



# Chester County Law Reporter

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# Chester County Law Reporter

(USPS 102-900)

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**In re: Election in Downingtown School Board**

Election law – Provisional ballot – Secrecy envelope – Election fraud

1. Courts should be reluctant to intrude into an area for which the legislature has primary responsibility. On the other hand, courts should address the question of constitutional duties the legislature has failed to carry out. Constitutional rights which the legislature is required to carry out include the right of the qualified voters to cast their ballots and have their ballots counted.
2. There is to be a liberal construction of the election code so as not to deprive the electors of their right to choose the candidate of their choice.
3. Although election laws must be strictly construed to prevent fraud, they ordinarily will be construed liberally in favor of the right to vote.
4. The election code provides any person aggrieved by any order or decision of any county board regarding election returns may appeal therefrom within two days after such order or decision.
5. The requirements and process for casting a provisional ballot are set forth in the election code, to wit, an individual who claims to be properly registered and eligible to vote but whose name does not appear on the district register and whose registration cannot be determined by the inspectors of election or the county election board shall be permitted to cast a provisional ballot; the individual shall place the provisional ballot in a secrecy envelope, place the secrecy envelope in the provisional ballot envelope and sign the provisional ballot envelope; a provisional ballot shall not be counted if it does not contain a secrecy envelope.
6. Every rationalization within the realm of common sense should aim at saving a ballot rather than voiding it.
7. For mail-in voters, the use of the secrecy envelope is a mandatory, rather than a discretionary directive.
8. The process and requirements for mail-in voting provides: at any time at or before 8:00 p.m. on the day of the election, the mail-in elector shall mark the ballot, seal it in an envelope endorsed “Official Election Ballot”, place it in the second envelope and the elector shall fill out, date and sign the declaration on such envelope.
9. Respondent, the Board of Elections, argued the present request was untimely but provided no evidence to that effect.
10. Petitioners argue that notwithstanding the provisional ballots do not contain a secrecy envelope, the court should allow the counting of these provisional ballots because doing so is consistent with the election code’s purpose of ensuring the integrity of the voting process and that each voter’s voice be heard and would avoid elevating a technicality above the fundamental right to have one’s vote counted. There was testimony that the purpose of the inner envelope for provisional voters is to ensure the secrecy of each person’s vote.

Because the court is directed to construe election laws liberally, absent fraud, and because the provisional ballots were not outside of a controlled area, the court determined the provisional ballots should be counted.

11. Envelopes for 3 mail-in ballots were unsealed and open. The Board of Elections contends excluding these ballots was reasonable and necessary to ensure that secrecy in voting is preserved. Petitioners argue that the goals of secrecy and privacy still can be achieved with the opening and counting of these three ballots because the envelopes, although opened, contain an inner secrecy envelope. The court disagreed because the opened mail-in ballots implicate concerns of fraud.
12. Petitioners ask that the court allow the one, undated ballot to be counted, again arguing that excluding this ballot elevates a technicality above the fundamental right to have one's vote counted. Noting the undated ballot arrived at voter services well in advance of election day, the court agrees this undated ballot should be counted.
13. In deciding Petitioners' request to Recount and Inspect Six Ballots, the Court *Held* two provisional ballots and an undated ballot shall be counted and three mail in ballots shall not be counted.

R.E.M.

C.C.P., Chester County, Pennsylvania, Civil Action No.s 2021-09184, 2021-09185, 2021-09186, 2021-09187 & 2021-09189; In Re: Election in Region 4 for Downingtown School Board Precincts Uwchlan 1, 3, 4, 5, and 9, Petitions of Katherine R. Carpenter, et al. for a Recount Pursuant to the Election Code 25 P.S. Sections 3161, 3031.18(1) and 3263

Samuel Stretton for Petitioners

Nicole Forzato and Colleen Frens for the Board of Elections of Chester County

Michael Taylor for Intervenor Margie Milller

Sommer, J., December 6, 2021:-

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**[69 Ches. Co. Rep. In re: Election in Downingtown School Board**

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IN RE: ELECTION IN REGION 4	∴	IN THE COURT OF COMMON PLEAS
FOR DOWNINGTOWN SCHOOL	∴	
BOARD PRECINCTS UWCHLAN 1,	∴	CHESTER COUNTY, PENNSYLVANIA
3, 4, 5 and 9	∴	
Petitions of Katherine R.	∴	NOS. 2021-09184, 2021-09185,
Carpenter, et al. for a Recount	∴	2021-09186, 2021-09187 & 2021-09189
Pursuant to the Election Code 25 P.S.	∴	
Sections 3161, 3031.18(1) and 3263	∴	CIVIL ACTION

### ORDER

AND NOW, this 6th day of December, 2021, upon consideration of Petitioners' request to Recount and Inspect Six Ballots by the Board of Elections of the County of Chester, the Response in opposition thereto, and following a hearing and argument on December 2, 2021, it is hereby ORDERED that the request is **GRANTED IN PART** and **DENIED IN PART**<sup>1</sup> as follows:

1. Petitioners' request to inspect six (6) ballots is MOOT;
2. The two (2) provisional ballots marked VS-4 and VS-5 shall be counted<sup>2</sup>;
3. The three (3) mail-in ballots marked VS-1, VS-2 and VS-3 shall not be counted<sup>3</sup>; and
4. The undated ballot marked as VS-6 shall be counted<sup>4</sup>.

BY THE COURT:

/s/ Jeffrey R. Sommer J.

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<sup>1</sup> American elections produce winners and losers. The distinction between the two should and has traditionally been made by the electors, not by legislatures or judges. In fact, the Pennsylvania Supreme Court has directed that courts should be reluctant to intrude into an area for which the legislature has primary responsibility. It is only when the legislature has failed to carry out its constitutional duties that courts should address the question. See *Butcher v. Bloom*, 420 Pa. 305, 216 A.2d 457 (1966).

In *Pennsylvania Democratic Party v. Boockvar*, 238 A.3d 345 (2020), the Supreme Court instructs that the constitutional rights which the legislature is required to carry out include not just the "right of the qualified voters to cast their ballots" but also the right to "have their ballots counted." *Id.*; Pa. Const. Art. I, §5. The Court has directed a liberal construction of the Election Code, of which Act 77 is a part, so as not

to deprive the electors of their right to choose the candidate of their choice. *Id.*

There is a “longstanding and overriding policy in the Commonwealth to protect the elective franchise.” *Shambach v. Bickhart*, 577 Pa. 384, 845 A.2d 793, 798 (2004) (citations omitted). Moreover, we are directed that although election laws must be strictly construed to prevent fraud, “they ordinarily will be construed liberally in favor of the right to vote.” *Id.* Of course, this presents an immediate conflict in direction. If then our goal is to construe Act 77 “liberally” with an eye toward construing the law to “strictly” prevent potential fraud in the election, we may consider the mischief to be remedied by, and the object to be obtained by, the statute. 1 Pa.C.S. § 1921(c)(1), (3), and (4), respectively; *Pennsylvania Democratic Party*, 238 A.3d at 356.

Respondent, the Board of Elections of Chester County (the “Board of Elections”), argues in its brief that as an initial matter the present request is untimely.

Section 3157(a) of the Election Code provides:

(a) Any person aggrieved by any order or decision of any county board regarding the computation or canvassing of the returns of any primary or election, or regarding any recount or recanvass thereof under sections 1701, 1702 and 17031 of this act, may appeal therefrom within two days after such order or decision shall have been made ....

25 P.S. §3157(a).

The Board of Elections contends that it made the decision not to count the disputed ballots as part of the computation and canvassing of the returns on November 2, 2021 (mail-in ballots) and November 8th and 9th, 2021 (provisional ballots). Thus, any appeal as to the mail-in votes needed to be taken no later than November 4 and 5th or in the case of the provisional ballots, November 10 or 11th.

At the hearing, neither the Board of Elections nor the Petitioners directly addressed the timeliness issue. Counsel for Intervenor did raise the timeliness issue during argument and conceded that although the Board of Elections has not certified the election and/or made a final decision regarding the same, it was Intervenor’s position that Voter Services, acting on the part of the Board of Elections, has rendered a decision. The court does not agree that the present request is untimely.

There was no evidence presented that a dispute existed at any time during the computation of votes as to the validity of the now disputed ballots. The court heard no testimony and received no evidence regarding any “decision” by any county board with regard thereto. No decision, whether written or otherwise, was introduced into evidence.

No witness on behalf of the Board of Elections or any other county board appeared at the hearing. The Board of Elections simply did not demonstrate that this request was untimely. Therefore, being guided by the principle to construe the Act liberally to allow voting but strictly to prevent fraud, we will liberally construe the Election Code to allow this challenge to move forward.

<sup>2</sup> Petitioners seek to open two (2) provisional ballots from Precinct 655. The requirements and process for casting a provisional ballot are set forth in the Election Code at 25 P.S. §3050, which provides:

(a.4)(1) At all elections an individual who claims to be properly registered and eligible to vote at the election district but whose name does not appear on the district register and whose registration cannot be determined by the inspectors of election or the county election board shall be permitted to cast a provisional ballot.

\*\*\*

(3) After the provisional ballot has been cast, the individual shall place it in a secrecy envelope. The individual shall place the secrecy envelope in the provisional ballot envelope and shall place his signature on the front of the provisional ballot envelope. All provisional ballots shall remain sealed in their provisional ballot envelopes for return to the county board of elections.

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(5)(ii) A provisional ballot shall not be counted if:

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(C) a provisional ballot envelope does not contain a secrecy envelope.

At the hearing, the Assistant Director for Voter Services, Stephanie Saitis, testified on behalf of the Board of Elections. She testified that her office provides direction to election staff and judges of elections on the process for voting a provisional ballot. According to Ms. Saitis, election officials are advised through

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training power points (VS-7) and written information provided directly to the polling locations (VS-9) of the voting process in such instances. When a voter is provided a provisional ballot, the same written instructions (VS-9) are also to be provided to that voter. In sum, these instructions direct the voter to do the following:

1. "Take the instruction sheet, the small Secrecy envelope, and your ballot . . . to the privacy booth. Mark the ballot with the pen provided."
2. "Fold your ballot and seal it in the small Secrecy envelope."
3. "Return to the Judge's [of Election] table and insert the Secrecy envelope into the large Provisional Ballot envelope."
4. Seal the large Provisional Ballot envelope and sign it where indicated . . ."
5. "Wait for the Judge to complete the bottom portion of the envelope and apply a paper seal to the large envelope. He or she will hand you a receipt...."

Petitioners do not dispute that the provisional ballots at issue do not contain a secrecy envelope as required by the Election Code, 25 P.S. §3050(a.4)(5)(ii), or as directed in Voter Services' instructions to voters. Petitioners argue that notwithstanding the above statutory language, the court should allow the counting of these provisional ballots because doing so is consistent with the Election Code's purpose of ensuring the integrity of the voting process and that each voter's voice be heard. According to Petitioners, excluding these provisional ballots elevates a technicality, above the fundamental right to have one's vote counted.

If we are directed to construe the Act "liberally" except where there may be fraud, hearing no allegations of even a hint of fraud, these ballots should be counted. The Supreme Court in *In re Canvass of Absentee and Mail-in Ballots of November 3, 2020 General Election*, 241 A.3d 1058 (Pa. 2020), recognized the longstanding competing interests at issue in election cases and explained:

[i]t is . . . a well-settled principle of Pennsylvania election law that "[e]very rationalization within the realm of common sense should aim at saving the ballot rather than voiding it." *Appeal of Norwood*, 382 Pa. 547, 116 A.2d 552, 554-55 (1955). It is likewise settled that imbedded in the Election Code is the General Assembly's intent to protect voter privacy in her candidate choice based on Article VII, Section 4 of the Pennsylvania Constitution and to prevent fraud and to otherwise ensure the integrity of the voting process.

In *Pa. Democratic Party*, the Supreme Court held that the requirement in Section 3150.16(a) that mail-in voters place their ballot in the inner secrecy envelope was a mandatory requirement and thus a voter's failure to comply rendered the ballot void. 238 A.3d 345 (Pa. 2020). In concluding that the use of the secrecy envelope was a mandatory, rather than a discretionary directive, the Supreme Court "reiterated that the distinction between directory and mandatory instructions applies with respect to a voter's obligations under the Election Code, and that only failures to comply with mandatory obligations, which implicate both legislative intent and 'weighty interests' in the election process, like ballot confidentiality or fraud prevention, will require disqualification." *In re Canvass*, 241 A.3d at 1058 (citing *Pa. Democratic Party*, 238 A.3d at 379-80).

In this case, the "weighty interest" of ballot confidentiality and fraud prevention codified in the Election Code is protected. As Ms. Saitis testified, the purpose of the inner envelope for provisional voters is to ensure the secrecy of each person's vote. She further testified that the process is such that each voter takes the provisional ballot that is issued and completes the same in a private voting area. The voter then takes the completed ballot themselves to the table where the Judge of Elections is located.

The instructions given to the Judge of Elections directs the Judge to ensure the electors ballot is placed in a secrecy envelope. It is then sealed in the outer envelope in the presence of others, namely the Judge of Elections. The Judge of Elections then signs the outer envelope along with the Minority Inspector. The so-called naked ballots here were not left outside of a controlled area or to weave their way through the United States Mail system as would be the case with mail-in ballots.

Importantly, Ms. Saitis testified that the two provisional ballots did not raise any concerns of tampering or fraud and otherwise could be counted. The court likewise has no such concerns. The two provisional electors appeared before the Judge Elections. The electors asked for and received an official ballot. The electors went to a privacy booth and voted. The electors then returned to the Judge of Elections. At this point it is the duty of the Judge of Elections ensure the process is followed. The Judge of Elections, for whatever reason did not. However, the two ballots were sealed in an outer provisional ballot as required and signed by the Judge of Elections. Only two provisional ballots cast in Precinct 655 followed the same process and are now before this Court. The reasonable conclusion to be drawn from the evidence is that

the process for provisional voting was not completely understood by the voter and/or election staff. These ballots can be pulled from the envelopes and mixed with the other ballots approved herein and no one will know what individual voted for which candidate. Based upon these facts, the court will not deprive these electors of the right to choose their candidate.

<sup>3</sup> Petitioners also seek to count three (3) mail-in ballots that were rejected during the initial canvassing of votes because the outer envelopes were unsealed and open. Two of the envelopes appear to have been cut open and resealed, in part, with tape. One outer envelope appears mangled and torn open.

The process and requirements for mail-in voting are set forth in the Election Code at 25 P.S. §3150.16, which provides:

(a) General rule.--At any time after receiving an official mail-in ballot, but on or before eight o'clock P.M. the day of the primary or election, the mail-in elector shall, in secret, proceed to mark the ballot . . . enclose and securely seal the same in the envelope on which is printed, stamped or endorsed "Official Election Ballot." This envelope shall then be placed in the second one, on which is printed the form of declaration of the elector, and the address of the elector's county board of election and the local election district of the elector. The elector shall then fill out, date and sign the declaration printed on such envelope. Such envelope shall then be securely sealed and the elector shall send same by mail....

The Board of Elections contends that excluding these three ballots from the count was reasonable, in accordance with the above law, and necessary to ensure that secrecy in voting is preserved. Petitioners argue that the goals of secrecy and privacy still can be achieved with the opening and counting of these three ballots because the envelopes, although opened, appear to contain an inner secrecy envelope. Petitioners further argue that these three voters deserve to have their votes cast as intended. The court disagrees.

As discussed, *supra*, the interest of ensuring voting integrity is significant. The court sees a material difference between the requirements for a secrecy ballot in the case of a mail-in voter, which the Supreme Court has determined to be mandatory, and the similar requirement for the two provisional voters casting their votes in person at a polling place.

However, unlike with the provisional ballots which were sealed and signed off on by election officials, the opened mail-in ballots implicate concerns of fraud that should not be overlooked. In the case of torn and sliced-opened ballots, two of which were then taped without explanation, there simply can be no assurance as to the integrity of the voting process. The Election Code requires strict adherence to the requirement that a ballot be securely sealed. It does so, ostensibly to provide assurances that the inner ballot has not been tampered with and there is no fraud.

As directed in *Shambach v. Bickhart, supra*, election laws must be strictly construed to prevent fraud. Here with no explanation as to why the ballots were open; why they were then resealed; by whom they were opened; by whom they were resealed; when they were opened; when they were resealed; whether votes were altered or changed in that process, we must recognize a concern that fraud exists. As directed, we will look to the Election Code which states, "Such envelope shall then be securely sealed and the elector shall send same by mail". 25 P.S. §3150.16(a). These three ballots were not securely sealed. The Board of Elections thus acted reasonably and in accordance with the law in excluding these ballots due to possible issues with the security of the ballot.

<sup>4</sup> Finally, Petitioners ask that the court allow the one, undated ballot excluded from the computation to be counted. Petitioners again argue that excluding this ballot elevates a technicality, above the fundamental right to have one's vote counted. On this point, the court agrees.

Ms. Saitis testified at the hearing that the undated ballot at issue: 1. arrived at Voter Services on October 21, 2021, well in advance of election day and 2. contained no other irregularities that would preclude it from being counted. Unlike the provisional and mail-in ballots, this "failure" does not implicate the weighty interests that might otherwise nullify the voter's actions. If we are to liberally construe the Election Code to allow votes, but strictly construe in cases of possible fraud, this irregularity should not result in the vote being stricken.

We must assume the "date" requirement is to ensure that the ballot is completed and received by the deadline of election day. The Legislature and the electorate clearly have an interest in making sure that no "late votes" are affecting the computation. Here, the ballot while not dated by the elector was dated upon receipt at Voters Services. We know this ballot, conforming in all other aspects, arrived on October 21, 2021. It is a timely, conforming ballot. It should be counted.



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The list of cases and parties as well as the form notice of intention to proceed may be obtained through the link <https://www.chesco.org/4985/Inactive-Case-Search> or at the Clerks of Courts Office at the above address

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**ESTATE NOTICES**

*Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.*

**1st Publication**

**CHYTLA**, Barbara J., late of East Bradford Township. Frank Chytla, care of TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, Administrator. TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, atty.

**CLANTON**, Gary L., late of New London Township. Lois J. Clanton, care of WILLIAM J. GALLAGHER, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. WILLIAM J. GALLAGHER, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**COZZONE, JR.**, Ernest Charles, late of E. Brandywine Twp. Glenn Cozzone, care of HUDSON L. VOLTZ, Esquire, 110 Hopewell Rd., Downingtown, PA 19335, Administrator. HUDSON L. VOLTZ, Esquire, Hudson L. Voltz, P.C., 110 Hopewell Rd., Downingtown, PA 19335, atty.

**DAVIS**, James H., late of East Brandywine Twp. Gillian Davis, 1626 Bondsville Rd., Downingtown, PA 19335, Administratrix. HUDSON L. VOLTZ, Esquire, Hudson L. Voltz, P.C., 110 Hopewell Rd., Downingtown, PA 19335, atty.

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**J. OLSEN**, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

**OKIE**, Katharine Z., late of West Chester. Edward S. Okie, care of **W. PETER BARNES**, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. **W. PETER BARNES**, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

**PILLAGALLI**, Julia M., a/k/a Julia Pillagalli, late of West Goshen Township. Michael Pillagalli, 924 North Hill Drive, West Chester, PA 19380, Executor. **COURTNEY A. WIGGINS**, Esquire, Clarion Law, LLC, PO Box 3169, West Chester, PA 19381, atty.

**RHOADS**, Darlene J., late of New London Township. Kimberly Ellsworth, care of **MEREDITH L. LAMBERT**, Esquire, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, Executrix. **MEREDITH L. LAMBERT**, Esquire, Perna & Abracht, LLC, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, atty.

**RUGGLERI**, Mary Louise, late of Avondale. Rebecca Ann Miles, 106 Tomahawk Dr., Conestoga, PA 17516, Executor.

**SAKIADIS**, Alice, late of Kennett Township. Lana J. Glass, care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**SELIG**, Pam, late of Easttown Township. Robert M. Selig, care of **JODI L. GRIFFIS**, Esquire, 1495 Alan Wood Road, Suite 7, Conshohocken, PA 19428, Administrator. **JODI L. GRIFFIS**, Esquire, 1495 Alan Wood Road, Suite 7, Conshohocken, PA 19428, atty.

**SHEEHAN, JR.**, Howard I., late of Londonderry Township. Princessita D. Sheehan, care of **DONALD B. LYNN, JR.**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. **DONALD B. LYNN, JR.**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**TREGO**, Shirley, late of West Chester. LuAnn Wynn, care of **DOUGLAS W. OLSHIN**, Esquire, 442 North High Street, West Chester, PA 19380, Executrix. **DOUGLAS W. OLSHIN**, Esquire, 442 North High Street, West Chester, PA 19380, atty.

**WADDINGTON**, M. Paige, a/k/a Margaret Paige Waddington, late of Springfield Township. Julie Stolinis, care of **CHRISTINA B. ROBERTS**, Esquire, 3305 Edgmont Avenue, Brookhaven, PA 19015, Administrator. **CHRISTINA B. ROBERTS**, Esquire,

3305 Edgmont Avenue, Brookhaven, PA 19015, atty.

**ZOLOVICH**, Mildred Irene, a/k/a Mildred I. Zolovich and Mildred Zolovich, late of West Caln Township. Millyann Davis, care of JOHN S. CUSTER, III, Esquire, 7 Saint Albans Circle, Newtown Square, PA 19073, Executrix. JOHN S. CUSTER, III, Esquire, Custer & Custer, 7 Saint Albans Circle, Newtown Square, PA 19073, atty.

## 2nd Publication

**ALLEVA**, Daniel F., a/k/a Daniel Francis Alleva, late of London Grove Township. Edward F. Alleva, care of MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, Executor. MARY C. CROCKER, Esquire, 1296 East High Street, Pottstown, PA 19464, atty.

**BUZZARD**, Carl J., late of East Pikeland Township. Barry Weaver, 910 Spring City Rd., Phoenixville, PA 19460, Executor. GARY P. LEWIS, Esquire, Lewis McIntosh + Teare, LLC, 372 N. Lewis Rd., P.O. Box 575, Royersford, PA 19468, atty.

**DAVIS**, Amy Michele, late of Kennett Township. Patricia Kohl Davis, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Administrator. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**DAVIS**, Aaron Scott, late of Phoenixville Borough. Steven G. Davis, 1027 Harbison Circle, Myrtle Beach, SC 29579, Administrator. STEVEN M. ZELINGER, Esquire, The Law Office Of Steven M. Zelinger, LLC, The Philadelphia Bldg., 1315 Walnut St., #1006, Philadelphia, PA 19107, atty.

**DiNICOLA**, Kim M., late of East Whiteland Township. Joseph F. O'Brien, Jr., care of STEPHEN P. IMMS, JR., Esquire, 396 Main Street, Harleysville, PA 19438, Executor. STEPHEN P. IMMS, JR., Esquire, 396 Main Street, Harleysville, PA 19438, atty.

**DOUGHERTY**, Eleanor Diane, a/k/a Diane Dougherty, late of Uwchlan Township. Joseph C. Dougherty, care of WILLIAM B. COOPER, III, Esquire, P.O. Box 673, Exton, PA 19341, Executor. WILLIAM B. COOPER, III, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

**GERMANO**, Christine A., late of Kennett Township. Richard D. Germano, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Administrator. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**HARROP**, Phyllis F., late of Honey Brook Town-

ship. Bruce Alan Harrop, care of KENNETH R. WERNER, Esquire, 203 West Miner Street, West Chester, PA 19382-2924, Executor. KENNETH R. WERNER, Esquire, Werner & Wood, 203 West Miner Street, West Chester, PA 19382-2924, atty.

**HOLDEN**, Dell S., late of West Bradford Township. Amanda S. Holden, 1303 Valleywood Road, Downingtown, PA 19335, Executrix.

**HUET**, Robert Elliot, a/k/a Robert E. Huet, late of Upper Uwchlan Township. April L. Charleston, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, Executrix. APRIL L. CHARLESTON, Esquire, The Charleston Firm, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, atty.

**JOHNSON**, Walter P., late of Valley Township. Patricia A. High, 103 Glencrest Road, Coatesville, PA 19320, Executrix. ALAN J. JARVIS, Esquire, 101 Birch Drive, Downingtown, PA 19335, atty.

**MACK**, Helena Madeline, late of Oxford, East Nottingham. Veronica Lynn Pidge, 214 Wilson Mill Road, Oxford, PA 19363, Executor.

**MacKENZIE**, Pauline S., late of Penn Twp. Deborah M. Shortlodge, P O Box 222, West Grove, PA 19390, Executrix. CLARE MILLINER, Esquire, Brutscher Foley Milliner Land & Kelly LLP, 213 E State St., Kennett Square, PA 19348, atty.

**MAGEE**, Faye I., late of Devon. Nanda I. Magee Hydrisko, 22 Aberdeen Terrace, Wayne, PA 19087, Administrator. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

**OPITZ**, Charlotte Z., late of East Pikeland Township. Erwin B. Opitz, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

**PASCALÉ**, Lawrence Louis, late of West Whiteland Township. Mark Pascale, care of STEPHEN D. POTTS, Esquire, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106 Wayne, PA 19087-3115, Administrator. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106 Wayne, PA 19087-3115, atty.

**PINK**, Martha W., late of Penn Township. Priscilla E. Spiller and Tasha Stevens Gradie, care of WILLIAM J. GALLAGHER, Esquire, 17 W. Miner St., West Chester, PA 19382, Administratrices C.T.A. WILLIAM J. GALLAGHER, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**POTTER**, Joanne M., a/k/a Joanne M. Carlson, late of Pocopson Township. Edward T. Potter, Jr., care of ADAM S. BERNICK, Esquire, 2047 Locust St., Philadelphia, PA 19103, Executor. ADAM S. BERNICK, Esquire, Law Office Of Adam S. Bernick, 2047 Locust St., Philadelphia, PA 19103, atty.

**RUCCIUS**, Elizabeth A., a/k/a Elizabeth Anne Rucciis, late of Charlestown Township. Peter Martin Rucciis, care of KIMBERLY C. GIBNEY, Esquire, 1273 Lancaster Avenue, Berwyn, PA 19312, Executor. KIMBERLY C. GIBNEY, Esquire, Troiani & Gibney, L.L.P., 1273 Lancaster Avenue, Berwyn, PA 19312, atty.

**SHARON**, Joseph W., a/k/a Joseph Wayne Sharon, late of West Whiteland Township. Jamie S. Stoughton, 397 Devon Drive, Exton, PA 19341 & Stephanie A. Sharon, 1202 Queen Street, Pottstown, PA 19464, Executrices. JENNIFER S. NASH, Esquire, 933 South High Street, West Chester, PA 19382, atty.

**STACK**, Vernon Thomas, a/k/a Smokey, late of Thorndale. Roberta Lee Stack, 300 Franklin Dr. APT 402, Glen Mills, PA 19342, Administratrix.

**STEWART**, Elizabeth Anne, late of Willistown Township. Janice Dugan, care of CARRIE WOODY, Esquire, 110 West Front Street, Media, PA 19063, Executrix. CARRIE WOODY, Esquire, 110 West Front Street, Media, PA 19063, atty.

**THORNDIKE**, Robert W., late of Kennett Square Borough. Ann A. Thorndike, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Administratrix. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**WECKESSER**, Joan H., late of West Whiteland Township. Barbara Protenic, care of STEPHEN J. OLSEN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. STEPHEN J. OLSEN, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

**WEIR**, Joseph Doyle, late of Uwchlan Township. Jennifer Glazer, 261 Spring Run Lane, Downingtown, PA 19335, Administrator.

### 3rd Publication

**BOWES**, Mary Elizabeth, a/k/a Mary Elizabeth Colgan, late of Lower Oxford Township. Mary Elizabeth Colgan a/k/a Mary Beth Colgan, 3431 Verner St., Drexel Hill, PA 19026, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law, 65 S. Third St.,

Oxford, PA 19363, atty.

**BRICE**, Eric, late of Avondale. Maria J. Brice, care of MEREDITH L. LAMBERT, Esquire, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, Executrix. MEREDITH L. LAMBERT, Esquire, Perna & Abracht, LLC, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, atty.

**BURNS**, Audrey Schultz, a/k/a Audrey Katherine Schultz, late of Malvern. Michael A Burns, 321 Greene Rd., Berwyn, PA 19312, Executor.

**CAROSELLA, SR.**, Vincent E., a/k/a Vincent E. Carosella, late of East Goshen Township. S&T Bank, 410 Exton Square Parkway, Exton, PA 19341 & Mary Anne Carosella, 1518 Manley Road, Unit B7, West Chester, PA 19382, Co-Executors. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

**CARRONE**, Denis M., a/k/a Denise Carrone, late of East Bradford Township. S&T Bank, 410 Exton Square Parkway, Exton, PA 19341, Executor. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

**CHILDERS**, Dennis, late of Schuylkill Township. Natalie M. Lewis, 61 Seven Stars Rd., Spring City, PA 19475, Executrix. REBECCA A. HOBBS, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

**DALTON**, Gertrude O'H., a/k/a Gertrude O. Dalton, late of East Goshen Township. Patricia D. Kelly, 810 Hinchley Run, West Chester, PA 19382, Executrix. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

**DAMIANI**, Louis, a/k/a Louis C. Damiani, Jr., late of Tredyffrin Township. MARIA SPAGNUOLO, care of MARTIN J. PEZZNER, Esquire, 100 W. 6th St., Ste. 204, Media, PA 19063, Executrix. MARTIN J. PEZZNER, Esquire, Gibson & Perkins, P.C., 100 W. 6th St., Ste. 204, Media, PA 19063, atty.

**DARDOZZI**, Louis T., late of West Goshen Township. Michelle Schmidt, care of WILLIAM B. COOPER, III, Esquire, P.O. Box 673, Exton, PA 19341, Executrix. WILLIAM B. COOPER, III, Esquire, Fox Rothschild, LLP, P.O. Box 673, Exton, PA 19341, atty.

**DVONCH**, Audrey M., late of Tredyffrin Township. Michael J. Dvonch, 350 Drummers Ln., Phoenixville, PA 19460, Executor. SALLY A. FARRELL, Esquire, Reardon & Associates, LLC, 985 Old Eagle School Rd., Ste. 516, Wayne, PA 19087, atty.

**EVANS**, Robert L., late of Pocopson Township.

Sylvia B. Evans and R. Paul Evans, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Co-Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**FARMAN**, Lawrence Ernest, late of Pottstown. Josh Farman, 747 W. Hoeffcker Rd., Pottstown, PA 19465 & Derek Farman, 135 Green Hill Rd., Barto, PA 19504, Executors.

**GALLAGHER, SR.**, Hugh F., a/k/a Hugh Gallagher, late of Westtown Township. Monica Gallagher and Adriana Gallagher, 1211 Valley Dr., West Chester, PA 19382, Executrices.

**GRAY**, Letitia E., a/k/a Letitia Elizabeth Gray, late of West Chester Borough. Delores M. Butler and Marcia J. Williams, care of STEPHANIE P. KALOGREDIS, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381, Executrices. STEPHANIE P. KALOGREDIS, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381, atty.

**GREGG**, Mark Timothy, a/k/a Mark T. Gregg, late of West Caln Township. Cassandra Gregg, 1366 Copeland School Road, Administratrix. THOMAS J WAGNER, Esquire, Thomas J. Wagner, Attorney at Law, 140 Grant Avenue, Coatesville, PA 19320, atty.

**GRETKOWSKI**, Helen R., late of West Whiteland Township. Lyn M. Wood, care of SEAMUS M. LAVIN, Esquire, 122 S. Church St., West Chester, PA 19382, Executrix. SEAMUS M. LAVIN, Esquire, Wetzel Gagliardi Fetter & Lavin LLC, 122 S. Church St., West Chester, PA 19382, atty.

**HALLETT**, Nancy S., late of East Whiteland Township. David Hallett, 11 Atterbury Drive, Malvern, PA 19355, Executor. FRANCIS C. MILLER, Esquire, Miller Law Offices, 21 W Washington St, Suite D, West Chester, PA 19380, atty.

**IFFRIG**, Michael Jon, late of West Whiteland Township. Dawn M. Marchini, 307 Jennifer Dr., Coatesville, PA 19320 and Robert J. Iffrig, 546 Fern Hill Ln., West Chester, PA 19380, Administrators. JAMES R. FREEMAN, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

**KALMBACH**, Albert, late of East Pikeland Township. Karen M. Trave & Keith D. Kalmbach, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Co-Executors. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

**KRAYNAK**, Karen A., late of Phoenixville Borough. Richard B. Kraynak, 8 Rossiter Ave., Phoenixville, PA 19460, Administrator. TIMOTHY G. DALY, Esquire, Daly & Clemente, P.C., 1288 Valley Forge Rd., #72, Phoenixville, PA 19460, atty.

**KUNTZ**, Dorothy A., late of Phoenixville. Debra Kaczmar, 4289 Chestnut Drive, Walnutport, PA 18088, Executor.

**LILLARD**, Phyllis, a/k/a Phyllis K. Lillard, late of Lower Oxford Township. James Barle Lillard, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, Executor. WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, atty.

**MANFREDINI**, Olympia M., late of New Garden Township. Dominic E. Manfredini, 732 Penn Green Road, Landenberg, PA 19350, Executor. W. DONALD SPARKS, II, Esquire, Richards, Layton & Finger, P.A., P.O. Box 551, Wilmington, DE 19899, atty.

**NUNN**, Kathleen, late of Newlin Township. Nick H. Nunn, III, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**RUPPERT**, Carol Lynn, late of Honey Brook Borough. Eileen Fox, care of JAMES B. GRIFFIN, CPA, Esquire, 623 N. Pottstown Pike, Exton, PA 19341, Executor. JAMES B. GRIFFIN, CPA, Esquire, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

**SHANNAHAN**, Franklin M., late of Tredyffrin Township. Barbara E. Shannahan and Joseph R. Shannahan, care of GUY F. MATTHEWS, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executors. GUY F. MATTHEWS, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

**SULLIVAN**, Jean A., late of Uwchlan Township. Joseph Sullivan, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Administrator. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**WALTERS, SR.**, James Ray, late of Nottingham. Sheila M. Kelly-Walters, care of KARYN L. SEACE, CELA, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executrix. KARYN L. SEACE, CELA, Esquire, Nescio &

Seace, LLP, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

**WATKINS, JR.**, John M., a/k/a John Mauldin Watkins, Jr., late of Kennett Square. Peter M. Watkins, P.O. Box 590292, Newton, MA 02459, Executor. MARK M. DALLE PAZZE, Esquire, Herdeg, du Pont & Dalle Pazzes, 15 Center Meeting Road, Wilmington, DE 19807, atty.

**WITAKER**, Jeanne T., late of Kennett Township. Mark Whitaker, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**WITMAYER**, Charles W., late of East Vincent Township. Sherry Lynn Whitmayer, care of JAMES J. CORSETTI, JR., Esquire, 440 Quarry Rd., Harleysville, PA 19438, Executrix. JAMES J. CORSETTI, JR., Esquire, 440 Quarry Rd., Harleysville, PA 19438, atty.

**YANNUZZI**, Mary E., late of West Fallowfield Township. Robert J. Lazar, care of CHRISTOPHER G. FURLONG, Esquire, 22 East Third Street, Media, PA 19063, Executor. CHRISTOPHER G. FURLONG, Esquire, 22 East Third Street, Media, PA 19063, atty.

**YOCKIN**, Robert A., late of West Pikeland Township. Robert P. Yockin, care of ROBERT C. EWING, Esquire, 116 W. Baltimore Avenue, P.O. Box 728, Media, PA 19063, Executor. ROBERT C. EWING, Esquire, 116 W. Baltimore Avenue, P.O. Box 728, Media, PA 19063, atty.

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### FICTITIOUS NAME

*NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of*

**Beiler's Sales & Rentals**, with its principal place of business at 6131 Limeville Road, Parkesburg, PA 19365. The application has been (or will be) filed on: Wednesday, October 27, 2021. The name(s) and address(es) of the individual(s) or entity(ies) owning

or interested in said business: Allen S. Beiler. Ashley Glick, Esq. Kling & Deibler, LLP  
131 W. Main Street  
New Holland, PA 17577

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Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on October 12, 2021 for **Black stallion Construction** at 21 Erica Circle, Honey Brook, PA 19344. The name and address of each individual interested in the business is Butch Morgan at 21 Erica Circle, Honey Brook, PA 19344. This was filed in accordance with 54 PaC.S. 311.417

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### CORPORATION NOTICE LIMITED LIABILITY COMPANY

NOTICE IS HEREBY GIVEN that on DATE a Certificate of Organization was filed in the Pennsylvania Department of State for Mauricios Pizza LLC, in accordance with the provisions of the Limited Liability Act of 1994.

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### 1st Publication of 1

#### NOTICE

COURT OF COMMON PLEAS  
CHESTER COUNTY, PA  
No. 2021-07327-RC  
QUIET TITLE

IN RE: +/- 1.83 Acres of Land Located at 1105 E. Lincoln Highway, Exton, PA 19341 (Being UPI No. 41-6-7 and 41-6-7.E)

Notice to Unknown Persons, Firms or Associations of the Petition to Quiet Title for Property Located at 1105 East Lincoln Highway, Exton, PA 19341 (Being UPI Nos. 41-6-7 and 41-6-7.E) owned by St. Paul's Episcopal Church of Exton. You may request a copy of the Petition to Quiet Title by contacting Lindsay A. Dunn, Esq., 610.840.0202. SERVICE PURSUANT TO SPECIAL ORDER OF COURT - NOTICE - If you wish to defend against the claims set forth in the Petition to Quiet Title, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you. **YOU SHOULD TAKE THIS PAPER TO YOUR**

LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. LAWYER REFERRAL AND INFORMATION SERVICE, Chester County Bar Assn., 15 W. Gay St., 2nd Fl., West Chester, PA 19381, 610.429.1500

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**1st Publication of 1**

**NOTICE**

NOTICE IS HEREBY GIVEN that the Consolidated Return of the Tax Claim Bureau of Chester County with respect to tax sales of real estate held on September 27, 2021 has been presented to the Court of Common Pleas of Chester County, Pennsylvania, which on December 14, 2021 confirmed said tax sales nisi. Objections or exceptions thereto may be filed by any owner or lien creditor within thirty (30) days after the Court has made a confirmation nisi; otherwise said return will be confirmed absolute.

TAX CLAIM BUREAU OF CHESTER COUNTY

Jonathan B. Schuck, Director

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**1st Publication of 1**

**Notice**

CIVIL ACTION  
COURT OF COMMON PLEAS  
CHESTER COUNTY, PA  
CIVIL ACTION-LAW  
NO. 2019-06502-RC  
NOTICE OF ACTION IN MORTGAGE FORECLOSURE

DITECH FINANCIAL LLC, Plaintiff

v.

E. WILHELMINA CLAY A/K/A ETHEL WILHELMINA CLAY, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF WALLACE H. CLAY A/K/A WALLACE HENRY CLAY, Defendants

To: UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER E. WILHELMINA CLAY A/K/A ETHEL WILHELMINA CLAY, INDIVIDUALLY AND AS ADMINISTRATRIX OF THE ESTATE OF WALLACE H. CLAY A/K/A WALLACE HENRY CLAY Defendant(s), 164 RED PUMP ROAD NOTTINGHAM A/K/A NOTTINGHAM TOWNSHIP, PA 19362

**COMPLAINT IN MORTGAGE FORECLOSURE**

You are hereby notified that Plaintiff, DITECH FINANCIAL LLC, has filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of CHESTER County, PA docketed to No. 2019-06502-RC, seeking to foreclose the mortgage secured on your property located, 164 RED PUMP ROAD NOTTINGHAM A/K/A NOTTINGHAM TOWNSHIP, PA 19362.

**NOTICE**

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in this notice you must take action within twenty (20) days after the Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you, and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE 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 THE INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Chester County Bar Association  
15 West Gay Street  
West Chester, PA 19380  
610-429-1500  
Robertson, Anschutz, Schneid, Crane & Partners, PLLC  
A Florida professional limited liability company  
ATTORNEYS FOR PLAINTIFF  
Jenine Davey, Esq. ID No. 87077  
133 Gaither Drive, Suite F  
Mt. Laurel, NJ 08054  
855-225-6906

### Sheriff Sale of Real Estate

By virtue of the within mentioned writs directed to Sheriff Fredda L. Maddox, the herein-described real estate will be sold at public sale in the Chester County Justice Center at 201 W Market Street, 3rd Floor, Room 3300, West Chester, Pennsylvania, as announced on **Thursday, January 20th, 2022 at 11AM.**

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff's Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Monday, February 22nd, 2022.** Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff's Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time and place of sale. **Payment must be paid in cash, certified check or money order made payable to the purchaser or "Sheriff of Chester County". The balance must be made payable to "Sheriff of Chester County" within twenty-one (21) days from the date of sale by 4PM.**

**FREDDA L. MADDOX, SHERIFF**

#### 1st Publication of 3

**SALE NO. 22-1-6**

**Writ of Execution No. 2021-01765**

**DEBT \$1,410,141.84**

ALL THAT CERTAIN lot or piece of ground situate in Caln Township, Chester County, Pennsylvania, and being a portion of the premises conveyed to Grantors by deed from Eugene A. Pollock filed April 14, 1962 and recorded in Chester County Deed Book A-34 at page 384, said portion

being more fully described according to a survey made by W. Richard Craig R. S., dated July 21, 1967, as follows:

BEGINNING at a point in the middle of Horseshow Pike (Rt. 322) said point being a corner of land now or late of David S. Beiler; thence from said point of beginning along land of Beiler, North 26 degrees 07 minutes East, 250.62 feet to a point, thence 165.89 feet to a point, thence South 26 degrees 07 minutes West, 300.94 feet to a point in said Horseshow Pike. Thence along the middle of same, North 63 degrees 53 minutes West, 157 feet more or less to the point and place of beginning.

Being the same property conveyed by Deborah D. Becker to ALA Holding, LLC by way of a Deed dated June 8, 2018 and recorded in the Chester County Pennsylvania Recorder of Deeds Office on June 13, 2018 in Book 9758, page 337.

Tax Parcel No. 39-2-27.1

PLAINTIFF: Firsttrust Bank

VS

DEFENDANT: **ALA Holdings, LLC, ALA Corporation & Angela Anderson**

SALE ADDRESS: 5033 Horseshoe Pk, Downingtown, PA 19335

PLAINTIFF ATTORNEY: **STARFIELD & SMITH, P.C. 215-542-7070**

**SALE NO. 22-1-7**

**Writ of Execution No. 2016-05458**

**DEBT \$332,821.62**

ALL THAT CERTAIN lot or parcel of land situated in the Township of Uwchlan, County of Chester, Commonwealth of Pennsylvania, being more fully described in Deed dated January 6, 1993 and recorded in the Office of the Chester County Recorder of Deeds on January 12, 1993, in Deed Book Volume 3455 at Page 550.

Tax Parcel No. 33-3-117

PLAINTIFF: U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT

VS

DEFENDANT: **John C. Riley, Jr., Teresa A. Riley & the United States of America**

SALE ADDRESS: 1013 Welsh Ayers Way, Downingtown, PA 19335

PLAINTIFF ATTORNEY: **HLADIK, ONORATO & FEDERMAN, LLP 215-855-9521**

**SALE NO. 22-1-8**

**Writ of Execution No. 2018-09591**

**DEBT \$115,446.40**

ALL THAT CERTAIN lot or parcel of land situated in the Fourth Ward of the City of Coatesville, County of Chester, Commonwealth of Pennsylvania, being more fully described in Deed dated July 12, 2006 and recorded in the Office of the Chester County Recorder of Deeds on May 1, 2007, in Deed Book Volume 7146 at Page 1136, Instruments No. 10749735.

Tax Parcel No. 16-07-0123

PLAINTIFF: U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT

VS

DEFENDANT: **Nicole M. Lytle a/k/a Nicole Ayers and David Lytle**

SALE ADDRESS: 1211 Stirling Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **HLADIK, ONORATO & FEDERMAN, LLP 215-855-9521**

**SALE NO. 22-1-9**

**Writ of Execution No. 2020-00634**

**DEBT \$350,429.44**

PROPERTY SITUATE IN TOWNSHIP OF WEST WHITELAND

IMPROVEMENTS: A RESIDENTIAL DWELLING

TAX PARCEL # 41-6N-149

PLAINTIFF: M&T Bank

VS

DEFENDANT: **Kristy M. Castagna & Juan Rivera Jr. AKA Juan Rivera**

SALE ADDRESS: 1390 Kirkland Avenue, West Chester, PA 19380

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 22-1-10**

**Writ of Execution No. 2019-05014**

**DEBT \$454,256.34**

Property situate in East Fallowfield Township ALL THAT CERTAIN LOT OR PIECE OF GROUND SITUATE IN EAST FALLOWFIELD TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A PLAN OF WELLINGTON HUNT, DRAWN BY EDWARD B. WALSH & ASSOCIATES, CIVIL ENGINEERS, DATED 2/28/1990, AND LAST REVISED 9/24/1996, SAID PLAN RECORDED IN CHESTER COUNTY AS PLAN NO. 13594, BEING MORE FULLY DESCRIBED IN A DEED DATED AUGUST 25, 1997 AND RECORDED AUGUST 28, 1997, IN THE CHESTER COUNTY CLERK'S REGISTER'S OFFICE IN DEED BOOK 4223, PAGE 1980.

IMPROVEMENTS: A Residential Dwelling & Pool

TAX PARCEL # 47-6-61.11

PLAINTIFF: U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT

VS

DEFENDANT: **David G. Keech & Susan D. Keech**

SALE ADDRESS: 300 Martingale Circle, East Fallowfield a/k/a Coatesville, PA 19312

PLAINTIFF ATTORNEY: **ROMANO, GARUBO & ARGENTIERI 856-384-1515**

**SALE NO. 22-1-11**

**Writ of Execution No. 2013-05089**

**DEBT \$823,524.28**

PROPERTY SITUATE IN WEST PIKE-LAND TOWNSHIP

IMPROVEMENTS: A RESIDENTIAL DWELLING

TAX PARCEL # 34-4-260

PLAINTIFF: U.S. Bank National Association, as Trustee for Harborview Mortgage Loan Trust 2005-3, Mortgage Loan Pass-Through Certificates, Series 2005-3

VS

DEFENDANT: **Tracy E. Beaver-McKeon & Michael McKeon**

SALE ADDRESS: 1707 Chantilly Lane, Chester Springs, PA 19425

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 22-1-12**

**Writ of Execution No. 2021-02823**

**DEBT \$477,251.64**

PROPERTY SITUATE IN WEST CALN TOWNSHIP

IMPROVEMENTS: A RESIDENTIAL DWELLING

TAX PARCEL # 28-4-55.17

PLAINTIFF: The Bank of New York Mellon, F/K/A The Bank of New York as trustee for registered Holders of CWABS, Inc., Asset-Backed Certificates, Series 2004-1 Carrington Mortgage Services, LLC

VS

DEFENDANT: **Carlette Miller AKA Carlette S. Miller**

SALE ADDRESS: 115 Jacobs Drive, Coatesville, PA19320

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 22-1-13**

**Writ of Execution No. 2021-01130**

**DEBT \$155,897.11**

PROPERTY SITUATE IN BOROUGH OF OXFORD

IMPROVEMENTS: A RESIDENTIAL DWELLING

TAX PARCEL # 06-08-0103

PLAINTIFF: Flagstar Bank, FSB

VS

DEFENDANT: **Tyler M. Harris**

SALE ADDRESS: 231 South 4th Street, Oxford, PA 19363

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 22-1-14**

**Writ of Execution No. 2021-03141**

**DEBT \$854,438.74**

PROPERTY SITUATE IN TOWNSHIP OF EAST BRADFORD

IMPROVEMENTS: A RESIDENTIAL DWELLING

TAX PARCEL # 51-07-0027.130  
 PLAINTIFF: CSMC 2018-SP3 Trust  
 VS  
 DEFENDANT: **Marianne Kane & Gerald E. Kane**  
 SALE ADDRESS: 1146 Saint Finnegan Drive, West Chester, PA 19382  
 PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 22-1-15**

**Writ of Execution No. 2019-04049**

**DEBT \$10,606.31**

PROPERTY SITUATE IN WEST BRANDYWINE TOWNSHIP  
 IMPROVEMENTS: A RESIDENTIAL DWELLING  
 TAX PARCEL # 29-7-151.1J  
 PLAINTIFF: M&T Bank S/B/M To Elmwood Federal Savings Bank  
 VS  
 DEFENDANT: **Susie L. Cason & David F. Curtiss**

SALE ADDRESS: 180 Main Lin Road aka 31 Main Lin Drive, Coatesville, PA 19320  
 PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 22-1-16**

**Writ of Execution No. 2019-08856**

**DEBT \$311,536.34**

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE TOWNSHIP OF CHARLESTOWN, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS FOLLOWS, TO WIT:

All that certain lot or piece of ground, hereditaments and appurtenances, Situate in the Township of Charlestown, County of Chester and Commonwealth of Pennsylvania, bounded and described according to a Plan of Property of Charlestown Oaks, made by Pennoni Associates, Philadelphia, PA, dated 2/3/1992, last revised 4/1999 and recorded 12/21/1999 in plan File No. 15204 as follows, to wit:

Beginning at a point on the North side of Tudor Court cul-de-sac, said point being a corner of Lot No. 139 as shown on said Plan; thence extending from said beginning point along Lot No. 139, North 49 degrees 20 minutes, 10 seconds West, 130 feet to a point in Line of Lot "C"; thence extending along same North 40 degrees 39 minutes 50 seconds East, 24 feet to a point, a corner of Lot No. 137; thence extending along same South 49 degrees 20 minutes 10 seconds East, 136.5 feet to a point of curve on the North side of Tudor Court; thence extending along same on the arc of a circle curving to the left, having a radius of 50 feet, the arc distance of 25.13 feet to the first mentioned point and place of beginning.

Being Lot No. 138 as shown on said Plan.  
 BEING THE SAME PROPERTY CONVEYED TO VIKRAM CHANDRAKANT PUROHIT AND POOJA VIKRAM PUROHIT WHO ACQUIRED TITLE BY VIRTUE OF A DEED FROM NARAYANAN RAJAMANI AND LAKSHMI GIRIDHARAN, DATED SEPTEMBER 19, 2014, RECORDED SEPTEMBER 22, 2014, AT DOCUMENT ID 11366945, AND RECORDED IN BOOK 8988, PAGE 1356, OFFICE OF THE RECORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

TAX PARCEL NO.: 35-03-0271  
 PLAINTIFF: Wells Fargo Bank, N.A.  
 VS  
 DEFENDANT: **Vikram Purohit, AKA**

**Vikram Chandrakant Purohit & Pooja Vikram Purohit**

SALE ADDRESS: 121 Tudor Court, Malvern, PA 19355

PLAINTIFF ATTORNEY: **MANLEY DEAS KOCHALSKI LLC 614-220-5611**

**SALE NO. 22-1-19**

**Writ of Execution No. 2019-04290**

**DEBT \$121,854.16**

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN WEST NOTTINGHAM TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA.

IMPROVEMENTS: RESIDENTIAL PROPERTY

TAX PARCEL NO: 68-5-66.2A

PLAINTIFF: CENLAR FSB

VS

DEFENDANT: **Peter A. Economos & Kelly Economos A/K/A Kelly F. Economos**

SALE ADDRESS: 130 Pleasant Drive, Nottingham, PA 19362

PLAINTIFF ATTORNEY: **ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC 855-225-6906**

**SALE NO. 22-1-20**

**Writ of Execution No. 2019-03245**

**DEBT \$525,232.44**

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST MARLBOROUGH, COUNTY OF CHESTER AND STATE OF PENNSYLVANIA, BOUND-ED AND DESCRIBED ACCORDING TO THE FINAL SUBDIVISION PLAN

OF "FOLLY HILL FARMS", MADE BY GEORGE E. REGISTER, JR. AND SONS, INC.; REGISTERED, LAND SURVEYORS, AND RECORDED IN CHESTER COUNTY, AS PLAN NO. 7802 AND BEING MORE FULLY DE-SCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE SOUTHERLY SIDE OF HUNTSMAN LANE, A CORNER OF LOT NO. 13, AS SHOWN ON SAID PLAN; THENCE EX-TENDING FROM SAID POINT OF BE-GINNING AND EXTENDING ALONG HUNTSMAN LANE, THE THREE (3) FOLLOWING COURSES AND DIS-TANCE: (1) SOUTH 49 DEGREES 45 MINUTES 00 SECONDS EAST 32.00 FEET TO A POINT OF CURVE; (2) ON THE ARC OF A CIRCLE CURVING TO THE RIGHT HAVING A RADIUS OF 25.00 FEET THE ARC DISTANCE OF 21.03 FEET TO A POINT OF REVERSE CURVE; (3) ON THE ARC OF A CIR-CLE CURVING TO THE LEFT HAV-ING A RADIUS OF 50 FEET THE ARC DISTANCE OF 65.59 FEET TO A POINT A CORNER OF LOT NO. 11 ON SAID PLAN; THENCE EXTENDING ALONG LOT NO.11, SOUTH 13 DEGREES 16 MINUTES 31 SECONDS WEST CROSS-ING OVER A 40 FEET WIDE EASE-MENT FOR USE AS ACCESS TO PAS-TURE LAND, 310.73 FEET TO A POINT IN LINE OF LANDS OF M.P.S BUILD-ERS; THENCE EXTENDING ALONG THE SAME NORTH 86 DEGREES 15 MINUTES 48 SECONDS WEST 283.34 FEET TO A POINT, A CORNER OF LOT NO. 15 ON SAID PLAN; THENCE EX-TENDING ALONG THE SAME AND ALONG LOT NO. 13 THE TWO FOL-LOWING COURSES AND DISTANCES; (1) NORTH 03 DEGREES 40 MINUTES 12 SECONDS EAST RE-CROSSING SAID 40 FEET WIDE EASEMENT FOR USE AS ACCESS TO PASTURE LAND, 40.00 FEET TO A POINT; (2) NORTH 40 DEGREES 15 MINUTES 00 SECONDS

EAST 432.92 FEET TO A POINT ON THE SOUTHERLY SIDE OF HUNTS- MAN LANE, THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

BEING LOT NO. 12 ON SAID PLAN.

UPI # 61-6-37.1B

PLAINTIFF: Harleysville Bank

VS

DEFENDANT: **William C. Huyler III & Robin Leigh Huyler**

SALE ADDRESS: 1845 Huntsman Lane, West Chester, PA 19382

PLAINTIFF ATTORNEY: **MCCABE, WEISBERG & CONWAY, LLC 215-790-1010**

**SALE NO. 22-1-21**

**Writ of Execution No. 2019-05149**

**DEBT \$76,187.51**

ALL THAT CERTAIN lot of land which is erected the South house of a block of two brick dwelling houses designated as No. 125 Woodland Avenue, situated in the Second Ward of the City of Coatesville, County of Chester and State of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point on the East curb line of Woodland Avenue distant 122 feet Southwardly from the South curb line of Walnut Street and opposite the corner of the middle dividing portion on said block of two brick dwelling houses; thence by land of Charles Petrosky and wife, and passing through the center of the middle dividing partition in said block of two brick dwelling houses North 84 degrees 29 minutes East 143.74 feet to the center line of a 15 feet wide alley; thence by the center line of said alley South 6 degrees 27 minutes East, 22.45 feet to a corner of land of Mary Lipka, formerly of Calvin Snyder;

thence by the same South 84 degrees 29 minutes West 144.2 feet to the said East curb line of Woodland Avenue, thence by the same North 5 degrees 31 minutes West, 22 feet to the place of beginning.

BEING THE SAME PREMISES which Merton C. Sellers and Billie Marie Sellers, husband and wife, by Deed dated December 29, 2010 and recorded January 5, 2011 in the Office of the Recorder of Deeds in and for Chester County in Deed Book 8090, Page 2027, granted and conveyed unto DAVID RADECKY and CHARLOTTE RADECKY.

BEING UPI NO. 16-6-966

IMPROVEMENTS thereon: a residential property

PLAINTIFF: Manufacturers and Traders Trust Company also known as M&T Bank Successor By Merger to Hudson City Savings Bank, FSB

VS

DEFENDANT: **David A. Radecky a/k/a David Radecky & Charlotte M. Radecky a/k/a Charlotte Radecky**

SALE ADDRESS: 125 Woodland Avenue, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **POWERS KIRN, LLC 215-942-2090**

**SALE NO. 22-1-22**

**Writ of Execution No. 2021-00893**

**DEBT \$106,772.07**

Property situate in the WARWICK TOWNSHIP, CHESTER County, Pennsylvania being

BLR # 19-2-56.1

Improvements thereon: RESIDENTIAL DWELLING

PLAINTIFF: Wells Fargo Bank, N.A. as Trustee for Option One Mortgage Loan

Trust 2000-D, Asset-Backed Certificates, Series 2000-D

VS

DEFENDANT: **Nancy L. Valentin a/k/a Nancy Valentin**

SALE ADDRESS: 105 Bethesda Road a/k/a 337 Bethesda Road, Elverson, PA 19520

PLAINTIFF ATTORNEY: **BROCK & SCOTT, PLLC 844-856-6646**

**SALE NO. 22-1-23**

**Writ of Execution No. 2016-10166**

**DEBT \$232,241.17**

Property situate in the TOWNSHIP OF WEST NOTTINGHAM, CHESTER County, Pennsylvania being

BLR # 68-2-32-10

Improvements thereon: RESIDENTIAL DWELLING

PLAINTIFF: Wells Fargo Bank, National Association, as Trustee for Carrington Mortgage Loan Trust, Series 2006-OPT1, Asset Backed Pass-Through Certificates, Series 2006-OPT1

VS

DEFENDANT: **Dawn McIntyre & David McIntyre**

SALE ADDRESS: 46 Somerset Drive, Nottingham, PA 19362

PLAINTIFF ATTORNEY: **BROCK & SCOTT, PLLC 844-856-6646**

**SALE NO. 22-1-24**

**Writ of Execution No. 2019-10783**

**DEBT \$405,893.31**

Property situate in the TOWNSHIP OF EAST BRADFORD, CHESTER County, Pennsylvania being

BLR # 51-6-7.6

Improvements thereon: RESIDENTIAL DWELLING

PLAINTIFF: Deutsche Bank National Trust Company, As Trustee for HSI Asset Securitization Corporation Trust 2006 OPT4, Mortgage-Pass-Through Certificates, Series 2006-OPT4

VS

DEFENDANT: **Antonio M. DiFabrizio**

SALE ADDRESS: 1311 Bridge Road, West Chester, PA 19382

PLAINTIFF ATTORNEY: **BROCK & SCOTT, PLLC 844-856-6646**

**SALE NO. 22-1-25**

**Writ of Execution No. 2021-01141**

**DEBT \$201,117.99**

Property situate in the TOWNSHIP OF LOWER OXFORD, CHESTER County, Pennsylvania being

BLR # 56-10-12.4B

Improvements thereon: RESIDENTIAL DWELLING

PLAINTIFF: Deutsche Bank National Trust Company, As Trustee for New Century Home Equity Loan Trust, Series 2005-B, Asset Backed Pass-Through Certificates

VS

DEFENDANT: **Patrick Mahan a/k/a Patrick G. Mahan & Kari Mahan a/k/a Kari C. Mahan a/k/a Kari Krolkowski a/k/a Kari Colflesh**

SALE ADDRESS: 216 Elkview Road, Lincoln University, PA 19352

PLAINTIFF ATTORNEY: **BROCK & SCOTT, PLLC 844-856-6646**



**SALE NO. 22-1-26**

**Writ of Execution No. 2015-03579**

**DEBT \$474,464.24**

**Art Paviglianiti & Karen L. Paviglianiti**

SALE ADDRESS: 613 S. Guernsey Road,  
West Grove, PA 19390

PLAINTIFF ATTORNEY: **BROCK &  
SCOTT, PLLC 844-856-6646**

Property situate in the BOROUGH OF  
OXFORD, CHESTER County, Pennsylv-  
ania being

BLR # 6-8-51

Improvements thereon: RESIDENTIAL  
DWELLING

PLAINTIFF: The Bank of New York Mel-  
lon, F/K/A The Bank of New York as In-  
denture Trustee for the Registered Holders  
of ABFS Mortgage Loan Trust 2002-2,  
Mortgage-Backed Pass-Through Certifi-  
cates, Series 2002-2

VS

DEFENDANT: **Henry J. Ruffenach**

SALE ADDRESS: 224 Penn Avenue, Ox-  
ford, PA 19363

PLAINTIFF ATTORNEY: **BROCK &  
SCOTT, PLLC 844-856-6646**

**SALE NO. 22-1-27**

**Writ of Execution No. 2017-05629**

**DEBT \$475,140.55**

Property situate in the TOWNSHIP OF  
FRANKLIN, CHESTER County, Penn-  
sylvania being

BLR # 72-002-0002.0200

Improvements thereon: RESIDENTIAL  
DWELLING

PLAINTIFF: Deutsche Bank National  
Trust Company, as Trustee for Ameriquet  
Mortgage Securities Inc., Asset-Backed  
Pass-Through Certificates, Series ARSI  
2006-M3

VS

DEFENDANT: **Art W. Paviglianiti a/k/a**

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