

Adams County Legal Journal

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NOTICE OF WINDING UP
OF GORMLEY ELECTRICAL
SERVICES, INC.

NOTICE IS HEREBY GIVEN TO ALL persons interested or who may be affected, that Gormley Electrical Services, Inc., with its office at 290 Seymore Road, Gettysburg, Mount Pleasant Township, Adams County, Pennsylvania, a business corporation, has elected, pursuant to Resolution duly proposed at a meeting of the Board of Directors and approved at a meeting of the Shareholders, to voluntarily dissolve the corporation and intends to file Articles of Dissolution with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania. The Board of Directors is now engaged in winding up and settling the affairs of said corporation so that its corporate existence shall be ended under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

Harold A. Eastman, Jr.
Barley Snyder LLP
123 Baltimore Street, Suite 101
Gettysburg, PA 17325

9/2

ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on August 17, 2022, for a proposed nonprofit corporation to be known as NEIGHBORHOOD EMERGENCY AID RESPONSE formed pursuant to the provisions of the Nonprofit Corporation Law of 1988, 15 Pa. C.S. Section 5306, et seq.

The proposed nonprofit corporation is organized exclusively for charitable purposes as defined in Section 501(c)(3) of the Internal Revenue Code. In furtherance of its purposes, the corporation may exercise all rights, privileges, powers and authority of a corporation organized under the Nonprofit Corporation Law of 1988, as amended.

Barley, Snyder LLP
Attorneys

9/2

ROBERT E. GARLIN VS. LATIMORE TOWNSHIP ZONING HEARING BOARD VS. LATIMORE TOWNSHIP

1. Property 861 is improved with a white brick single-family home. The other parcel owned by Appellant (hereinafter “Property 859”) is located at 859 Pondtown Road in Latimore Township ... Property 859 is improved with, inter alia, a mobile home. Several years ago, Appellant resided at Property 861, but currently both Property 861 and Property 859 (collectively “the Properties”) are unoccupied.

2. [O]n March 27, 2019, Mr. Shambaugh sent Appellant another letter instructing Appellant to remove the mobile home and accumulated garbage from the Properties by June 1, 2019.

3. In the summer of 2019, Mr. Shambaugh conducted an additional inspection of the Properties. Again, Mr. Shambaugh did not enter the white house or the mobile home. However, Mr. Shambaugh observed garbage littered almost everywhere throughout the Properties, which remained in “deplorable” condition.

4. The Board held a hearing on the Enforcement Notices on October 5, 2021. Mr. Shambaugh testified that he had visited the Properties hours before the hearing and that the Properties remained in violation of the Ordinance because of Appellant’s continued failure and refusal to address the issues referenced in the Enforcement Notices.

5. On January 7, 2022, Appellant filed a Notice of Land Use Appeal. On January 18, 2022, Latimore Township (hereinafter “intervenor”) filed a Notice of Intervention pursuant to 53 P.S. § 11004-A.

6. Appellant raises three claims on appeal to this Court. First, Appellant argues that evidence allegedly illegally obtained by Mr. Shambaugh must be stricken from the record. Second, Appellant claims the Township failed to meet its burden to prove that he violated Section 306 of the Ordinance. Finally, Appellant contends the Township failed to meet its burden to prove that he violated Section 521.A of the Zoning Ordinance.

7. [T]he evidence in this matter amply supports the Board’s sound conclusion that the Properties were in violation of Sections 306 and 521.A of the Ordinance.

8. Thus, Appellant’s serious neglect in the maintenance of the Properties was sufficient to create a hazard and a substantial adverse effect upon the reasonable enjoyment of the surrounding properties, which could not but be seriously diminished by the unsightly condition of Property 861 and Property 859.

9. The evidence in this matter indicates that Mr. Shambaugh permissibly obtained the complained-of evidence under the open fields doctrine.

10. Appellant claims that Mr. Shambaugh’s inspection of the Properties constituted a trespass, but this assertion cannot establish a violation of Appellant’s constitutional rights. Thus, the Court concludes that Mr. Shambaugh legally obtained the photographs admitted at the hearing.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, 2022-SU-15, ROBERT E. GARLIN VS.
LATIMORE TOWNSHIP ZONING HEARING BOARD VS.
LATIMORE TOWNSHIP

Michael J. O’Connor, Esquire, Attorney for Appellant
Richard Mislitsky, Esquire, Attorney for Appellee
Guy P. Beneventano, Esquire, Attorney for Intervenor
Wagner, J., June 28, 2022

OPINION

Before the Court is the appeal of Appellant Robert E. Garlin (hereinafter “Appellant”) from the decision of the Latimore Township Zoning Hearing Board (hereinafter “the Board”) that found Appellant in violation of certain provisions of the Latimore Township Zoning Ordinance (hereinafter “the Ordinance”). For reasons set forth herein, the Board’s decision is affirmed.

BACKGROUND

The instant matter has its roots in Appellant’s continued failure to maintain two abutting parcels of his real property located in Latimore Township, Adams County, Pennsylvania. One of the parcels owned by Appellant (hereinafter “Property 861”) is located at 861 Pondtown Road in Latimore Township and is identified as real estate parcel number 23K03-0018-000. Property 861 is improved with, *inter alia*, a white brick single-family house. The other parcel owned by Appellant (hereinafter “Property 859”) is located at 859 Pondtown Road in Latimore Township and is identified as real estate parcel number 23K03-0018A-000. Property 859 is improved with, *inter alia*, a mobile home. Several years ago, Appellant resided at Property 861, but currently both Property 861 and Property 859 (collectively “the Properties”) are unoccupied. Although Property 859 is enrolled in the Adams County “clean and green” program, there is no visible evidence of farming activity at that location.

The Township has had concerns about the condition of the Properties for more than four years. At some point before February 12, 2018, Latimore Township Zoning Officer John Shambaugh, P.E. (hereinafter “Mr. Shambaugh”) received a complaint about the Properties from Elwood K. Myers, a nearby property owner. Mr. Shambaugh subsequently inspected the Properties as a “follow up” to the complaint and observed a large amount of junk and garbage on the property, including bags of garbage deposited around structures. Mr. Shambaugh also observed that the mobile home on Property 859 was uninhabitable due to neglect; the mobile home’s door was left open, and the mobile home essentially appeared to be “junk.” Mr. Shambaugh knocked on the front door of the white house on Property 861 but received no response. During the inspection, Mr. Shambaugh entered neither the house nor the mobile home.

On February 12, 2018, Mr. Shambaugh sent Appellant a letter¹ instructing Appellant that he had 150 days “to remove the mobile home, junk and trash from the property.” The letter also advised Appellant that the Properties’ “deplorable” condition would increase the number of disease-carrying organisms in the area. However, Appellant failed and refused to remediate the issues Mr. Shambaugh identified.

At some point before March 27, 2019, Mr. Shambaugh conducted another inspection of the Properties but did not enter the white house on Property 861 or the mobile home on Property 859. Mr. Shambaugh observed that the amount of refuse present on the Properties had increased since his last inspection. Thus, on March 27, 2019, Mr. Shambaugh sent Appellant another letter² instructing Appellant to remove the mobile home and accumulated garbage from the Properties by June 1, 2019.

In the summer of 2019, Mr. Shambaugh conducted an additional inspection of the Properties. Again, Mr. Shambaugh did not enter the white house or the mobile home. However, Mr. Shambaugh observed garbage littered almost everywhere throughout the Properties, which remained in “deplorable” condition. Mr. Shambaugh also observed that vegetation was so overgrown as to interfere with the visibility and use of larger items such as a motor vehicle and a garage.

On August 9, 2021, Mr. Shambaugh mailed Appellant a pair of Enforcement Notices³ corresponding to Property 861 and Property 859 after conducting another inspection of the Properties.⁴ The

¹ Latimore Township reasonably believed Appellant was residing at 844 York Street in Hanover, Pennsylvania, and the letter was sent to this address. However, it was later determined that Appellant did not reside in Hanover. See *infra* note 3.

² Latimore Township reasonably believed Appellant was residing at 844 York Street in Hanover, Pennsylvania, and the letter, like the first one, was sent to this address. However, it was later determined that Appellant did not reside in Hanover. See *infra* note 3.

³ The Enforcement Notices were mailed to Appellant at 5 Beilman Court, Mechanicsburg, Pennsylvania, which Latimore Township reasonably believes to be Appellant’s current mailing address. As the Board noted, Appellant never informed personnel from Latimore Township of his current address, which required Latimore Township representatives to make efforts to locate him. Appellant, however, had willingly provided his address to Adams County Tax Claim Bureau to permit communication regarding the Properties.

⁴ Mr. Shambaugh’s inspection revealed that the condition of the Properties had continued to decline since the previous inspection in the summer of 2019.

Enforcement Notice regarding Property 861 alleged that Appellant had violated Section 306 of the Ordinance⁵ by “creat[ing] a substantial adverse effect upon the reasonable enjoyment of the surrounding properties” through the “stor[age] or accumulati[on of] garbage, rubbish or junk material.” The Enforcement Notice regarding Property 859 alleged that Appellant had violated Section 306 of the Ordinance by “creat[ing] a substantial adverse effect upon the reasonable enjoyment of the surrounding properties” through “(1) the stor[age] or accumulati[on of] garbage, rubbish or junk material, and (2) [the] stor[age] or accumulati[on of] an uninhabitable mobile home in such manner as to create a hazard.” The Enforcement Notice regarding Property 859 also alleged that Appellant violated Section 521.A of the Ordinance⁶ “by parking or storing on residential property an uninhabited mobile home ... without current license plates and other than in completely enclosed buildings.”

The Board held a hearing on the Enforcement Notices on October 5, 2021. Mr. Shambaugh testified that he had visited the Properties hours before the hearing and that the Properties remained in violation of the Ordinance because of Appellant’s continued failure and refusal to address the issues referenced in the Enforcement Notices. At the hearing, Appellant’s counsel also presented as exhibits two photographs taken between August 12, 2021, and October 5, 2021; however, the photographs indicate that Appellant failed to remove the overgrown vegetation on the Properties. On December 7, 2021, the Board issued a decision stating that Appellant “failed to abide by any of the three Enforcement Notice(s) issued by [Mr.] Shambaugh, P.E.”

On January 7, 2022, Appellant filed a Notice of Land Use Appeal. On January 18, 2022, Latimore Township (hereinafter “Intervenor”)

⁵ Section 306 of the Ordinance provides:

In no case is a use permitted which by reason of noise, dust, odor, appearance, or other objectionable factor creates a hazard, or other substantial adverse effect upon the reasonable enjoyment of the surrounding property.

All normal farm practices shall be excluded from this provision in that they shall not be deemed uses with a nuisance effect.

⁶ Section 521.A of the Ordinance provides:

Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residential property other than in completely enclosed buildings.

filed a Notice of Intervention pursuant to 53 P.S. § 11004-A.⁷ On March 3, 2022, Appellant and Intervenor participated in a telephone conference with this Court, at which time they agreed that a further hearing in this matter was unnecessary. On March 3, 2022, the Court issued an Order granting Appellant 60 days to file a Memorandum of Law in support of his position and granting Intervenor 30 days after receipt of Appellant’s Memorandum to file its own Memorandum of Law. On May 3, 2022, Appellant filed a Brief in Support of Land Use Appeal Filed on Behalf of Robert Garlin; on June 6, 2022, Intervenor filed a Brief in Opposition to the Land Use Appeal of Robert E. Garlin. The matter is now ripe for disposition.

Appellant raises three claims on appeal to this Court. First, Appellant argues the evidence allegedly illegally obtained by Mr. Shambaugh must be stricken from the record. Second, Appellant claims the Township failed to meet its burden to prove that he violated Section 306 of the Ordinance. Finally, Appellant contends the Township failed to meet its burden to prove that he violated Section 521.A of the Zoning Ordinance.

LEGAL STANDARD

When presiding over hearings, the zoning board serves “as fact-finder” and “is the sole judge of credibility.” *Metal Green Inc. v. City of Philadelphia*, 266 A.3d 495, 506 (Pa. 2021). The zoning board has the authority to “determine[] the credibility of witnesses[,] ... weigh[] their testimony, [and] resolve[] conflicts in testimony” and “may accept or reject the testimony of any witness in part or *in toto*.” *Id.* “[The] zoning board is free to reject even uncontradicted testimony ... it finds lacking in credibility.” *Id.*

“On appeal from a decision of a zoning hearing board, where the trial court does not take additional evidence, its scope of review is limited to determining whether the local zoning agency committed an error of law and whether its necessary findings are supported by substantial evidence; the court may not substitute its judgment for that of the local agency unless the board manifestly abused its discretion.” *Pham v. Upper Merion Twp. Zoning Hearing Bd.*, 113 A.3d 879, 887 (Pa. Commw. 2015). A court may only conclude that

⁷ By agreement, Intervenor is defending the Board’s decision, and the Board is not participating in the instant appeal.

a hearing board abused its discretion if its findings are not supported by substantial evidence. *Marshall v. City of Philadelphia*, 97 A.3d 323, 331 (Pa. 2014). “Substantial evidence” is “relevant evidence which a reasonable mind would accept as adequate to support the conclusion reached.” See *Id.* (quoting *Twp. of Exeter v. Zoning Hearing Bd.*, 599 Pa. 568, 962 A.2d 653 (Pa. 2009)).

DISCUSSION

The Board’s decision in this matter was supported by substantial evidence. Furthermore, the Board did not commit an error of law or abuse its discretion in reaching its decision. The reasons for these determinations are explained herein.

First, the evidence in this matter amply supports the Board’s sound conclusion that the Properties were in violation of Sections 306 and 521.A of the Ordinance. Mr. Shambaugh’s testimony showed that the Properties were densely littered with refuse and were seriously overgrown with vegetation. Mr. Shambaugh’s testimony also established that Property 521.A contained a mobile home that lacked license plates and was not stored in a completely enclosed building.

The Board properly concluded that the condition of the Properties violated Section 306 of the Ordinance. In relevant part, Section 306 of the Ordinance provides: “In no case is a use permitted which by reason of noise, dust, odor, appearance, or other objectionable factor creates a hazard, or other substantial adverse effect upon the reasonable enjoyment of the surrounding property.” The evidence in this matter reflected Mr. Shambaugh’s opinion that the Properties were in “deplorable” condition due to the presence of an uninhabitable mobile home as well as a great amount of accumulated garbage and uncontrolled vegetation, all of which could attract and shelter disease-carrying organisms. Moreover, the condition of the Properties as long ago as 2018 was so unsatisfactory that Mr. Myers, a nearby property owner, raised concerns and catalyzed Mr. Shambaugh’s investigation. Thus, Appellant’s serious neglect in the maintenance of the Properties was sufficient to create a hazard and a substantial adverse effect upon the reasonable enjoyment of the surrounding properties, which could not but be seriously diminished by the unsightly condition of Property 861 and Property 859. Accordingly,

the Township met its burden to prove that Appellant violated Section 306 of the Ordinance.

The Board also properly concluded that the condition of Property 859 violated Section 521.A of the Ordinance. Section 521.A of the Ordinance dictates: “Automotive vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residential property other than in completely enclosed buildings.” The evidence in this matter showed that Property 859 contained an uninhabited mobile home that lacked a current license plate and was completely unsheltered by any building. Accordingly, the Township met its burden to prove that Appellant violated Section 521.A of the Ordinance.

The Court’s decision in this matter is unchanged by Appellant’s protestation that many of the photographs admitted during the October 5, 2022 hearing before the Board were illegally obtained and therefore inadmissible. The evidence in this matter indicates that Mr. Shambaugh permissibly obtained the complained-of evidence under the open fields doctrine.

Under the open fields doctrine, a municipal zoning enforcement officer who enters a landowner’s property does not necessarily violate the Fourth Amendment to the Constitution of the United States and Article I, Section 8 of the Pennsylvania Constitution. See *Commonwealth v. Russo*, 934 A.2d 1199, 1213 (Pa. 2007); *Forsythe v. Commonwealth*, 601 A.2d 864, 867 (Pa. Commw. 1992). Pursuant to both the Fourth Amendment and Article I, Section 8 of the Pennsylvania Constitution, “an individual may not legitimately demand privacy for activities conducted out of doors in fields, except in the area immediately surrounding the home” known as the curtilage, and government officials may conduct warrantless searches of such fields. *Oliver v. United States*, 466 U.S. 170, 178–81 (1984); *Russo*, 934 A.2d at 1213 (“[T]he guarantees of Article I, Section 8 of the Pennsylvania Constitution do not extend to open fields; federal and state law, in this area, are coextensive.”). Moreover, open fields do not receive additional constitutional protections merely because they are secluded or marked with “no trespassing” signs. See *Oliver*, 466 U.S. at 182–83. The fact that a government official’s search of an open field would constitute a trespass at common law does not affect the search’s constitutionality. See *Id.* at 183–84.

In the instant matter, Mr. Shambaugh's entry of Appellant's property did not violate Appellant's rights under the Fourth Amendment or Article I, Section 8 of the Pennsylvania Constitution. Mr. Shambaugh never entered the white house on Property 861 or the mobile home on Property 859 when performing his inspections, and Appellant has not alleged that any of the evidence admitted at the October 5, 2021 hearing was obtained from the curtilage of the house or the mobile home. Rather, Appellant claims that Mr. Shambaugh's inspection of the Properties constituted a trespass, but this assertion cannot establish a violation of Appellant's constitutional rights. See *Oliver*, 466 U.S. at 183–84. Thus, the Court concludes that Mr. Shambaugh legally obtained the photographs admitted at the hearing. See *Oliver*, 466 U.S. at 178–83.

For the foregoing reasons, the Board's December 7, 2021 appeal in this matter is affirmed. Accordingly, the attached Order is entered.

ORDER OF COURT

AND NOW, this 28th day of June 2022, for the reasons set forth in the attached Opinion, the appeal taken by Robert E. Garlin from the decision of the Latimore Township Zoning Hearing Board dated December 7, 2021, is denied.

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale online auction conducted by Bid4Assets, 8757 Georgia, Ave., Suite 520, Silver Spring, MD 20910. On September 16th, 2022 at 10:00 a.m.

No. 22-SU-161

JPMorgan Chase Bank, National Association

vs.

Robert A. Bergey, Jr. and Peggy M. Bergey

Property Address: 65 P And Q Road, Biglerville, PA 17307

UPI/Tax Parcel Number:

29E07-0079---000

Owner(s) of property situate in Menallen Township, Adams County, Pennsylvania Improvements Thereon:

A Residential Dwelling

Judgment Amount: \$72,021.45

Attorneys for Plaintiff:

Kristen D. Little, Esq.

LOGS Legal Group LLP

No. 22-SU-219

Wells Fargo Bank, N.A.

vs.

Dustin D. Boyer

Property Address: 5426 Carlisle Pike,

New Oxford, PA 17350

UPI/Tax Parcel Number:

36001-0009-000

Owner(s) of property situate in Reading Township, Adams County, Pennsylvania Improvements Thereon:

Residential Dwelling

Judgment amount \$164,049.54

Attorneys for Plaintiff:

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

614-220-5611

No. 22-SU-181

Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as Owner Trustee of the Aspen Holding Trust, A Delaware Statutory Trust

vs.

Amelia Contreras and Jesus Contreras

Property Address: 17 Pine Lane, New Oxford, PA 17350

UPI/Tax Parcel Number:

35008-0120-000

Owner(s) of property situate in Oxford Township, Adams County, Pennsylvania Improvements Thereon:

Residential Dwelling

Judgement Amount: \$55,512.36

Attorneys for Plaintiff:

Stern & Eisenberg PC

No. 22-SU-143

HMC Assets, solely in its capacity as Separate Trustee of Cam XI Trust

vs.

Lesa M. Ferris a/k/a Lesa M.

Cavicchio

Property Address: 430 Onyx Road, New Oxford, PA 17350

UPI/Tax Parcel Number: J12-238---000

Owner(s) of property situate in Oxford Township, Adams County, Pennsylvania Improvements Thereon:

Residential Dwelling

Judgment: \$435,624.78

Attorneys for Plaintiff:

Pincus Law Group, PLLC

Kia N. House, Esq. (321503)

2929 Arch Street, Suite 1700

Philadelphia, PA 19104

Telephone: 484-575-2201

No. 22-SU-177

Pennsylvania Housing Finance Agency

vs.

Samuel Adam Hand

Property Address: 308 East York Street,

Biglerville, PA 17307

UPI/Tax Parcel Number:

05004-0005---000

Owner(s) of property situate in Biglerville Borough, Adams County, Pennsylvania Improvements Thereon:

Residential Dwelling

Judgment Amount: \$240,894.89

Attorneys for Plaintiff:

Leon P. Haller, PA I.D. #15700

No. 22-SU-75

Amerihome Mortgage Company, LLC

vs.

Benjamin P. Jones

Property Address: 87 Chapel Road

Extended, Gettysburg, PA 17325

UPI/Tax Parcel Number:

09E17-0066G-000

Owner(s) of property situate in Cumberland Township, Adams County, Pennsylvania Improvements thereon consist of

Residential Real Estate

Judgment Amount: \$179,370.77

Attorneys for Plaintiff:

Stern & Eisenberg, PC

1581 Main Street, Suite 200

The Shops at Valley Square

Warrington, PA 18976

No. 22-SU-180

Reverse Mortgage Funding LLC

vs.

Mycala S. Kaczorowski

Property Address: 1091 Ridge Road,

Gettysburg, PA 17325

UPI/Tax Parcel Number:

09F16-0056---000

Owner(s) of property situate in Cumberland Township, Adams County, Pennsylvania Improvements Thereon:

A Residential Dwelling

Judgment Amount: \$248,714.77

Attorneys for Plaintiff:

Samantha Gable, Esq.

LOGS Legal Group LLP

No. 22-SU-78

Bank Of America, N.A.

vs.

Gerhard Noerr and Janet V. Noerr

Property Address: 404 Prince Street,

Littlestown, PA 17340

UPI/Tax Parcel Number:

27005-0030---000

Owner(s) of property situate in Littlestown Borough, Adams County, Pennsylvania Improvements Thereon:

Residential Dwelling

Judgment Amount: \$88,296.86

Attorneys for Plaintiff

LOGS Legal Group LLP

Christopher A. DeNardo

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller

Sheriff of Adams County

www.adamscounty.us

8/19, 8/26, & 9/2

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale online auction conducted by Bid4Assets, 8757 Georgia, Ave., Suite 520, Silver Spring, MD 20910. On September 16th, 2022 at 10:00 a.m.

No. 19-SU-905

Wells Fargo Bank, N.A.

vs.

Elizabeth Roden, as Believed Heir and/or Administrator of The Estate of James Gilbert Roden, a/k/a James Roden, Unknown Heirs and/or Administrators to The Estate of James Gilbert Roden, a/k/a James Roden
Property Address: 56 Kinneman Road, Abbottstown, PA 17301
UPI/Tax Parcel Number:

01005-0034-000, 01005-0034A-000

Owner(s) of property situate in the Borough of Abbottstown, Adams County, Pennsylvania

Improvements Thereon:

Residential Dwelling
Judgment Amount \$168,351.40
Attorneys for Plaintiff:
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

No. 22-SU-74

Northpointe Bank

vs.

Jason Smith

Property Address: 900 Boyds School Road, Gettysburg, Pa 17325
UPI/Tax Parcel Number:

09F11-0261-000

Owner(s) of property situate in Cumberland Township, Adams County, Pennsylvania

Improvements Thereon:

Residential Dwelling.
Judgment Amount: \$470,469.96
Attorneys for Plaintiff:
The Offices of Gregory Javardian, LLC

No. 19-SU-1005

The Bank of New York Mellon f/k/a The Bank of New York, As Trustee for The Certificate holders of The Cwabs Inc., Asset-Backed Certificates, Series 2005-16

vs.

Kimberly Wolfgang, Known Heir and Administratrix of The Estate of Thomas E. Wolfgang a/k/a Thomas Eugene Wolfgang, Deceased, Sarah K. Wolfgang a/k/a Sarah Kay Wolfgang, Known Heir of Thomas E. Wolfgang a/k/a Thomas Eugene Wolfgang, Deceased
Property Address: 330 McSherry Woods Drive, Littlestown, PA 17340

UPI/Tax Parcel Number:

27011-0124---000

Owner(s) of property situate in Littlestown Borough, Adams County, Pennsylvania

Improvements Thereon:

Residential Dwelling
Judgment: \$173,816.88
Attorneys for Plaintiff:
Pincus Law Group, PLLC
Michael R. Lipinski, Esq. (323806)
2929 Arch Street, Suite 1700
Philadelphia, PA 19104
Telephone: 484-575-2201

No. 21-SU-1133

Wilmington Savings Fund Society, FSB, Not Individually but Solely as Trustee for Finance of America Structured Securities Acquisition Trust 2018-HB1

vs.

Joel Zimmerman, Known Heir of Virgil Love, Deceased, Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from Or Under Virgil Love, Deceased

Property Address: 1053 Highland Avenue Road, Gettysburg, PA 17325

UPI/Tax Parcel Number:

38G13-0083-000

Owner(s) of property situate in Straban Township, Adams County, Pennsylvania
Improvements Thereon:

A Residential Dwelling
Judgment Amount: \$235,353.46
Attorneys for Plaintiff:
Christopher A. DeNardo
Logs Legal Group LLP

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller
Sheriff of Adams County
www.adamscounty.us

8/19, 8/26, & 9/2

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below, the Register of Wills has granted letters, testamentary or of administration to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF RONALD COLLINS McINTYRE a/k/a RONALD C. McINTYRE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Co-Executors: Scott C. McIntyre and Denise McIntyre Hammond, c/o Kurt A. Gardner, Esq., Gardner and Stevens, P.C., 109 West Main Street, Ephrata, PA 17522

Attorney: Kurt A. Gardner, Esq., Gardner and Stevens, P.C., 109 West Main Street, Ephrata, PA 17522

ESTATE OF LUCILLE K. MILLER, DEC'D

Late of the Borough of East Berlin, Adams County, Pennsylvania

Executor: Bradford V. Miller, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin, PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin, PA 17316

ESTATE OF VIOLET MAE MYERS, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Administrators: Robin F. Myers, 116 Linden Avenue, Hanover, PA 17331; Daniel P. Myers, 49 Chesapeake Estates, Thomasville, PA 17364

Attorney: David C. Smith, Esq., 754 Edgegrove Road, Hanover, PA 17331

ESTATE OF NEVIN P. RILEY a/k/a NEVIN PAXTON RILEY, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executrix: Tina M. Denike, 60 Waldheim Road, New Oxford, PA 17350

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

ESTATE OF DONALD EUGENE SHULTZ, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Kenneth L. Shultz, 1043 Green Ridge Road, Orrtanna, PA 17353

Attorney: Matthew R. Battersby, Esq., Battersby Law Office, P.O. Box 215, Fairfield, PA 17320

ESTATE OF MARY SUE VANHOUTTE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Kenneth M. VanHoutte, 320 Hunterstown-Hampton Road, Gettysburg, PA 17325

Attorney: Harold A. Eastman, Jr., Barley Snyder, LLP, 123 Baltimore Street, Suite 101, Gettysburg, PA 17325

SECOND PUBLICATION

ESTATE OF ETHELLA D. BALLARD, DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Executor: Denese C. Fritz, 10 S. Center Street, Hanover, PA 17331

ESTATE OF JUNE I. JAMES, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Cherry L. Cleary, c/o Ruth Crabbs Gunnell, Esq., Crabbs & Crabbs, 202 Broadway, Hanover, PA 17331

Attorney: Ruth Crabbs Gunnell, Esq., Crabbs & Crabbs, 202 Broadway, Hanover, PA 17331

ESTATE OF MICHELE M. PANNELL, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executor: Dallas W. Pannell, c/o Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

Attorney: Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

ESTATE OF DOROTHY BERNICE SMALE, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrix: Sue Ann Tanon, 363 Buford Avenue, Gettysburg, PA 17325

Attorney: Adam D. Boyer, Esq., Barley Snyder, Suite 101, 123 Baltimore Street, Gettysburg, PA 17325

THIRD PUBLICATION

ESTATE OF EMMA M. BAIR, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Danielle E. Kale, 6310 Lauren Lane, Spring Grove, PA 17362

ESTATE OF HOWARD G. GUISE, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Mark L. Guise, 118 Heritage Drive, Gettysburg, PA 17325

Attorney: Bernard A. Yannetti, Esq., Hartman & Yannetti, Inc. Law Office, 126 Baltimore Street, Gettysburg, PA 17325

ESTATE OF DONALD E. KIMPLE, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Kyle Kimple Kahn, c/o Barbara Entwistle, Esq., Entwistle & Roberts, PC, 37 West Middle Street, Gettysburg, PA 17325

Attorney: Barbara Entwistle, Esq., Entwistle & Roberts, PC, 37 West Middle Street, Gettysburg, PA 17325

ESTATE OF KENNETH C. MARTIN, DEC'D

Late of Highland Township, Adams County, Pennsylvania

Administratrix: Victoria Martin-Knepper, 2156 New Franklin Road, Chambersburg, PA 17202

Attorney: Clayton A. Lingg, Esq., Mooney Law, 230 York Street, Hanover, PA 17331

ESTATE OF QUIN MIKAEL SORENSON, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Lana J. Emery, 291 Sanders Road, Fairfield, PA 17320; Walter M. Barlow, 291 Sanders Road, Fairfield, PA 17320

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

ESTATE OF RAYMOND E. STEFAN, JR., a/k/a RAYMOND EDWARD STEFAN, JR., DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Michael Stefan, 96 Collier Run Road, P.O. Box 427, Friendsville, MD 21531

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

YWCA Hanover Safe Home

Attorneys admitted to practice law by a court of record of the Commonwealth of Pennsylvania, and who maintain an office within 30 miles of Gettysburg, PA, are invited to submit a proposal to YWCA Hanover Safe Home for the provision of civil legal services. Proposed civil legal services would be provided to and available for qualifying victims of domestic violence referred by YWCA Hanover Safe Home. Proposals accepted via this Request for Proposals (RFP) will be funded from October 1, 2022, through September 30, 2023. Full text of the RFP may be found at www.ywcahanover.org. Questions regarding the RFP may be submitted to Jamie Bonser, Program Director, at jbonser@ywcahanover.org. Deadline to submit proposals is 4:30 p.m., Monday, September 19, 2022.



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