones, P.C., 101 Main Street, Towanda, PA 18848

Walsh, Mary Jane

Late of Bradford County

Executor: James B. Walsh c/o Griffin, Dawsey, DePaola & Jones, P.C., 101 Main Street, Towanda, PA 18848

Attorneys: Griffin, Dawsey, DePaola & Jones, P.C., 101 Main Street, Towanda, PA 18848

SECOND PUBLICATION

Shepard, Louise F.

Late of Sayre Borough (died July 4, 2011)

Administrator: Frank Shepard c/o Jonathan P. Foster, Jr., Esquire, 2268 Elmira Street, P.O. Box 400, Sayre, PA 18840

Attorney: Jonathan P. Foster, Jr., Esquire, 2268 Elmira Street, P.O. Box 400, Sayre, PA 18840, (570) 888-1529

THIRD PUBLICATION

Barrett, Janice Elaine

Late of Sylvania Borough

Executor: Joseph K. Barrett, Jr., 339 Marshall Street, Horseheads, NY 14845

Attorneys: Law Offices of van der Hiel, Chappell & Loomis, Northeast Professional Center, Main Street, P.O. Box 156, Rome, PA 18837, (570) 247-2382

Fostle, Nancy Lois a/k/a Nancy Lois Fostle a/k/a Nancy L. Fostle

Late of Wilmot Township (died December 9, 2012)

Co-Executors: Heidi J. Kalinowski, 20 Meadow Lane, Hackettstown, NJ 07840 and Donald E. Hoffer, Jr., 48 Marlin Drive, Whippany, NJ 07981

Attorney: Leslie Wizelman, Esquire, 243 Second St., P.O. Box 114, Wyalusing, PA 18853, (570) 746-3844

Sweeney, Frederick E. a/k/a Frederick Edward Sweeney

Late of Sayre Borough (died March 11, 2012)

Executrix: Susan E. Hartley, 320 South Main Street, Athens, PA 18810

Attorney: Susan E. Hartley, Esquire, 320 South Main Street, Athens, PA 18810

Windle, Margaret L.

Late of Athens Township (died December 28, 2012)

Executor: Robert Windle c/o Patrick J. Barrett, III, Esquire, 96 Hayden Street, Sayre, PA 18840

BRADFORD COUNTY LAW JOURNAL

Attorney: Patrick J. Barrett, III, Esquire,
96 Hayden Street, Sayre, PA 18840

**MISCELLANEOUS LEGAL
NOTICE**

IN THE COURT OF
COMMON PLEAS OF THE
42ND JUDICIAL DISTRICT
BRADFORD COUNTY BRANCH
CIVIL ACTION—LAW

NO. 13QT000054

BEAVER MEADOWS
CEMETERY ASSOCIATION, INC.,
Plaintiff

vs.

EARL FRIEDEMANN, EMMA
A. FRIEDEMANN, and EARL
FRIEDEMANN, JR. their heirs,
successors, grantees and assigns,
and all persons, firms or associations
claiming from, through or under the
above-named parties,
Defendants

ACTION TO QUIET TITLE

NOTICE TO DEFENDANTS:

You have been named as Defendants in a civil action instituted by Plaintiff, Beaver Meadows Cemetery Association, Inc., against you in this Court. Plaintiff alleges in the Complaint in this action that Plaintiff is in possession and is the owner of a parcel of property in Tuscarora Township, Bradford County, Pennsylvania, which lot is assessed as Bradford County Tax Parcel Numbers 54-091.00-073 and 54-091.00-127, and has asked the Court to award title in the said parcel to it.

You are hereby notified to plead to the complaint in this case, of which the above is a brief summary, within twenty days from the date of this publication.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Prothonotary
Bradford County Courthouse
Towanda, PA 18848
(570) 265-1705

Feb. 19

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, February 27, 2013 at 10:00 o'clock in the forenoon the following described property to wit:

Parcel no. 1:

ALL THAT CERTAIN LOT, piece or parcel of land, situate in the Boro of Athens, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the center of the now or formerly Frank Reynolds lot, formerly Mallory lot; thence westerly along the center line of Spruce Street fifty (50) feet to the northeast corner of lot now or formerly of Michael Rothloff, now or formerly of Mallory; thence southerly along the east line of lots last mentioned, one hundred

BRADFORD COUNTY LAW JOURNAL

sixty (160) feet to the north line of lot formerly owned by J. W. Prince, now or formerly D. D. Segar and H. F. Johnson; thence easterly along said now or formerly Segar and Johnson North line and now or formerly line of J. C. Page lot, to the southwest corner of now or formerly Mallory lot before mentioned; thence northerly along the west line of said lot, one hundred sixty (160) feet to the place of beginning.

Parcel no. 2:

ALL THAT CERTAIN LOT, piece or parcel of land situate and being in the BOROUGH OF ATHENS, Bradford County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center of Spruce Street; said beginning point being the Northeast corner of lands now or formerly of Clarence Nothstein; said beginning point also being the Northwest corner of lands described; thence along the center line of Spruce Street North 81 degrees 50 minutes 00 seconds East 25 feet more or less to a point; thence South 08 degrees 14 minutes 15 seconds East 160 feet more or less to a point located in the North line of lands of Gerald A. Cron, now or formerly; thence along the lands now or formerly of said Gerald A. Cron South 82 degrees 06 minutes 26 seconds West 25 feet more or less to a found pin in the East line of lands now or formerly of Clarence and Pauline Nothstein; thence along the line of lands of said Nothstein North 08 degrees 10 minutes 00 seconds West 160 feet more or less to a found pin located on the South line of Spruce Street to a point in the center of said Spruce Street and the place of beginning. Containing 4,016 square feet.

TITLE TO SAID PREMISES VESTED IN Thomas L. Vanderpool, by Deed from Kathleen Knolles, Executrix of the Estate of Pauline Nothstein, dated 03/26/2003, recorded 04/04/2003 in Instrument Number 200304100.

Thomas L. Vanderpool died on 11/10/2009, and Christopher Lee Vander-

pool a/k/a Christopher L. Vanderpool was appointed Administrator of his estate. Letters of Administration were granted to him on 11/19/2009 by the Register of Wills of Bradford County, No. 0809-0330. Decedent's surviving heir(s) at law and next-of-kin are Christopher Lee Vanderpool a/k/a Christopher L. Vanderpool and Kelly Jo Wiggins. By executed waiver, Kelly Jo Wiggins waived her rights to said property.

Premises being: 129 SPRUCE STREET, ATHENS, PA 18810.

Tax Parcel No.1 07-020.14-038-000-000.

Tax Parcel No. 2 07-020.14-039-000-000.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of WELLS FARGO BANK, N.A. vs. CHRISTOPHER LEE VANDERPOOL a/k/a CHRISTOPHER L. VANDERPOOL, IN HIS CAPACITY AS ADMINISTRATOR OF THE ESTATE OF THOMAS L. VANDERPOOL.

Clinton J. Walters, Sheriff
Sheriff's Office
Towanda, PA
Feb. 6, 2013

Feb. 5, 12, 19

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, February 27, 2013 at 10:00 o'clock in the forenoon the following described property to wit:

ALL THAT CERTAIN PROPERTY SITUATED IN THE BOROUGH OF TROY IN THE COUNTY OF BRAD-

BRADFORD COUNTY LAW JOURNAL

FORD AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 01/19/2001 AND RECORDED 02/08/2001. AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 200101529 AND PAGE I AND BEING MORE FULLY DESCRIBED IN A DEED DATED 05/14/1990 AND RECORDED 05/24/1990, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 146 AND PAGE 699.

BEING KNOWN AS: 240 Weigester Street, Troy, PA 16947

PROPERTY ID NO.: 52-068-03-060

TITLE TO SAID PREMISES IS VESTED IN Terry K. May and Cindy Smith BY DEED FROM Terry K. May DATED 06/29/2005 RECORDED 01/20/2006 IN DEED BOOK Instrument #200600802.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of WELLS FARGO BANK, N.A. vs. TERRY K. MAY & CINDY SMITH.

Clinton J. Walters, Sheriff

Sheriff's Office

Towanda, PA

Feb. 6, 2013

Feb. 5, 12, 19

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, February 27, 2013 at 10:00

o'clock in the forenoon the following described property to wit:

ALL THAT PARCEL OF LAND in Township of Athens, Bradford County, Commonwealth of Pennsylvania, as more fully described in Deed Instrument # 200602637, ID# 09-020.18-081-000-000, being known and designated as:

BEGINNING at an iron pin in the south line of Herrick street at the northwest corner of lands of William Sheeler, also being the northwest corner of lot no. 33 of the George E. Herrick plot; thence along the west line of lot no. 33 south nine degrees thirty minutes west (S 9 degrees 30 minutes W) a distance of two hundred thirty-one (231) feet to an iron pin for a corner; thence north eighty degrees thirty minutes west (N 80 degrees 30 minutes W) a distance of one hundred ten (110) feet to an iron pin for a corner; thence north nine degrees thirty minutes east (N 9 degrees 30 minutes E) a distance of two hundred thirty-one (231) feet to an iron pin in the south line of Herrick street; thence along the south line of Herrick street south eighty degrees thirty minutes east (S 80 degrees 30 minutes E) a distance of one hundred ten (110) feet to an iron pin, the point and place of beginning.

LESS AND EXCEPT all oil, gas and minerals, on and under the above described property owned by Grantors, if any, which reserved by Grantors.

SUBJECT to all easements, rights-of-way, protective covenants and mineral reservations of record, if any.

TITLE TO SAID PREMISES VESTED IN Tina M. Tallada, a married woman and Brent J. Beidleman and Carol L. Beidleman, h/w, all as joint tenants with rights of survivorship, by Deed from Tina M. Tallada and Brent J. Beidleman, as joint tenants with rights of survivorship, dated 11/25/2005, recorded 03/09/2006 in Instrument Number 200602637.

Premises being: 334 HERRICK AVENUE, SAYRE, PA 18840-9129.

Tax Parcel No. 09-020.18-081

BRADFORD COUNTY LAW JOURNAL

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of GMAC MORTGAGE LLC. vs. BRENT J. BEIDLEMAN; CAROL L. BEIDLEMAN; TINA M. TALADA.

Clinton J. Walters, Sheriff
Sheriff's Office
Towanda, PA
Feb. 6, 2013

Feb. 5, 12, 19

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, February 27, 2013 at 10:00 o'clock in the forenoon the following described property to wit:

ALL THAT CERTAIN piece parcel or lot of land lying and being situate in the Borough of Canton, County of Bradford and Commonwealth of Pennsylvania, depicted as Lot Number 1 on the survey map entitled Subdivision of Lands of Canton DG Partners LLC dated January 10, 2005 and numbered as Map Number C-B-122 as surveyed by MillStone Surveying recorded in the Office of the Recorder of Deeds of Bradford County on March 23, 2005 as instrument number 200502854 bounded and described as follows:

BEGINNING at the northeasterly corner of Lot 1 on the aforementioned Subdivision of Lands survey map, said point also being along the Westerly side of Troy Street (S.R. 0014); thence South seven (7) degrees forty-five (45) minutes nineteen (19) seconds East one hundred thirty-nine and sixty-six hundredths (139.66) feet to a point; thence South

seven (7) degrees forty-two (42) minutes four (4) seconds East one hundred thirty-eight and fifty-eight hundredths (138.58) feet to an iron pin; thence North eight-four (84) degrees thirty (30) minutes zero (00) seconds West two hundred forty-nine and thirty-five hundredths (249.35) feet along the north line of lands now or formerly owned by T & E Realty Company, Inc., to an iron pin; thence North fifteen (15) degrees fifty-five (55) minutes zero (00) seconds East forty-five and fourteen hundredths (45.14) feet to an iron pin along south line of lands now or formerly of Gerald D. Bailey; thence along Bailey lot South eight-four (84) degrees forty-eight (48) minutes zero (00) seconds East thirty-five and eleven hundredths (35.11) feet to an iron pin; thence continuing along Bailey lot North fifteen (15) degrees fifty-five (55) minutes zero (00) seconds East two hundred seven and seventy-nine hundredths (207.79) feet to an iron pin; thence North eight-four (84) degrees eleven (11) minutes twenty-five (25) seconds East sixty-six and thirty-seven hundredths (66.37) feet along the line of lands now or formerly of Ronald F. Morgan to a point; then South zero (00) degrees ten (10) minutes seventeen (17) seconds West forty-seven hundredths (0.47) of a foot to a point; thence North eight-two (82) degrees fourteen (14) minutes forty-one (41) seconds East forty and eighty hundredths (40.80) feet to a point along the Westerly side of Troy Street and the place of BEGINNING.

CONTAINING 43,096.70 square feet, more or less.

BEING A PORTION of the same premises James E. Grue by deed dated November 4, 2003, and recorded on November 20, 2003, in the Office of the Recorder of Deeds for Bradford County, Pennsylvania, as instrument number 200317745, granted and conveyed unto the Canton DG Partners, LLC.

BEING part of Tax Parcel Nos. 14-105.03-067 and 14-105.03-081.

BRADFORD COUNTY LAW JOURNAL

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of SUSQUEHANNA BANK vs. CANTON DG PROPERTIES, LLC.

Clinton J. Walters, Sheriff
Sheriff's Office
Towanda, PA
Feb. 6, 2013

Feb. 5, 12, 19

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wed., February 27, 2013 at 10:00 o'clock in the forenoon the following described property to wit:

All that certain lot, piece or parcel of land situate, lying and being in the township of Pike, county of Bradford and commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point for a corner in the center of township road no. T-622, said point being in line of lands now or formerly of Michael McCarthy, said point also being the southwesterly most corner hereof; thence through an iron pipe at roadside, along lands now or formerly of said mccarthy, along stonewall, hedgerow and fence, north 23 degrees 41 minutes east 305 feet to an iron pipe for a corner; thence through lands now or formerly of Ervin Miller, south 53 degrees 07 minutes east 300 feet to an iron pipe for a corner; thence through said lands of ervin miller, now or formerly, south 23 degrees 41 mintues west 305 feet through an iron pipe

at roadside to a point for a corner in the center of township road no. T-622; thence along the center of said road, north 53 degrees 07 minutes west 300 feet to a point for a corner; the place of beginning.

TITLE TO SAID PREMISES VESTED IN Michael E. Fabrizio and Tammy Fabrizio, h/w and Bonnie S. Merritt-Muench, a single woman, by Deed from Michael E. Fabrizio, a married man and Bonnie S. Merritt-Muench, a single woman, dated 07/12/2007, recorded 08/28/2007 in Instrument Number 200709824.

Premises being: 1207 CHEESE HOUSE ROAD a/k/a RR 2 BOX 71B, LE-RAYSVILLE, PA 18829.

Tax Parcel No. 29-064.00-049-000-000.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of BANK OF AMERICA, N.A. vs. MICHAEL E. FABRIZIO; TAMMY FABRIZIO; & BONNIE MERRITT-MUENCH.

Clinton J. Walters, Sheriff
Sheriff's Office
Towanda, PA
Feb. 6, 2013

Feb. 5, 12, 19

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, February 27, 2013 at 10:00 o'clock in the forenoon the following described property to wit:

ALL THAT CERTAIN LOT, piece or parcel of land situate and being in the BOR-

BRADFORD COUNTY LAW JOURNAL

OUGH OF SAYRE, COUNTY OF BRADFORD, AND COMMONWEALTH OF PENNSYLVANIA, bounded and described as follows, to wit:

BEGINNING at a point in the South line of Harris Street, 139.5 feet Easterly from the intersection of the East line of Peck Street and the South line of Harris Street, running thence Southerly along the East line of Lots Numbered 21, 22, and 23, one hundred and twenty (120) feet to a point which is the Southeast corner of Lot No. 23; thence Easterly along the North line of Lot No. 33, thirty eight (38) feet to a corner; thence Northerly and on a line parallel with the first described line and along lands now or formerly of Daisy Hoyt, two (2) feet from the West line of Lot No. 35, one hundred and twenty (120) feet in the South line of Harris Street; thence westerly along the South line of Harris Street, thirty-eight (38) feet to the place of beginning. Being parts of Lot No. 34 of the Peck Land Company tract, as shown on a map by Rushton Smith, C.E., and filed in the Register and Recorder's Office of Towanda, Pennsylvania.

AND ALSO, UNDER AND SUBJECT to the ultimate width of right-of-way of any public highways, roads, or streets, all public utility rights-of-way, whether or not of record, as well as to any and all easements or rights-of-way visible upon the said premises hereby conveyed or affecting the same as a matter of record.

BEING the same premises which Nasco Industries, Inc., a corporation, by Deed dated November 1, 2001 and recorded November 13, 2001 in the Office of the Recorder of Deeds in and for Bradford County as Instrument Number 200113715, granted and conveyed unto Scott J. Harbst and Heather M. McCutcheon, Joint Tenants with Right of Survivorship, in fee.

PARCEL NO. 35-007.13-120.

Notice: To all parties in interest and claimants—A schedule of distribution will

be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of BENEFICIAL CONSUMER DISCOUNT COMPANY vs. SCOTT J. HARBST & HEATHER M. McCUTCHEON a/k/a HEATHER M. HARBST.

Clinton J. Walters, Sheriff

Sheriff's Office

Towanda, PA

Feb. 6, 2013

Feb. 5, 12, 19

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on Wednesday, February 27, 2013 at 10:00 o'clock in the forenoon the following described property to wit:

Legal Description

ALL that certain lot, piece or parcel of land situate in the Township of Standing Stone, County of Bradford, Commonwealth of Pennsylvania, bonded and described as follows:

BEGINNING at a point in the center of Roosevelt Highway 21 feet Westerly from a joint and station in the concrete, being State Highway Station No. 1726; thence North $14^{\circ} 30'$ East 149 feet to an iron bar for a corner, the end of the first course; thence South $75^{\circ} 30'$ East 105 feet to a point marked with an iron bar for a corner, the end of Course No. 2; thence South $14^{\circ} 30'$ West 35 feet to a point marked by an iron bar, the end of the third course; thence South $75^{\circ} 30'$ East 170.70 feet to a point marked by a bar for a corner, the end of Course No. 4; thence South 4° West 116 feet to a point in the center of

BRADFORD COUNTY LAW JOURNAL

Roosevelt Highway, 75.33 feet Westerly from a joint in the said concrete and diagonally 23.5 feet Southeasterly from the North end of a culvert across said highway, being the end of the fifth course; thence along the center of said highway North 75° 30' West 296.67 feet to the place of beginning.

Subject to the rights and privileges with respect to certain restrictions, covenants and easements created in a Deed conveyed by Fed L. Clagett and Pearl M. Clagett, his wife, to Milton H. Vanness and Emma C. Vanness, his wife, dated May 17, 1928 and recorded October 1, 1928 in Bradford County Deed Book 369, page 401.

1. The center point of the said well in question, located upon lands of Fred L. and Pearl M. Clagett, his wife, is determined by beginning at the Northwest corner of the lands above at the end of the first course and extend this first course North 14° 30' East 55 feet from and upon other lands of the Grantors; from thence going South 30° East 112.5 feet to the center of the said well, which point can also be determined by beginning at the Southwest corner of the lands above described at the point of beginning on the Roosevelt Highway and going South 75° 30' East 112.5 feet; thence North 14° 30' East 204 feet to the center of the said well.

2. The said well has recently been dug and stoned up a depth of approximately 30 feet and about 3 feet in diameter on the inside in the clear.

3. The water from this well is to be and is piped from said well in a Southwesterly course crossing the second or 105 feet course above, being the line bounding the Northwesterly portion of the lands above about 55 feet South 75° 30' East from the Northwest corner of the above described lands and approximately as now located upon the ground, first, over other lands of the Grantors to and upon the lands of the Grantees as described hereinabove, being to and into the dwelling house thereon and then continuing

in the changed course Westerly to a building lot of the Grantors adjoining and just Westerly from the lands conveyed hereby to the Grantees and on which premises the unused water surplus passing the said pipes may be obtained controlled and disposed of by the Grantors.

4. It is understood that dwellings may be erected and occupied on both of the said building lots of the parties hereto, namely: upon the Western end of the lands above described and upon the adjoining building lot or lands of the Grantors immediately West of the lands above described, that may obtain water from the said well, and it is understood that the water may and shall be obtained and taken by a pipe located at and in said well and running thence Southwesterly in the ground a sufficient depth to avoid frost, which pipe shall be one inch in diameter to and upon the Grantees' lands for its use by the Grantees and including any outlets on the Grantees' premises at and from its change of course Westerly, containing and extending in that direction upon other lands or building lots of the first parties, the size of the pipe shall be reduced to 3/4 of an inch in diameter.

5. It is understood that the well in question complete, including the top, cover or wellhouse that may be constructed for its protection and the placing, maintenances, replacement and repairs at all times of the water pipe continuing first, over lands of the Grantors to, in and upon the premises and dwelling of the Grantees and from the Grantees to, in and upon the premises and dwelling of the Grantors, located on the lands adjoining the lands above described on the West, to the cellar of each party, as now existing or as the same may be located and made on the respective properties at the suggested locations, namely: the Grantees on the Northern half of the lands above described and the Grantors not more than 100 feet from the Westerly line of the lands of

BRADFORD COUNTY LAW JOURNAL

the Grantees, in common and equally, share and pay alike, the placing and maintenance to be done promptly in a workmanlike and first class manner with the materials suited and corresponding and workmanship of the best for the purpose. Each party to take care of any pipe or openings from the main to and from the same to any part of their respective dwelling. The Grantees hereof to have the use of the water only for the one dwellings and occupants of the same for general family, home and household purposes.

6. It is anticipated and contemplated that the water supply will be sufficient to provide for the dwelling, family and home of the two respective parties hereto and should the flow be not automatic and spontaneous and force be necessary to pump or draw the same through the water pipes the parties hereto shall each, as near as may be, do one-half and pay one-half of the expense of pumping or forcing the water with sufficient power and force to provide for reasonable and ordinary use in the respective dwelling and for use, if desired, by either party in the second stories in the ordinary way in their respective dwellings.

7. The use of the water from the said well and all rights, duties and obligations of the respective parties hereto shall be equal, in common and acting and operation in common for the mutual convenience and needs of the respective parties for the said single dwelling house and incidental use each on their respective building or residence properties or premises, with the understanding that each shall be entitled to have and use an equal amount of water, each being economical and saving of the same so as not exhaust the supply and when short or low, each party shall be equally entitled to an equal amount of the same as near as may be, and when the supply is sufficient and a surplus the Grantors hereof shall make some proper distribution of the same upon and over their premises.

8. Should either party neglect to do an perform his part of the work and expense in the maintenance of the said well, piping and water works promptly and with speed and expedient when required, either one may do the work and furnish the materials and the proportionate share of the expenses of the delinquent party shall be by him repaid to the party making the expenditure and doing the work.

9. That neither party can be arbitrary or oppressive hereunder, as a part of the consideration hereof it is agreed that any disputes that may arise shall be submitted to arbitration as follows:

Either party aggrieved or desiring, may specify in writing the subject of dispute and name an arbitrator on his side, the other party shall within one day name an arbitrator on that side and two named shall choose an umpire. All the arbitrators shall be residents of Bradford County. If the party applied to shall neglect or refuse to choose within the time mentioned the party applying may go to one of the two nearest Justices to the premises or operations, who shall name an arbitrator for the defaulting party, and in case the two arbitrators chosen shall fail to agree on an umpire within two days, the one applying for the arbitration may call upon one of the two nearest Justices to the nearest premises or operations to name the umpire and the three so chosen, or any two of them, with not less than two days' notice to all and to the parties interested, shall meet upon the premises and hear the matter in dispute and make full investigation, and their award in writing or any two of them concerning the subject in controversy, as well as who shall pay the costs of the arbitration, which shall not include any witnesses, shall be final and conclusive upon the parties, without any right or appeal or proceedings at law under any circumstances, but it is agreed that if the award shall be a money award, that then the same may be entered as a judgment in any

BRADFORD COUNTY LAW JOURNAL

court of record waiving all irregularities and informalities and proceeded on accordingly by execution, etc., with all of the waivers of inquisition, exemption, stay, error, and appeal laws, and this arbitration may be renewed from time to time whenever the parties shall disagree, the purpose of being to avoid any litigation under any circumstances.

10. This it to extend to the parties, their heirs and assigns, and shall be appurtenant attached to, charges upon and covenants running with and in connection with the lands of the respective parties hereto.

BEING the same premises conveyed to Christopher C. Lee, single, and Shelly M. Lane, single, by Tari K. Trowbridge and Thor W. Trowbridge, her husband, by Deed dated October 2, 2007 and recorded October 3, 2007, to Bradford County Instrument Number 200711478.

Property Address: 35625 Route 6, Wyalusing, PA 18853

Parcel No.: 43-089.00-124-000.000

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of PEOPLES STATE BANK OF WYLAUSING vs. CHRISTOPHER C. LEE & SHELLY M. LANE.

Clinton J. Walters, Sheriff

Sheriff's Office

Towanda, PA

Feb. 6, 2013

Feb. 5, 12, 19

SHERIFF'S SALE

By virtue of a Writ of Execution issued out of the Court of Common Pleas of Bradford County, to me directed and delivered, I will expose to Public Sale at the Bradford County Courthouse in Towanda, PA on

Wednesday, February 27, 2013 at 10:00 o'clock in the forenoon the following described property to wit:

EXHIBIT "A"

Parcel No. 30-004.00-006-000-000

ALL those certain lots, pieces or parcels of land situate, lying and being in the Township of Ridgebury, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows:

Parcel No. 1:

BEGINNING at a point where the centerline of State Highway Route No. 08061 and Township Road No. 838 intersects; thence the following courses and distances along the centerline of State Highway Route No. 08061: North 88° 28' 35" East 68.18 feet, North 71° 52' 26" East 56.38 feet, North 60° 08' 48" East 85.22 feet, North 56° 45' 02" East 219.44 feet, North 61° 59' 53" East 89.03 feet, North 71° 54' 54" East 65.62 feet, North 80° 07' 16" East 48.64 feet, South 89° 44' 23" East 55.34 feet, South 82° 44' 54" East 255.80 feet, North 74° 36' 06" East 70.90 feet, North 57° 20' 06" East 151.20 feet to a point for a corner; thence leaving said State Highway, South 18° 08' 22" East through an iron pin located near the edge of the roadway 1148.61 feet to an iron pin in line of lands of Paul Pautz; thence along lands of Paul Pautz and Harold Pautz North 81° 34' 45" West 1,393 feet through an iron pin located near the edge of the roadway to a point on the centerline of Township Road No. 838; thence along the centerline of said roadway North 3° 15' 25" West 363.12 feet to a point; thence still along same North 8° 50' 08" West 206.96 feet to the point and place of beginning.

CONTAINING 24.018 acres.

BEING the same lands shown on a survey of Pleasant View Subdivision by John W. Ward, Registered Surveyor of the Commonwealth of Pennsylvania No. 22843-E, and being survey dated December 20, 1982, and designated Map No. R-8, Sheet 1.

BRADFORD COUNTY LAW JOURNAL

Parcel No. 2:

BEGINNING at a point on the centerline of State Highway Route No. 08061, said point being at the northeasternmost corner of lands now or formerly of Raymond O'Donnell; thence South $9^{\circ} 45' 29''$ West through a found iron pin located near the edge of the roadway and along lands of Raymond O'Donnell 2,026.4 feet to a found iron pin; thence still along land of O'Donnell South $80^{\circ} 14' 31''$ East 208 feet to a found iron pin in line of land of Versa Land, Inc.; thence along lands of Versa Land, Inc., South $9^{\circ} 59' 19''$ West 678.87 feet to a found iron pin in line of lands of Wardell Jackson; thence along lands of Jackson and Paul Pautz North $81^{\circ} 34' 45''$ West 1,409.89 feet to an iron pin for a corner; thence North $18^{\circ} 08' 22''$ West 1,148.61 feet through an iron pin to a point on the centerline of State Highway No. 08061 at the easternmost corner of lands now or formerly of Calvin Makovitch; thence along the centerline of State Highway Route No. 08061 the following courses and distances: North $49^{\circ} 18' 55''$ East 129.28 feet, North $49^{\circ} 21' 55''$ East 233.7 feet, North $47^{\circ} 59' 12''$ East 246.87 feet, North $51^{\circ} 20' 02''$ East 98.24 feet, North $53^{\circ} 29' 55''$ East 148.79 feet, North $51^{\circ} 39' 53''$ East 77.99 feet; thence leaving said roadway and along land of Kenneth Jacklin the following courses and distances: South $35^{\circ} 17' 16''$ East 166.5 feet through a found iron pin located near the edge of the roadway to a found iron pin for a corner; thence North $56^{\circ} 12' 44''$ East 200 feet to a found iron pin; thence North $35^{\circ} 17' 16''$ West 166.5 feet to a point on the centerline of State Highway Route No. 08061; thence along the centerline of said State Highway South $56^{\circ} 12' 44''$ West 181.27 feet; thence leaving said State Highway (no longer along the lands of Jacklin) North $82^{\circ} 30' 30''$ West 856.3 feet through an iron pin located near the edge of the roadway to an iron pin for a corner; thence North $11^{\circ} 50' 53''$ West 1,573.84 feet to an

iron pin for a corner in line of lands of Cotton Hanlon, Inc., thence along lands of Cotton Hanlon, Inc., South $81^{\circ} 25' 02''$ East 1,578.79 feet to an iron pin for a corner at the corner of lands of Cotton Hanlon, Inc., and James Brooks; thence along lands of James Brooks South $81^{\circ} 17' 43''$ East 1,189.8 feet to an iron pin; thence still along same South $9^{\circ} 49' 11''$ West 361.39 feet through an iron pin located near the edge of the roadway to a point on the centerline of State Highway Route No. 08061; thence along the centerline of said State Highway South $68^{\circ} 49' 52''$ West 242.7 feet to the point and place of beginning.

CONTAINING 138.987 acres.

BEING the same lands designated Lot 3, 138.987 acres, shown on a survey of Pleasant View Subdivision by John W. Ward, Registered Surveyor of the Commonwealth of Pennsylvania No. 22843-E, and being survey dated December 20, 1982, and designated Map No. R-8, Sheet 2 of 3.

Parcel No. 30-004.00-007-000-000

ALL that certain lot, piece or parcel of land, situate lying and being in the Township of Ridgebury, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows:

North by lands of Otto S. Makinster and Della M. Makinster; East by lands of Chester J. Augustine and Frances E. Augustine and Jean Kocourek and John Kocourek; South by lands of Clarence C. Campbell and Beatrice Aber; and West by lands of Clarence C. Campbell in South Creek Township.

The lands above conveyed are better described according to a survey prepared by John W. Ward, Registered Surveyor, dated May 7, 1991, and bearing Map No. R-39, as follows: BEGINNING at a found pin marking the northeasterly corner of lands of Scott Carpenter and the southeasterly corner of the lands hereby described and said found pin being the westerly line of lands of William Bowman; thence from said point of begin-

BRADFORD COUNTY LAW JOURNAL

ning and along the northerly line of lands of Scott Carpenter as marked by a fence, North 79° 40' 07" West 490.40 feet to a found pin marking the northwesterly corner of lands of said Carpenter and the northeasterly corner of lands of William Wishwanick; thence along the northerly line of lands of William Wishwanick as marked by a fence, North 78° 59' 08" West 1142.45 feet to a pin marking the southwestly corner of the lands hereby described and the southeasterly corner of lands of Paul Pautz; thence along the easterly line of lands of said Pautz as marked by a fence, North 7° 25' 12" East 1658.01 feet to a pin in the southerly line of lands of E. Wayne Pocius, said pin marking the northwesterly corner of the lands hereby described; thence along the southerly line of lands of said Pocius, the following two courses and distances: (1) South 81° 34' 45" East 478.96 feet along a blazed line to a found pin, and (2) South 82° 11' 30" East 1246.50 feet to a found pin in the westerly line of lands of William Bowman, said found pin also marking the northeasterly corner of the lands hereby described; thence along the westerly line of lands of said Bowman as marked by a fence, the following two courses and distances: (1) South 10° 43' 39" West 1017.87 feet to a found pin, and (2) South 10° 19' 46" West 722.48 feet to a found pin, said found pin marking the southeasterly corner of the lands hereby described and being the point and place of beginning.

CONTAINING 65.398 acres, more or less.

Parcel No. 30-004.00-008-000-000

ALL that certain lot, piece or parcel of land situate, lying and being in the Township of Ridgebury, County of Bradford and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the Southwest corner of the lands herein described; said

beginning point also being the Southeast corner of other lands of the herein previous grantee, Barry Schoenly; thence along the East line of other lands of said Barry Schoenly, and Raymond O'Donnell, now or formerly, North 10 degrees East 2,318 feet to a point; thence North 82 degrees East 1,260 feet to a point; thence along the West line of John Campbell South 10 degrees West 553 feet to a found pipe; thence along the west line of other lands of Versa Land, Inc., the following courses and distances: South 8 degrees 55 minutes 57 seconds West 386.91 feet to a found bolt; thence South 11 degrees 16 minutes 36 seconds West 981.58 feet to a pin; thence South 7 degrees 23 minutes 57 seconds West 381.92 feet to a found pipe; thence South 82 degrees West 1,260 feet to a point and the place of beginning.

CONTAINING 63.0 acres of land.

BEING the same premises surveyed by George K. Jones and Associates in May and June, 1980, Map No. 5372-3, Sheet No. 1.

Parcel Nos. 40-003.00-080-000-000

ALL those certain lots, pieces or parcels of land situate, lying and being in the Township of South Creek, County of Bradford and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center line of SR 4030 where the lands of Norman Burt and Frances Whitesell come together; thence follow the center line of said State Route the following two (2) courses and distances: South 66° 27' 23" East 339.84 feet; thence South 76° 50' 06" East 57.16 feet to another point in the center line of said State Route where the center line of Township Road T 838 intersects with the state route; thence leave the center line of said state route and follow the center line of T 838 the following two (2) courses and distances: South 9° 03' 05" East 206.96 feet; thence South 3° 28' 22" East 363.12 feet to another point in the center line of T 838; thence leave the center

BRADFORD COUNTY LAW JOURNAL

line of T 838 and go North 80° 31' 11" West 523.11 feet through one pin and on to a second pin for a corner; thence North 8° 30' 41' East 636.45 feet through a pin set near the center line of SR 4030 and on to a point in the center line of SR 4030, which is the point and place of beginning.

CONTAINING 6.16 acres.

BEING AND INTENDING TO DESCRIBED the lot marked 6.16 acres on survey by John W. Ward, Registered Surveyor, survey dated October 6, 1989 and being Map No. S-51.

BEING the same premises conveyed to Endless Mountains Investors, LLC by E. Wayne Pocius and Ruth J. Pocius, his wife

by her Attorney-in-Fact, E. Wayne Pocius by Deed dated August 6, 2009 to be recorded immediately prior hereto.

Notice: To all parties in interest and claimants—A schedule of distribution will be filed by the Sheriff not later than thirty (30) days after sale and distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days thereafter.

Seized and taken into execution at the suit of SUSQUEHANNA BANK vs. ENDLESS MOUNTAINS INVESTORS, LLC.
Clinton J. Walters, Sheriff
Sheriff's Office
Towanda, PA
Feb. 6, 2013

Feb. 5, 12, 19